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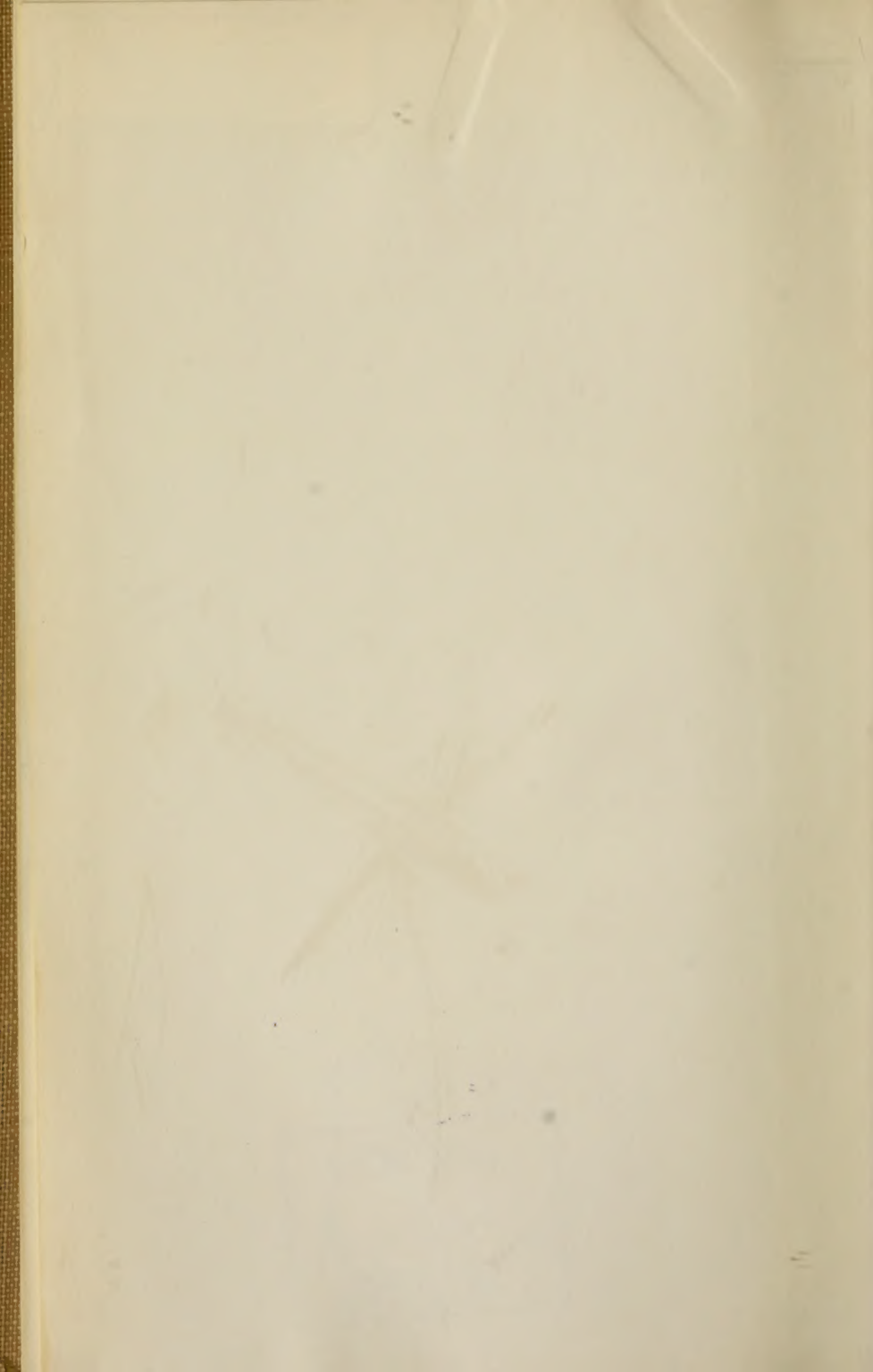
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Journal of the Senate

DURING THE

FORTY-NINTH SESSION

OF THE

Legislature of the State of California

1931

PART II

FIRST PART BEGAN ON MONDAY, JANUARY FIFTH, AND
ENDED FRIDAY, JANUARY TWENTY-THIRD

SECOND PART BEGAN ON TUESDAY, FEBRUARY TWENTY-FOURTH
AND ENDED FRIDAY, MAY FIFTEENTH

LIEUTENANT GOVERNOR FRANK F. MERRIAM, President of the Senate
JOSEPH A. BEEK, Secretary



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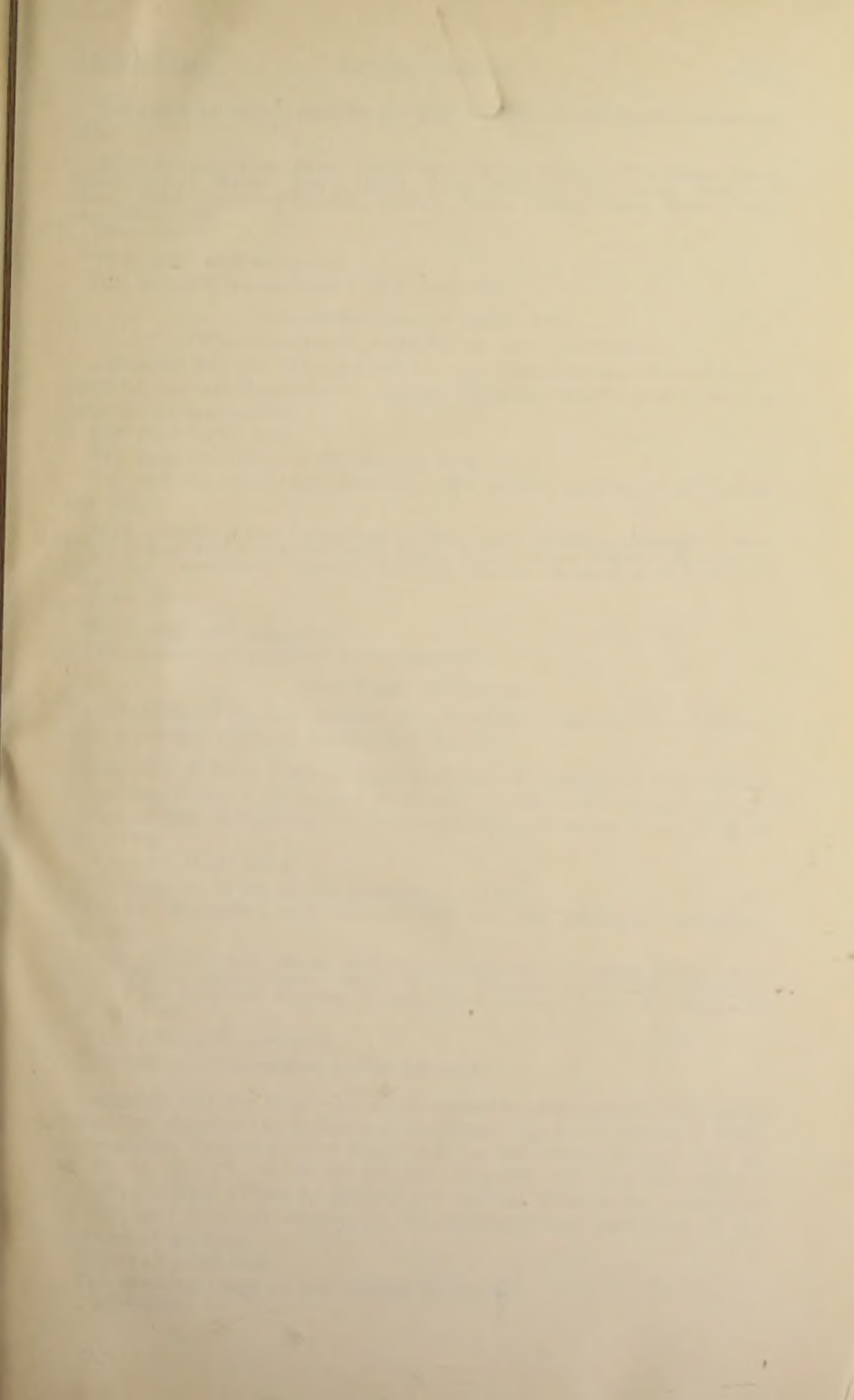
Vol. 10, No. 1

Published for the American Medical Association

1917

1917

AMERICAN
MEDICAL ASSOCIATION
535 N. Dearborn St.
CHICAGO, ILL.



The roll was called, and Senate Bill No. 651 passed by the following vote:

AYES—Senators Allen, Baker, Breed, Bush, Carter, Christian, Crittenden, Deuel, Evans, Fellom, Harper, Hays, Inman, Jones, Maloney, McCormack, McKinley, Mixer, Riley, Rochester, Schottky, Sharkey, Slater, Swing, Treacy, Tubbs, Wagy, and William—28.

NOES—None.

Title read and approved.

Bill ordered transmitted to the Assembly.

CONSIDERATION OF DAILY FILE.

THIRD READING OF ASSEMBLY BILLS—(RESUMED).

Assembly Bill No. 171—An act to require the director of the Department of Natural Resources to register and mark buildings of historical interest, or landmarks.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Assembly Bill No. 171 passed by the following vote:

AYES—Senators Allen, Baker, Breed, Bush, Carter, Christian, Crittenden, Deuel, Duval, Evans, Fellom, Harper, Hays, Ingels, Inman, Jones, Maloney, McCormack, McKinley, Mixer, Riley, Rochester, Schottky, Sharkey, Slater, Treacy, Tubbs, and Wagy—28.

NOES—None.

Title read and approved.

Bill ordered transmitted to the Assembly.

RUSH ORDER TO PRINTER.

On motion of Senator Fellom, the Secretary was directed to issue a rush order for printing Senate Bill No. 578.

Assembly Bill No. 1047—An act to define the liability of stockholders in California State banks and to provide for the enforcement and collection of that liability by the Superintendent of Banks of the State of California.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Assembly Bill No. 1047 passed by the following vote:

AYES—Senators Allen, Breed, Bush, Carter, Christian, Crittenden, Deuel, Duval, Evans, Fellom, Hays, Ingels, Inman, Jones, Maloney, McCormack, McKinley, Mixer, Riley, Rochester, Schottky, Sharkey, Slater, Treacy, Tubbs, and Wagy—26.

NOES—None.

Title read and approved.

Bill ordered transmitted to the Assembly.

Assembly Bill No. 1048—An act to amend an act entitled "An act to define and regulate the business of banking," approved March 1, 1909, as amended, designated the Bank Act, by amending sections 25, 26, 32, 40, 44, 48a, 61, 65, 68, 83, 84, 101, 105, 133, 137, and 140, and by repealing section 17 and by adding new sections to be known as sections 8a, 16f, and 136c, all relating to the definition and regulation of the business of banking.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Assembly Bill No. 1048 passed by the following vote:

AYES—Senators Allen, Breed, Bush, Christian, Crittenden, Deuel, Duval, Evans, Fellom, Hays, Ingels, Inman, Jones, Maloney, McCormack, McKinley, Mixer, Riley, Rochester, Schottky, Sharkey, Slater, Swing, Treacy, Tubbs, and Wagy—26.

NOES—None.

Title read and approved.

Bill ordered transmitted to the Assembly.

RECESS.

On motion of Senator Breed, at twelve o'clock and thirty minutes p.m., the President of the Senate declared recess until two o'clock p.m.

RECONVENED.

At two o'clock p.m., the Senate reconvened.

Lieutenant Governor Frank F. Merriam, President of the Senate, in the chair.

Secretary Joseph A. Beek at the desk.

REPORTS OF STANDING COMMITTEES—(RESUMED).

The following reports of standing committees were received and read:

ON GOVERNMENTAL EFFICIENCY.

SENATE CHAMBER, SACRAMENTO, April 8, 1931.

MR. PRESIDENT: Your Committee on Governmental Efficiency, to which was referred Senate Bill No. 138—An act to add a new article to chapter 3 of title I to part III of the Political Code, to be numbered article IIa, embracing sections 360 to 360b, both inclusive, and repealing sections 363k, 363l and 363m of the Political Code, relating to a Department of Motor Vehicles;

Also: Senate Bill No. 679—An act to provide for the sanitary inspection of slaughterhouses, the inspection of animals or meats intended for human consumption, to provide rules and regulations therefor, to provide penalties for the violation hereof and to repeal the California Meat Inspection Law, approved June 3, 1921; Has had the same under consideration, and respectfully reports the same back with amendments, and recommends that the amendments be adopted, and that they be re-referred to this committee.

Committee membership—11; committee vote: Ayes—11.

CRITTENDEN, Chairman.

CONSIDERATION OF COMMITTEE AMENDMENTS.

Pursuant to the report of the Committee on Governmental Efficiency, the following amendments to Senate Bill No. 138 were read and adopted:

AMENDMENT NUMBER ONE.

In line 1 of the title of the printed bill, strike out "to part", and insert in lieu thereof the following: "of part".

AMENDMENT NUMBER TWO.

On page 1, line 14, of the printed bill, strike out "during", and insert in lieu thereof the following: "at".

AMENDMENT NUMBER THREE.

On page 1, line 16, of the printed bill, strike out "\$7,500.", and insert in lieu thereof the following: "five thousand dollars".

AMENDMENT NUMBER FOUR.

On page 2 of the printed bill, strike out lines 3 to 42, inclusive, and insert in lieu thereof the following:

"360b. The division of registration shall be conducted under the control of the director of motor vehicles.

360c. The division of enforcement, to be known as the California highway patrol, shall be conducted under the control of a commissioner to be known as the commissioner of the California highway patrol, which office is hereby created.

The commissioner shall be appointed by and hold office at the pleasure of the governor and shall serve without compensation, but shall be entitled to receive his actual, necessary traveling expenses incurred in the performance of his duties.

Before entering upon the duties of his office the commissioner shall execute an official bond to the State of California in the penal sum of twenty-five thousand dollars.

The commissioner shall succeed to and be vested with all the duties, responsibilities, powers and jurisdiction, and shall exercise all the powers and jurisdiction of the director of the department of public works in so far as they relate to the California highway patrol. He shall have power to appoint a secretary and, subject to the approval of the governor, the chief of the California highway patrol, each of which positions are exempt from the provisions of the civil service act, the salaries of such appointees to be fixed by the commissioner with the approval of the governor. Before entering upon the duties of his office, the chief of the California highway patrol shall execute an official bond to the State of California in the penal sum of twenty-five thousand dollars. He shall have power to appoint a secretary and an assistant chief, which positions are exempt from the provisions of the civil service act, salaries of such appointees to be fixed by the commissioner, with the approval of the governor.

The chief of the California highway patrol shall succeed to and be vested with all the duties, powers, responsibilities and jurisdiction, and shall exercise all the powers and jurisdiction of the chief of the division of motor vehicles, in so far as they relate to the California highway patrol.

The chief and assistant chief of the California highway patrol shall succeed to, be vested with and exercise all the powers, duties, responsibilities and jurisdiction of the superintendent and assistant superintendent of the California highway patrol."

AMENDMENT NUMBER FIVE.

On page 2, line 43, of the printed bill, strike out "The", and insert in lieu thereof the following: "Except as in this article otherwise provided, the".

AMENDMENT NUMBER SIX.

On page 2, line 51, of the printed bill, strike out "The", and insert in lieu thereof the following: "Except as in this article otherwise provided, the".

AMENDMENT NUMBER SEVEN.

On page 3, line 4, of the printed bill, strike out "deputy director", also strike out lines 5 to 8, inclusive, and insert in lieu thereof the following: "secretary, whose salary shall be fixed by the director with the approval of the governor, which position of secretary is exempt from the provisions of the civil service act."

AMENDMENT NUMBER EIGHT.

On page 4 of the printed bill, strike out lines 10 to 16, inclusive, and insert the following:

"360*g*. Except as in this article otherwise provided, the director of motor vehicles shall have the power to employ and, with the approval of the director of finance, fix the salaries of all such officers, deputies, employees and technical experts as may be necessary for the proper discharge of the duties of the department."

Bill ordered to print, and re-referred to Committee on Governmental Efficiency.

CONSIDERATION OF COMMITTEE AMENDMENTS.

Pursuant to the report of the Committee on Governmental Efficiency, the following amendments to Senate Bill No. 679 were read and adopted:

AMENDMENT NUMBER ONE.

On page 1, line 10, of the printed bill, as amended, strike out the following words: "the division of animal industry of".

AMENDMENT NUMBER TWO.

On page 2, line 10, of the printed bill, as amended, strike out the comma following the word "places", and all of the balance of line 10, and all of lines 11, 12 and 13, and in lieu thereof insert a period following the word "places".

AMENDMENT NUMBER THREE.

On page 2 of the printed bill, as amended, at the end of section 2 add the following paragraph:

"Animals shall be limited to the larger mammals and all small species such as rabbits shall be excluded."

AMENDMENT NUMBER FOUR.

On page 2 of the printed bill, as amended, strike out all of lines 28 to 34, inclusive.

AMENDMENT NUMBER FIVE.

On page 2 of the printed bill, as amended, commencing with the words "The supervision of the director", in line 40, strike out all of the balance of section 4 and insert in lieu thereof the following: "The director of agriculture in his supervision of approved municipal inspection departments, must transmit all orders to establishments through the respective local health authorities."

AMENDMENT NUMBER SIX.

On page 2, line 50, of the printed bill, as amended, commencing with the words "If the original requirements", strike out all of section 5 on pages 2 and 3.

AMENDMENT NUMBER SEVEN.

On page 3, line 13, of the printed bill, as amended, following the word "purposes", insert a comma and the following: "or for the manufacture of meat food products".

AMENDMENT NUMBER EIGHT.

On page 3, line 15, of the printed bill, as amended, following the word "or", insert the word "approved".

AMENDMENT NUMBER NINE.

On page 3, line 19, of the printed bill, as amended, strike out the following: "are actually killed in and".

AMENDMENT NUMBER TEN.

On page 3, line 27, of the printed bill, as amended, commencing with the word "when", strike out the balance of line 27, and all of line 28, and in lieu thereof insert a period following the word "agriculture", in line 27.

AMENDMENT NUMBER ELEVEN.

On page 3, line 27, of the printed bill, as amended, following the period after the word "agriculture", insert the following: "Nothing herein contained shall prevent the continuance or inauguration of state inspection or municipal inspection on a voluntary basis, not otherwise provided for in this act."

AMENDMENT NUMBER TWELVE.

On page 3 of the printed bill, as amended, strike out all of lines 29 to 38, inclusive, and insert in lieu thereof the following:

"Nothing in this act shall be construed to prohibit a live stock producer from occasionally slaughtering animals on his own premises for his own consumption or for partial disposal of the meat in his vicinity without advertisement of any kind and without offering for sale at any public place, nor to prohibit a cattle raiser or dairyman from slaughtering calves under the age of eight months which are the actual increase of his own herd; provided such calves are accompanied by a certificate of ownership and offered for inspection at any point where inspection is maintained in accordance with regulations issued by the director of the state department of agriculture."

AMENDMENT NUMBER THIRTEEN.

At the end of section 6 of the printed bill, as amended by amendment No. 12 preceding, immediately following the period after the word "agriculture", insert the following: "Nothing herein contained shall prohibit animals of the bovine species under the age of eight months from being slaughtered and shipped to counties where state inspection or approved municipal or county inspection is maintained and said animals so slaughtered shall be there inspected and the carcasses stamped, provided that the establishments wherein said animals were slaughtered meet the sanitary requirements of the state department of agriculture."

AMENDMENT NUMBER FOURTEEN.

On page 3, line 49, of the printed bill, as amended, after the word "day", strike out the comma.

AMENDMENT NUMBER FIFTEEN.

On page 3, line 50, of the printed bill, as amended, after the word "holidays", insert a comma.

AMENDMENT NUMBER SIXTEEN.

On page 3, line 52, of the printed bill, as amended, strike out the words "or his authorized agent", and insert in lieu thereof the following: "or a local health authority".

AMENDMENT NUMBER SEVENTEEN.

On page 4, line 2, of the printed bill, as amended, after the word "director", insert the words "of agriculture".

AMENDMENT NUMBER EIGHTEEN.

On page 4, line 20, of the printed bill, as amended, after the word "director", insert the words "of agriculture".

AMENDMENT NUMBER NINETEEN.

On page 4, line 32, of the printed bill, as amended, after the word "passed", strike out the period, and in lieu thereof insert the following: "or with the inspector legend of an approved municipal inspection department, to which has been added the words "Cal. Approved".

AMENDMENT NUMBER TWENTY.

On page 4, line 38, of the printed bill, as amended, after the quotation marks and comma following the word "condemned", insert the following: "or with the condemned brand of an approved municipal inspection department".

AMENDMENT NUMBER TWENTY-ONE.

On page 5, line 25, of the printed bill, strike out the word "all", and immediately after the word "fees", in said line insert the following: "as are".

AMENDMENT NUMBER TWENTY-TWO.

On page 5, lines 26 and 27, of the printed bill, as amended, strike out the words "meat hygiene fund, which fund is hereby created", and in lieu thereof insert the following: "department of agriculture fund".

AMENDMENT NUMBER TWENTY-THREE.

On page 5, line 28, of the printed bill, as amended, strike out the period following the word "inspectors", and insert in lieu thereof a comma and the following: "and the balance of moneys paid in under the California meat inspection law approved June 3, 1921, shall be used for the purposes of this act."

AMENDMENT NUMBER TWENTY-FOUR.

On page 5, line 38, of the printed bill, as amended, following the second word "be", insert the word "transported", and a comma.

AMENDMENT NUMBER TWENTY-FIVE.

On page 5, line 40, of the printed bill, as amended, following the word "any", insert the word "political".

AMENDMENT NUMBER TWENTY-SIX.

On page 6, line 15, of the printed bill, as amended, strike out the word "persons", and insert in lieu thereof the word "person".

AMENDMENT NUMBER TWENTY-SEVEN.

On page 6, line 22, of the printed bill, as amended, after the syllable "ner", insert the following: "and inspection conducted".

Bill ordered to print, and re-referred to Committee on Governmental Efficiency.

ON ENGROSSMENT, ENROLLMENT AND PRINTING.

SENATE CHAMBER, SACRAMENTO, April 9, 1931.

MR. PRESIDENT: Your Committee on Engrossment, Enrollment and Printing has examined Senate Bill No. 712—An act to amend section 19710 of the Juvenile Court Law, relating to probation officers in counties of the tenth class;

Also: Senate Bill No. 740—An act to amend section 4253 and to repeal section 4252a of the Political Code, relating to compensation of county and township officers in counties of the twenty-fourth class; and to repeal section 9a19 of chapter 68, Statutes of 1911, entitled "An act to provide for the establishment and maintenance of county free libraries in the State of California, and repealing 'An act entitled 'An act to provide county library systems,' approved April 12, 1909, and all acts and parts of acts in conflict with this act.'";

And reports that the same have been correctly engrossed.

INGELS, Vice Chairman.

ON CONSTITUTIONAL AMENDMENTS.

SENATE CHAMBER, SACRAMENTO, April 9, 1931.

MR. PRESIDENT: Your Committee on Constitutional Amendments, to which was referred Senate Constitutional Amendment No. 1—A resolution to propose to the people of the State of California an amendment to the constitution of the State, adding to article XVI thereof a new section, to be numbered 6, relating to elimination of grade crossings—has had the same under consideration, and respectfully reports the same back with amendments, and recommends that the amendments be adopted, and be re-referred to Committee on Roads and Highways.

Committee membership—9; committee vote: Ayes—8; absent—1.

ALLEN, Chairman.

CONSIDERATION OF COMMITTEE AMENDMENT.

Pursuant to the report of the Committee on Constitutional Amendments, the following amendment to Senate Constitutional Amendment No. 1 was read and adopted:

AMENDMENT NUMBER ONE.

On page 1 of the printed bill, strike out all of line 17, beginning with the word "unless", and strike out all of lines 18, 19, 20, 21, and to and including the word "dollars", in line 22.

Senate Constitutional Amendment No. 1 ordered to print, and re-referred to Committee on Roads and Highways.

Also:

MR. PRESIDENT: Your Committee on Constitutional Amendments, to which was referred Senate Constitutional Amendment No. 15—A resolution proposing to the people of the State of California a limitation of taxes on real estate by amending section 1 of article XIII of the constitution of California—has had the same under consideration, and respectfully reports the same back with amendments, without recommendation, and recommends that the amendments be adopted, and that it be re-referred to Committee on Revenue and Taxation.

Committee membership—9; committee vote: Ayes—8; absent—1.

ALLEN, Chairman.

CONSIDERATION OF COMMITTEE AMENDMENTS.

Pursuant to the report of the Committee on Constitutional Amendments, the following amendments to Senate Constitutional Amendment No. 15 were read and adopted:

AMENDMENT NUMBER ONE.

On page 1 of the printed bill, substitute for the title preceding line 1, the following:

"Senate Constitutional Amendment No. 15—A resolution proposing to the people of the State of California an amendment of section 6 of article IX of the constitution of the State of California, directing a reduction of local property taxes by increasing state aid to elementary and high schools."

AMENDMENT NUMBER TWO.

On page 1 of the printed bill, strike out the matter commencing with line 7, to and including line 10, page 7, and substitute therefor the following: "by amending section 6 of article IX thereof to read as follows:

Sec. 6. The public school system shall include day and evening elementary schools, and such day and evening secondary schools, technical schools, kindergarten schools and normal schools or teachers' colleges, as may be established by the Legislature, or by municipal or district authority.

The Legislature shall add to the state school fund such other means from the revenues of the state as shall provide in said fund for distribution in each school year in such manner as the Legislature shall provide an amount not less than thirty dollars per pupil in average daily attendance in the day and evening elementary schools in the public school system during the next preceding school year.

The Legislature shall provide a state high school fund from the revenues of the state for the support of day and evening secondary and technical schools, which for each school year, shall provide for distribution in such manner as the Legislature shall provide an amount not less than thirty dollars per pupil in average daily attendance in the day and evening secondary and technical schools in the public school system during the next preceding school year.

The Legislature shall provide for the levying of a county, and city and county, elementary school tax, by the board of supervisors of each county, and city and county, sufficient in amount to produce not less than thirty dollars per pupil in average daily attendance in the public day and evening elementary schools of the county, or city and county, during the next preceding school year.

The Legislature shall provide for the levying of a county, and city and county, high school tax by the board of supervisors of each county, and city and county, sufficient in amount to produce not less than sixty dollars per pupil in average daily attendance in the public day and evening secondary schools of the county, or city and county, during the next preceding school year.

The Legislature shall provide for the levying of school district taxes by the board of supervisors of each county, and city and county, for the support of public elementary schools, secondary schools, technical schools, and kindergarten schools, or for any other public school purpose authorized by the Legislature.

The entire amount of money provided by the state, and not less than sixty per cent of the amount of money provided by county, or city and county, school taxes shall be applied exclusively to the payment of public school teachers' salaries.

To reduce and limit the local tax burden on property, the state shall assume and pay the operating cost of the day and evening elementary schools and of the day and evening secondary and technical schools up to a standard or maximum to be established in such manner as the Legislature may provide. That portion of said standard or maximum cost not covered by the thirty dollar payments hereinabove required to be paid by the state must be assumed and paid by the state, in a manner and under conditions prescribed by the Legislature which must provide for a simultaneous reduction in the aforesaid local taxes proportionate to the additional state payments made hereunder, so that within ten years from the adoption of this amendment, and hereafter, said cost shall be entirely paid by the state.

The Legislature may resort to any taxes, other than taxes on property, for the revenue necessary to make such additional state payments; *provided, however, that*

such revenue shall not be raised or expended unless the Legislature shall provide, and it is hereby empowered so to do, a limitation against increases in the expenditures of local governments which otherwise might result from such additional state payments."

Senate Constitutional Amendment No. 15 ordered to print, and re-referred to Committee on Revenue and Taxation.

Also:

MR. PRESIDENT: Your Committee on Constitutional Amendments, to which was referred Senate Constitutional Amendment No. 22—A resolution to propose to the people of the State of California an amendment of the constitution of said State by amending section 15 of article XIII thereof, relating to revenue and taxation—has had the same under consideration, and respectfully reports the same back without recommendation, and recommends that the same be re-referred to Committee on Revenue and Taxation.

Committee membership—9; committee vote: Ayes—8; absent—1.

ALLEN, Chairman.

Senate Constitutional Amendment No. 22 ordered re-referred to Committee on Revenue and Taxation.

Also:

MR. PRESIDENT: Your Committee on Constitutional Amendments, to which was referred Assembly Constitutional Amendment No. 26—A resolution to propose to the people of the State of California an amendment to the constitution of the State by adding a new section to article IV thereof to be numbered 25½, relating to boxing, sparring and wrestling matches or exhibitions—has had the same under consideration, and respectfully reports the same back, and recommends that it be adopted, and be re-referred to Committee on Elections.

Committee membership—9; committee vote: Ayes—8; absent—1.

ALLEN, Chairman.

Assembly Constitutional Amendment No. 26 ordered re-referred to Committee on Elections.

Also:

MR. PRESIDENT: Your Committee on Constitutional Amendments, to which was referred Senate Constitutional Amendment No. 23—A resolution to propose to the people of the State of California an amendment to the constitution of said State by adding a new section to be numbered 14a to article XIII thereof, relating to revenue and taxation—has had the same under consideration, and respectfully reports the same back, and recommends that it do pass, and be re-referred to Committee on Revenue and Taxation.

Committee membership—9; committee vote: Ayes—8; absent—1.

ALLEN, Chairman.

Senate Constitutional Amendment No. 23 ordered re-referred to Committee on Revenue and Taxation.

Also:

MR. PRESIDENT: Your Committee on Constitutional Amendments, to which was referred Assembly Constitutional Amendment No. 28—A resolution proposing to the people of the State of California an amendment of section 4 of article XIII of the constitution of the State of California, relating to the exemption of vessels engaged in commerce from taxation—has had the same under consideration, and respectfully reports the same back, and recommends that it be adopted, and be re-referred to Committee on Revenue and Taxation.

Committee membership—9; committee vote: Ayes—8; absent—1.

ALLEN, Chairman.

Assembly Constitutional Amendment No. 28 ordered re-referred to Committee on Revenue and Taxation.

ON DRAINAGE, SWAMP AND OVERFLOWED LANDS.

SENATE CHAMBER, SACRAMENTO, April 9, 1931.

MR. PRESIDENT: Your Committee on Drainage, Swamp and Overflowed Lands, to which was referred Senate Bill No. 689—An act to amend sections 3463, 3464, 3465 and 3466 of the Political Code, relating to reclamation districts—has had the same under consideration, and respectfully reports the same back with amendments,

and recommends that the amendments be adopted, and the bill be re-referred to this committee.

Committee membership—5; committee vote: Ayes 5.

McCORMACK, Chairman.

CONSIDERATION OF COMMITTEE AMENDMENTS.

Pursuant to the report of the Committee on Drainage, Swamp and Overflowed Lands, the following amendments to Senate Bill No. 689 were read and adopted:

AMENDMENT NUMBER ONE.

In the title of the printed bill, commencing in line 1 of said title, strike out the following: "amend sections 3463, 3464, 3465 and 3466 of the Political Code, relating to", and insert in lieu thereof the following: "add a new section to the Political Code to be numbered 3480c, providing, under the supervision of the state reclamation board for the formulation and carrying out of the plans to reorganize, refund and adjust the finances and obligations of".

AMENDMENT NUMBER TWO.

On page 1 of the printed bill, strike out all of lines 1 to 12, inclusive, and insert in lieu thereof the following:

"SECTION 1. A new section is hereby added to the Political Code to be numbered 3480c and to read as follows:

3480c. (1) Whenever any reclamation district shall have been in default for more than one year in the payment of any maturity of its bonds or any maturity of its interest coupons thereon, then any holder of any bond or any coupon or any warrant of said district may petition the reclamation board of the State of California to undertake to reorganize, refund and adjust the finances and obligations of the district; and under the same circumstances the reclamation board itself may initiate such proceedings. The board of trustees of a district may also file such petition at any time. Thereupon the reclamation board shall set a time and place for a hearing thereon and shall give a notice thereof not less than ten days prior to said hearing by mailing such notice to the district at its office, and by posting such notice in five public places in the district. The notice shall state how the proceeding has been started and what the purpose of it is. The place for the hearing shall be either at the office of the district or at some place within the district or at some convenient place within the county in which the district is located. On the hearing the reclamation board shall examine into the financial affairs of the district; and anyone interested in any land in the district and any creditor of the district may take part in the hearing and may introduce relevant evidence. Thereupon the reclamation board shall make and enter its order whether it does or does not undertake to reorganize, refund and adjust the finances and obligations of the district.

(2) If sixty-five per cent or more of the land in the district has been sold for delinquencies in payment of calls on assessments and remains unredeemed, then the reclamation board, either on the hearing hereinabove provided or after a hearing in said manner and after said notice, may make and enter its order that the district and its trustees and other officers shall be subject to the control of said board; and said order, duly certified, shall be filed with the board of supervisors and the county treasurer of each county within which lands of the district are located and thereafter said trustees and other officers shall follow all directions and shall observe all orders that shall be issued to them or any of them by the reclamation board concerning the performance of their duties as officers of the district, and also thereafter the reclamation board shall have the power to declare, and it may declare, vacant the office of any officer of the district and appoint another person to fill such office. Any appointee of the reclamation board to any office shall have only such qualifications as shall be prescribed by such board. An appointee of the reclamation board shall hold office only at the pleasure of such board; and notwithstanding any other provision of law said office shall not be otherwise filled either by election or by appointment until the reclamation board shall enter its order discontinuing its efforts to reorganize, refund and adjust the finances and obligations of the district. Anyone who is aggrieved by any order subjecting the district, its trustees and officers to the control of the reclamation board or declaring any office vacant may commence an action in the superior court of the county in which the greater part of the district is located to have said order annulled. Said action must be commenced within thirty days after said order is made; otherwise no action or defense shall thereafter be maintained attacking the legality of said order. During the pendency of said action said order shall remain in full force and effect for all purposes and the reclamation board shall be entitled to have immediate possession of all properties, records, papers, books, seal and engineering and other data belonging to the district and displaced officers shall not interfere with appointees to their places and shall not attempt further to perform the duties of the offices from which they have been removed.

(3) The reclamation board, acting either directly or through the board of trustees of the district, shall adopt a plan to reorganize, refund and adjust the finances and obligations of the district in the manner herein provided. The plan shall at least provide:

(a) For the issuance of refunding bonds hereunder and for the maturities of the refunding bonds which, however, must mature within fifty years from the date when authorized by the election herein provided;

(b) For the interest rate on said refunding bonds which may be made to vary from time to time or may be omitted for a time, but which shall not exceed six per cent per annum payable semiannually;

(c) For the deposit of the bonds to be refunded with such depository as may be designated by the reclamation board and for the time within which said deposit shall take place;

(d) For extensions of time for deposit of said bonds, but the total time allowed for deposit thereof shall not exceed two years from the date of the election herein provided;

(e) For application of moneys on hand in the bond and other funds of the district or to be received therein from any sources;

(f) For the amount of refunding bonds to be issued and for the exchange thereof for bonds being refunded either on pro rata or a bond-for-bond basis; and

(g) For such other things incidental to the process of refunding said bonds and not inconsistent herewith as may be proper or necessary.

The plan may provide for the sale of said refunding bonds at any specified price and the application of the proceeds. Said plan may include for refunding any outstanding warrants or other obligations of the district; but it shall be optional with the reclamation board whether or not obligations incurred for maintenance or warrants issued in payment of such obligations shall be included in the plan. Bonds, coupons, warrants, and other obligations may be refunded whether in default or not in default. Upon the adoption of such plan the reclamation board or the trustees, as such board may direct, shall call an election in the district and shall submit to the qualified voters therein the question whether or not refunding bonds shall be issued as provided by the plan. In the notices of election the terms of the plan shall be generally described. All proceedings appertaining to said election shall be in accordance with section 3480 of the Political Code as said section shall be when said election is held. Where title to any lands has vested in the county treasurer, as trustee, said lands shall be voted by the treasurer at said or any other election held in the district. If the majority of the votes cast at said election shall be in favor of said plan, then the reclamation board shall proceed to carry said plan into effect. Except as herein specially provided, said refunding bonds shall be in terms substantially as provided in section 3480a of the Political Code as said section shall be when said election was held; but they shall state that they are issued under this section of this act. The deposit of bonds, coupons, warrants and other obligations under the plan shall bind the depositors thereof to the terms of the plan; and whenever bonds, coupons, warrants and other obligations of the district have been fully deposited as required by said plan then:

(a) Lands that have been deeded under sales for delinquencies shall be sold for cash at such prices as the commission shall specify and moneys realized from the sale of said lands shall go into the proper bond fund, irrigation fund, warrant interest fund or general fund of the district, as the case may be.

(b) Moneys in the bond funds of the district shall be used as specified by said plan.

(c) Moneys in any warrant interest fund or irrigation fund shall be applied, first, on account of registered warrants in order of registration, and thereafter pro rata upon unregistered warrants against such fund, and any balance shall be carried into the general fund;

(d) Moneys in the general fund of the district shall be applied, first, on account of registered warrants in the order of registration, and thereafter pro rata upon unregistered warrants against such fund, and thereafter pro rata upon obligations of the district other than bonds, coupons and warrants. Thereafter the reclamation board or the trustees, as such board may direct, shall fix by order the amount of refunding bonds to be issued under the plan and shall report the amount and purpose thereof, together with said plan, to the board of supervisors of the main county, in which lands of the district are located. Thereupon, by proceedings as provided in sections 3456a, 3461, 3462 and 3463 of the Political Code, an assessment shall be levied upon the lands in the district in the amount specified in said report. Said assessment shall be security for the payment of the said refunding bonds and shall be collected and applied for that purpose in the manner prescribed in section 3480 of the Political Code as said section shall be when action is taken thereunder. Whenever the assessment roll for said assessment has been filed as provided by law all assessments underlying any bond issue being refunded and underlying or being available for the payment of any outstanding warrants or other obligations being refunded shall be null and void and no further proceedings shall be taken thereunder; *provided, however*, that deeds may issue thereafter on any sales thereunder for delinquency where the times for issue of said deeds have then already expired

or where said sales have been made to purchasers for cash and the times for redemption have not yet expired.

(4) Additional moneys for said bond fund for application under said plan may be provided by voluntary contribution and refunding bonds may be issued therefor. Unless funds are provided in the county treasury either in the manner herein specified or as may be provided by agreement to pay any bonds, coupons and registered warrants which are not deposited under said plan, the reclamation board shall not carry out said plan.

(5) Whenever any plan to reorganize, refund and adjust the finances and obligations of the district has been fully executed then the reclamation board shall enter its order releasing the district, its trustees and other officers, from all further supervision, control, or direction hereunder and certified copies of the order shall be filed with the board of supervisors and the county treasurer of each county wherein lands of the district are located.

(6) Except as any thereof can not be applied hereunder, or is inconsistent herewith, the provisions of section 3480 of the Political Code as said section shall be when action is taken hereunder from time to time, are hereby incorporated herein as a part of this section of this act and are made applicable to said assessment and to said refunding bonds and are available in proceedings hereunder.

(7) Nothing herein contained shall limit or affect the duties and powers of the county treasurer in enforcing any assessment to meet outstanding bonds, coupons or warrants of the district.

(8) If any plan is rejected at said election then successive plans may be adopted and submitted until approval of some plan has been obtained."

Bill ordered to print, and re-referred to Committee on Drainage, Swamp and Overflowed Lands.

Also:

MR. PRESIDENT: Your Committee on Drainage, Swamp and Overflowed Lands, to which was referred Assembly Bill No. 803—An act to amend section 4 of chapter 7, Statutes of 1919, entitled "An act authorizing the State Board of Control to purchase warrants of the Sacramento and San Joaquin drainage district issued in payment for the expense of continuing construction of the east levee of the Sutter By-pass; appropriating money therefor, and providing for reimbursement to the State of such appropriation," approved January 30, 1919, relating to warrants—has had the same under consideration, and respectfully reports the same back, and recommends that it do pass.

Committee membership—5; committee vote: Ayes—5.

McCORMACK, Chairman.

Assembly Bill No. 803 ordered on file for second reading.

Also:

MR. PRESIDENT: Your Committee on Drainage, Swamp and Overflowed Lands, to which was referred Senate Bill No. 51—An act relating to and providing for the construction of flood control works on the Santa Ana River system and for the prevention of floods and conserving of the flood waters of said river and its tributaries and making an appropriation therefor—has had the same under consideration, and respectfully reports the same back with amendments, and recommends that the amendments be adopted, and the bill be re-referred to Committee on Finance.

Committee membership—5; committee vote: Ayes—5.

McCORMACK, Chairman.

CONSIDERATION OF COMMITTEE AMENDMENTS.

Pursuant to the report of the Committee on Drainage, Swamp and Overflowed Lands, the following amendments to Senate Bill No. 51 were read and adopted:

AMENDMENT NUMBER ONE.

On page 1, line 23, of the printed bill, strike out the word "ten", and insert in lieu thereof the word "two".

AMENDMENT NUMBER TWO.

On page 2, line 14, of the printed bill, strike out the word "ten", and insert in lieu thereof the word "two".

AMENDMENT NUMBER THREE.

On page 2, line 29, of the printed bill, strike out the words "three million", and insert in lieu thereof the words "six hundred thousand".

AMENDMENT NUMBER FOUR.

On page 2, line 30, of the printed bill, strike out the period, and insert a semicolon and add the following: "provided, however, that if said work shall not have

been completed with the money hereby appropriated, authority is hereby given to insert in the budget for succeeding bienniums such amounts for annual expenditures for such purpose as the director of finance shall deem necessary to carry on such work to completion, and any such sum so budgeted shall be expended as herein provided."

Bill ordered to print, and re-referred to Committee on Finance.

ON JUDICIARY.

SENATE CHAMBER, SACRAMENTO, April 9, 1931.

MR. PRESIDENT: Your Committee on Judiciary, to which was referred Senate Bill No. 902—An act to amend the Workmen's Compensation, Insurance and Safety Act of 1917—has had the same under consideration, and respectfully reports the same back with amendments, and recommends that the amendments be adopted, and that it do pass as amended.

Committee membership—17; committee vote: Ayes—14; absent—3.

CHRISTIAN, Chairman.

Senate Bill No. 902 ordered on file for second reading.

ON FINANCE.

SENATE CHAMBER, SACRAMENTO, April 9, 1931.

MR. PRESIDENT: Your Committee on Finance, to which was referred Senate Bill No. 683—An act to establish a retirement system to provide for the retirement of employees of the State of California, and make an appropriation therefor—has had the same under consideration, and respectfully reports the same back with amendments, and recommends that the amendments be adopted, and be re-referred to this committee.

Committee membership—18; committee vote: Ayes—15; absent—3.

SWING, Chairman.

CONSIDERATION OF COMMITTEE AMENDMENTS.

Pursuant to the report of the Committee on Finance, the following amendments to Senate Bill No. 683 were read and adopted:

AMENDMENT NUMBER ONE.

On page 4, line 1, of the printed bill, strike out "as provided for".

AMENDMENT NUMBER TWO.

On page 10, line 33, of the printed bill, strike out "One and twenty-seven hundredths", and insert in lieu thereof "Nine one-hundredths of one".

AMENDMENT NUMBER THREE.

On page 10, line 44, of the printed bill, strike out "Fifty-five", and insert in lieu thereof "Four".

AMENDMENT NUMBER FOUR.

On page 11, line 4, of the printed bill, strike out "Ten", and insert in lieu thereof "Four one-".

AMENDMENT NUMBER FIVE.

On page 16, line 44, of the printed bill, strike out "five", and insert in lieu thereof "three and twenty-five one-hundredths".

AMENDMENT NUMBER SIX.

On page 16, line 51, of the printed bill, strike out "five", and insert in lieu thereof "three and twenty-five one-hundredths".

AMENDMENT NUMBER SEVEN.

On page 17, line 8, of the printed bill, strike out "five", and insert in lieu thereof "three and twenty-five one-hundredths".

AMENDMENT NUMBER EIGHT.

On page 17, line 13, of the printed bill, strike out "five", and insert in lieu thereof "three and twenty-five one-hundredths".

AMENDMENT NUMBER NINE.

On page 17, between lines 20 and 21, of the printed bill, insert the following:
"Sec. 111. With the approval of the department of finance, any fund out of which payments are made under the provisions of section 109 of this act may be reimbursed to the extent of such payments by transfer of a sufficient sum for such reimbursement from another fund or funds under the control of the same disbursing officer. The disbursing officer shall certify to the state controller the amount or amounts to be thus transferred, the fund or funds from which and to which the transfer is to be made, and if such certificate is approved by the department of finance the controller shall thereupon make the transfer as directed in the certificate."

AMENDMENT NUMBER TEN.

On page 17, line 21, of the printed bill, after the period following "Sec.", strike out "111", and insert in lieu thereof: "112".

AMENDMENT NUMBER ELEVEN.

On page 17, line 22, of the printed bill, strike out "fifty", and insert in lieu thereof "thirty-five".

Bill ordered to print, and re-referred to Committee on Finance.

CONSIDERATION OF DAILY FILE.

THIRD READING OF SENATE BILLS—(RESUMED).

Senate Bill No. 368—An act to amend section 3817 of the Political Code, relating to the redemption of property sold for taxes.

Bill read third time.

MOTION TO REFER TO SPECIAL COMMITTEE OF ONE.

During third reading of the bill, Senator Crittenden moved to refer Senate Bill No. 368 to Senator Moran, as a Special Committee of One, to amend as follows:

AMENDMENT NUMBER ONE.

In line 3 of the title of the printed bill, as amended in Senate March 27, 1931, after the word "taxes", insert the following: "and containing a provision declaring this act to be an emergency measure, stating the facts constituting such emergency, and providing this act shall take effect immediately upon its passage".

AMENDMENT NUMBER TWO.

On page 1, line 4, of the printed bill, as amended in Senate March 27, 1931, after the word "taxes", insert the following: "pursuant to the provisions of section 3771 of this code".

AMENDMENT NUMBER THREE.

On page 1, line 11, of the printed bill, as amended in Senate March 27, 1931, after the word "person", insert a comma and the following: "his heirs, legal representatives or other successors in interest".

AMENDMENT NUMBER FOUR.

On page 1, line 12, of the printed bill, as amended in Senate March 27, 1931, after the word "state", insert the following: "pursuant to the provisions of section 3771 of this code".

AMENDMENT NUMBER FIVE.

On page 1, line 22, of the printed bill, as amended in Senate March 27, 1931, strike out the word "thereon", and insert in lieu thereof the following: "on said taxes".

AMENDMENT NUMBER SIX.

On page 2, line 6, of the printed bill, as amended in Senate March 27, 1931, strike out the word "thereon", and insert in lieu thereof the following: "on said taxes".

Motion carried.

REPORT OF SPECIAL COMMITTEE OF ONE.

SENATE CHAMBER, SACRAMENTO, April 9, 1931.

MR. PRESIDENT: Your Special Committee of One, to which was referred Senate Bill No. 368, with instructions to amend, respectfully reports the same back, amended as per instructions.

MORAN, Committee.

Report read, and on motion of Senator Crittenden adopted.

Bill ordered to print and re-engrossment.

CONSIDERATION OF DAILY FILE.

THIRD READING OF ASSEMBLY BILLS—(RESUMED).

Assembly Bill No. 1315—An act to establish the line of ordinary high tide in certain parts of Newport Bay in Orange County, California, in conformity with certain decrees of the superior court of the State of

California, in and for the county of Orange, establishing said line of ordinary high tide.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Assembly Bill No. 1315 passed by the following vote:

AYES—Senators Allen, Baker, Breed, Carter, Cleveland, Clock, Crittenden, Duval, Edwards, Evans, Harper, Ingels, Inman, Maloney, McKinley, Mixter, Moran, Pedrotti, Rochester, Schottky, Sharkey, Slater, Swing, Treacy, Wagy, and Williams—26.

NOES—None.

Title read and approved.

Bill ordered transmitted to the Assembly.

Assembly Bill No. 970—An act to amend section 5 of an act entitled “An act to provide for the formation, government, operation, reorganization, dissolution and alteration of boundaries of sanitary districts in any part of the State, for the construction of sewers, septic tanks and other sanitary purposes; the acquisition of property thereby; the calling and conducting of elections in such districts; the assessment, levy, collection, custody and disbursement of taxes therein; the issuance and disposal of bonds thereof and the determination of their validity and making provision for the payment of such bonds and the disposal of their proceeds; to empower sanitary boards to make and enforce sanitary regulations and providing penalties for violation thereof.”

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Assembly Bill No. 970 passed by the following vote:

AYES—Senators Allen, Baker, Breed, Carter, Cleveland, Clock, Crittenden, Duval, Edwards, Evans, Harper, Ingels, Inman, McCormack, McKinley, Mixter, Moran, Pedrotti, Schottky, Sharkey, Slater, Swing, Treacy, Tubbs, Wagy, and Williams—26.

NOES—None.

Title read and approved.

Bill ordered transmitted to the Assembly.

Assembly Bill No. 1626—An act to validate proceedings had and taken by municipalities under that certain act entitled “An act to amend an act entitled ‘An act to provide for the alteration of the boundaries of incorporated towns and cities by the annexation of uninhabited territory thereto, and for the incorporation of such annexed territory in and as a part of such municipality, and for the districting, government and municipal control of annexed territory,’ which became a law without the Governor’s approval March 2, 1899, by amending section 1 thereof, relating to annexation of uninhabited territory” (approved by the Governor May 23, 1929. In effect August 14, 1929).

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Assembly Bill No. 1626 passed by the following vote:

AYES—Senators Allen, Baker, Breed, Carter, Cleveland, Crittenden, Duval, Edwards, Evans, Ingels, Inman, McCormack, McKinley, Mixter, Moran, Pedrotti, Rich, Schottky, Sharkey, Slater, Treacy, Tubbs, Wagy, and Williams—24.

NOES—None.

Title read and approved.

Bill ordered transmitted to the Assembly.

Assembly Bill No. 644—An act to amend section 13 of chapter 248, Statutes of 1929, entitled "An act to establish an institution for the confinement, care and reformation of women misdemeanants, and women convicted of a felony the punishment for which is less than death; and to provide for its maintenance, conduct and government, and to make an appropriation therefor," approved May 9, 1929.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Assembly Bill No. 644 passed by the following vote:

AYES—Senators Allen, Baker, Breed, Carter, Christian, Cleveland, Clock, Duval, Evans, Ingels, Inman, Maloney, McCormack, McKinley, Mixer, Moran, Pedrotti, Rich, Schottky, Sharkey, Slater, Treacy, Tubbs, and Wagye—24.

NOES—None.

Title read and approved.

Bill ordered transmitted to the Assembly.

Assembly Bill No. 998—An act to amend section 50½ of the Public Utilities Act, relating to passenger stage corporations.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Assembly Bill No. 998 passed by the following vote:

AYES—Senators Allen, Baker, Bush, Carter, Christian, Cleveland, Duval, Edwards, Evans, Harper, Ingels, Inman, Maloney, McCormack, McKinley, Mixer, Moran, Pedrotti, Rich, Schottky, Sharkey, Treacy, Tubbs, Wagye, and Williams—25.

NOES—None.

Title read and approved.

Bill ordered transmitted to the Assembly.

Assembly Bill No. 1121—An act to amend section 17 of the Public Utilities Act, relating to transportation and rates and charges therefor.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Assembly Bill No. 1121 passed by the following vote:

AYES—Senators Allen, Baker, Breed, Carter, Christian, Cleveland, Clock, Duval, Edwards, Evans, Fellom, Harper, Ingels, Inman, Maloney, McCormack, McKinley, Mixer, Moran, Pedrotti, Rich, Schottky, Sharkey, Treacy, Tubbs, Wagye, and Williams—27.

NOES—None.

Title read and approved.

Bill ordered transmitted to the Assembly.

Assembly Bill No. 999—An act to amend section 84 of the Public Utilities Act, relating to rules and regulations in the interest and aid of public health, security, safety, convenience and general welfare.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Assembly Bill No. 999 passed by the following vote:

AYES—Senators Allen, Baker, Carter, Christian, Cleveland, Clock, Crittenden, Duval, Edwards, Evans, Fellom, Harper, Ingels, Inman, Maloney, McCormack,

McKinley, Mixer, Moran, Pedrotti, Schottky, Sharkey, Slater, Tubbs, Wagy, and Williams—26.

NOES—None.

Title read and approved.

Bill ordered transmitted to the Assembly.

Assembly Bill No. 57—An act to amend section 4256 of the Political Code, relating to the salaries and fees of county officers in counties of the twenty-seventh class.

Bill read third time.

MOTION TO REFER TO SPECIAL COMMITTEE OF ONE.

During third reading of the bill, Senator Schottky moved to refer Assembly Bill No. 57 to Senator Wagy, as a Special Committee of One, to amend as follows:

AMENDMENT NUMBER ONE.

On page 6 of the printed bill, after line 50, insert as a new paragraph the following:

"SEC. 3. Sections 4256a and 4256b of the Political Code are hereby repealed."

Motion carried.

REPORT OF SPECIAL COMMITTEE OF ONE.

SENATE CHAMBER, SACRAMENTO, April 9, 1931.

MR. PRESIDENT: Your Special Committee of One, to which was referred Assembly Bill No. 57, with instructions to amend, respectfully reports the same back, amended as per instructions.

WAGY, Committee.

Report read, and on motion of Senator Schottky adopted.

Bill ordered to print.

Assembly Bill No. 1123—An act to amend sections 73 and 142 of the Code of Civil Procedure, relating to superior courts.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Assembly Bill No. 1123 passed by the following vote:

AYES—Senators Baker, Breed, Cassidy, Christian, Clock, Crittenden, Duval, Edwards, Evans, Fellom, Harper, Ingels, Inman, Maloney, McKinley, Mixer, Moran, Pedrotti, Rich, Rochester, Sharkey, Slater, Treacy, Tubbs, and Wagy—25.

NOES—Senators Allen, Carter, Cleveland, and Schottky—4.

Title read and approved.

Bill ordered transmitted to the Assembly.

Assembly Bill No. 767—An act to establish standards for the packing, marketing and sale of apples, forbidding the sale of certain infected, defective, and diseased apples, providing for its enforcement and fixing penalties for its violation.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Assembly Bill No. 767 passed by the following vote:

AYES—Senators Allen, Baker, Breed, Carter, Cassidy, Christian, Cleveland, Crittenden, Denel, Duval, Edwards, Fellom, Harper, Ingels, Inman, Maloney, Mixer, Moran, Pedrotti, Rich, Schottky, Sharkey, Slater, Tubbs, and Wagy—25.

NOES—None.

Title read and approved.

Bill ordered transmitted to the Assembly.

Assembly Bill No. 701—An act to amend section 5 of an act entitled "An act to restrict the running of dogs at large; to protect live stock from depredations of dogs; to provide for the issuance of dog license tags by counties, and the disposition of funds received as fees therefor; making the violation of the provisions of this act a misdemeanor and providing penalties therefor, and providing for the collection of damages by owners of live stock injured by dogs," approved June 3, 1921, as amended, relating to dog licenses.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Assembly Bill No. 701 passed by the following vote:

AYES—Senators Allen, Baker, Breed, Carter, Cassidy, Christian, Cleveland, Clock, Crittenden, Deuel, Duval, Edwards, Evans, Fellom, Harper, Ingels, Maloney, McKinley, Mixer, Moran, Pedrotti, Rich, Schottky, Sharkey, Slater, Tubbs, and Wagy—27.

NOES—None.

Title read and approved.

Bill ordered transmitted to the Assembly.

Assembly Bill No. 1499—An act to add a new section to be numbered section 61½ to chapter 421, Statutes of 1925, entitled the California Canned Fruit Standardization Act, approved May 23, 1925, as amended, providing for the use of United States Department of Agriculture markings on canned products.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Assembly Bill No. 1499 passed by the following vote:

AYES—Senators Allen, Baker, Breed, Carter, Cassidy, Christian, Cleveland, Clock, Crittenden, Deuel, Duval, Edwards, Evans, Fellom, Harper, Ingels, Maloney, McKinley, Mixer, Pedrotti, Rich, Schottky, Sharkey, Slater, Tubbs, and Wagy—26.

NOES—Senator Moran—1.

Title read and approved.

Bill ordered transmitted to the Assembly.

CONSIDERATION OF DAILY FILE.

THIRD READING OF SENATE BILLS—(RESUMED).

Senate Bill No. 287—An act to regulate motor boats of less than 15 gross tons capacity, operating in California waters and carrying passengers for hire.

Bill read third time.

MOTION TO REFER TO SPECIAL COMMITTEE OF ONE.

During third reading of the bill, Senator Carter moved to refer Senate Bill No. 287 to Senator Rochester, as a Special Committee of One, to amend as follows:

AMENDMENT NUMBER ONE.

On page 3 of the printed bill, as amended, strike out all of line 49 after the period following the figure "5", and strike out all of lines 50 and 51.

AMENDMENT NUMBER TWO.

On page 4 of the printed bill, as amended, following line 3, insert the following: "Sec. 6. All fees charged and collected under section 1 of this act shall be paid into the state treasury to the credit of the "motor boat fund," which fund is hereby

created, and which fund is hereby appropriated to be used by the commission for the purpose of carrying out the provisions of this act."

Motion carried.

REPORT OF SPECIAL COMMITTEE OF ONE.

SENATE CHAMBER, SACRAMENTO, April 9, 1931.

MR. PRESIDENT: Your Special Committee of One, to which was referred Senate Bill No. 287, with instructions to amend, respectfully reports the same back, amended as per instructions.

ROCHESTER, Committee.

Report read, and on motion of Senator Carter adopted.

Bill ordered to print and re-engrossment.

CONSIDERATION OF DAILY FILE.

THIRD READING OF ASSEMBLY BILLS—(RESUMED).

Assembly Bill No. 763—An act to add section 3a and to amend section 5 of chapter 176, Statutes of 1919, entitled "An act to provide for the prevention and suppression of forest fires," approved May 2, 1919, as amended, relating to the appointment, powers, and duties, of voluntary fire wardens.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Assembly Bill No. 763 passed by the following vote:

AYES—Senators Allen, Baker, Breed, Carter, Cassidy, Christian, Cleveland, Clock, Deuel, Duval, Edwards, Evans, Fellom, Harper, Ingels, Inman, Maloney, McKinley, Mixer, Moran, Pedrotti, Rich, Schottky, Sharkey, Slater, Tubbs, and Wagye—27.

NOES—None.

Title read and approved.

Bill ordered transmitted to the Assembly.

CONSIDERATION OF DAILY FILE.

THIRD READING OF SENATE BILLS—(RESUMED).

Senate Bill No. 323—An act to amend section 607 of the Penal Code, relating to the destroying or injuring of reclamation or irrigation ditches.

Bill read third time.

MOTION TO REFER TO SPECIAL COMMITTEE OF ONE.

During third reading of the bill, Senator Cleveland moved to refer Senate Bill No. 323 to Senator Baker, as a Special Committee of One, to amend as follows:

AMENDMENT NUMBER ONE.

On page 1, line 12, of the printed bill, after "aperture", insert the following: "or plows up the bottom or sides".

AMENDMENT NUMBER TWO.

On page 1, line 20, of the printed bill, insert after the comma after "ditch", the following: "with an intent to destroy the same".

AMENDMENT NUMBER THREE.

On page 2, line 1, of the printed bill, insert after the comma after "ditch", the following: "with an intent to destroy the same".

Motion carried.

REPORT OF SPECIAL COMMITTEE OF ONE.

SENATE CHAMBER, SACRAMENTO, April 9, 1931.

MR. PRESIDENT: Your Special Committee of One, to which was referred Senate Bill No. 323, with instructions to amend, respectfully reports the same back, amended as per instructions.

BAKER, Committee.

Report read, and on motion of Senator Cleveland adopted.

Bill ordered to print and re-engrossment.

Senate Bill No. 761—An act to amend section 1274a of the Code of Civil Procedure, relating to escheat.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Senate Bill No. 761 passed by the following vote:

AYES—Senators Allen, Baker, Breed, Carter, Cassidy, Cleveland, Clock, Crittenden, Deuel, Duval, Edwards, Evans, Fellom, Harper, Ingels, Inman, Maloney, McCormack, Mixer, Moran, Pedrotti, Rich, Rochester, Schottky, Sharkey, Slater, Tubbs, and Wagye—28.

NOES—None.

Title read and approved.

Bill ordered transmitted to the Assembly.

CONSIDERATION OF DAILY FILE.

THIRD READING OF ASSEMBLY BILLS—(RESUMED).

Assembly Bill No. 549—An act to amend section 363j of the Political Code, relating to the Department of Public Works.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Assembly Bill No. 549 passed by the following vote:

AYES—Senators Allen, Baker, Breed, Cassidy, Clock, Crittenden, Deuel, Duval, Edwards, Evans, Fellom, Harper, Ingels, Inman, Maloney, McCormack, McKinley, Mixer, Moran, Pedrotti, Rich, Rochester, Schottky, Sharkey, Slater, Tubbs, and Wagye—27.

NOES—None.

Title read and approved.

Bill ordered transmitted to the Assembly.

Assembly Bill No. 551—An act to amend section 2176 of the Political Code, relating to the Department of Institutions.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Assembly Bill No. 551 passed by the following vote:

AYES—Senators Allen, Baker, Breed, Carter, Cassidy, Christian, Cleveland, Clock, Crittenden, Duval, Edwards, Evans, Fellom, Harper, Ingels, Inman, Maloney, McCormack, McKinley, Mixer, Moran, Pedrotti, Rochester, Schottky, Sharkey, Slater, Treacy, Tubbs, Wagye, and Williams—30.

NOES—None.

Title read and approved.

Bill ordered transmitted to the Assembly.

CONSIDERATION OF DAILY FILE.

THIRD READING OF SENATE BILLS—(RESUMED).

Senate Bill No. 732—An act to amend sections 2, 3, 4, 5, 6, 7, 8, 11 and 12 of chapter 701, Statutes of 1929, entitled "An act providing for the

registration of contractors, and defining the term contractors; providing the method of obtaining licenses to engage in the business of contracting, and fixing the fees for such licenses; providing the method of suspension and cancellation of such licenses; and prescribing the punishment for violation of the provisions of this act," approved June 13, 1929, relating to the powers and duties of the Registrar of Contractors and proceedings for revocation of licenses.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Senate Bill No. 732 passed by the following vote:

AYES—Senators Allen, Baker, Carter, Cleveland, Clock, Crittenden, Deuel, Duval, Edwards, Evans, Fellom, Harper, Ingels, Inman, Maloney, McCormack, McKinley, Mixter, Moran, Pedrotti, Rochester, Schottky, Sharkey, Slater, Treacy, Tubbs, Wagy, and Williams—28.

NOES—None.

Title read and approved.

Bill ordered transmitted to the Assembly.

Senate Bill No. 137—An act to amend section 157 of the Code of Civil Procedure, relating to the qualifications of superior judges.

Bill read third time.

MOTION TO REFER TO SPECIAL COMMITTEE OF ONE.

During third reading of the bill, Senator Williams moved to refer Senate Bill No. 137 to Senator Carter, as a Special Committee of One, to amend as follows:

AMENDMENT NUMBER ONE.

On page 1, line 3, of the printed bill, after the word "eligible", insert the following: "for election".

AMENDMENT NUMBER TWO.

On page 1, line 8, of the printed bill, after the word "state", strike out the period and insert in lieu thereof a comma, and add the following: "and shall have had not less than five years actual practice of law in this state; provided, this section shall not apply to election of an incumbent in such judicial position or to one who has held such judicial position in this state".

Motion carried.

REPORT OF SPECIAL COMMITTEE OF ONE.

SENATE CHAMBER, SACRAMENTO, April 9, 1931.

MR. PRESIDENT: Your Special Committee of One, to which was referred Senate Bill No. 137, with instructions to amend, respectfully reports the same back, amended as per instructions.

CARTER, Committee.

Report read, and on motion of Senator Williams adopted.

Bill ordered to print and re-engrossment.

REPORTS OF STANDING COMMITTEES—(RESUMED).

The following reports of standing committees were received and read:

ON OIL INDUSTRIES.

SENATE CHAMBER, SACRAMENTO, April 8, 1931.

MR. PRESIDENT: Your Committee on Oil Industries, to which was referred Senate Bill No. 362—An act to prohibit and prevent the waste of crude petroleum oil in the State of California and defining such waste, and in that behalf creating an Oil Conservation Commission; providing for the appointment of the members of said commission; fixing the terms of office of the members of said commission; providing for the filling of vacancies in the membership of said commission; providing for the powers, duties and authority of said commission and the members thereof; requiring producers of crude petroleum oil and operators of wells and owners and operators

of any storage facilities of crude petroleum oil to make and file certain reports; providing for the filing and hearing of complaints concerning the waste of crude petroleum oil and for oaths, subpoenas and depositions; providing for the fixing of allowable production of crude petroleum oil for the State and for the several oil fields thereof, respectively, and for the several zones properties and wells in each such oil field, respectively, so as to stop such waste; providing for the enforcement of said act; providing penalties for refusing to permit the commission or its representatives to inspect any drilling or producing well or storage facilities and for failing, neglecting or refusing to furnish any report or record or statement required by the commission and for wilfully rendering or furnishing a false or fraudulent report, statement or record, creating a fund for the purposes of said act; providing for the assessment and collection thereof and making an appropriation for the purposes of this act—has had the same under consideration, and respectfully reports the same back with amendments, and recommends that the amendments be adopted and that it do pass as amended.

Committee membership—8; committee vote: Ayes—6; noes—1; absent—1.

SARKEY, Chairman.

Senate Bill No. 362 ordered on file for second reading.

Also:

MR. PRESIDENT: Your Committee on Oil Industries, to which was referred Assembly Bill No. 513—An act to prevent fraud or misrepresentation in the distribution and sale of gasoline or other motor fuel, distillate, kerosene and lubricating oil; regulating the distribution and sale of such products; defining the powers and duties in relation thereto of the division of weights and measures of the department of agriculture, and persons authorized by it, sealers of weights and measures, and their deputies, and other officers; defining "gasoline" and prescribing specifications for products sold or offered for sale as "gasoline"; prescribing penalties for the violation of provisions hereof; repealing acts and parts of acts inconsistent herewith—has had the same under consideration, and respectfully reports the same back, and recommends that it do pass.

Committee membership—8; committee vote: Ayes—7; absent—1.

SARKEY, Chairman.

Assembly Bill No. 513 ordered on file for second reading.

ON BUILDING AND LOAN ASSOCIATIONS.

SENATE CHAMBER, SACRAMENTO, April 8, 1931.

MR. PRESIDENT: Your Committee on Building and Loan Associations, to which was referred Senate Bill No. 945—An act to define building and loan associations and to regulate them and their organization, business, operation, consolidation and liquidation, and (without limiting the generality of the foregoing) also to do the following: to define and regulate the agents, salesmen and collectors of such associations, and to regulate their officers, directors and employees; to define, authorize, and regulate the issuance of, shares, stock and investment certificates of such associations, and to prescribe the rights, remedies and liabilities of holders thereof, and to make such investment certificates legal investments for certain purposes; to prescribe the rights, powers, remedies, duties and liabilities of such associations and the rights and remedies of their creditors; to regulate the investments, loans and borrowings of such associations, and their accounts, reports, audits, statements and advertising; to create and continue the Building and Loan Department and the office of Building and Loan Commissioner, provide for the salaries and expenses of such commissioner and his assistants and employees and define their rights, powers, remedies and duties; to provide penalties for offenses by such associations, their directors, officers, agents, salesmen, collectors and employees and by other persons and corporations; and to repeal title XVI of part IV of division I of the Civil Code, chapter 354 of the Statutes of 1911 and acts amendatory thereof and supplemental thereto; chapter 133 of the Statutes of 1927, and all other acts and parts of acts inconsistent herewith—has had the same under consideration, and respectfully reports the same back with amendments, and recommends that the amendments be adopted, and that it do pass as amended.

Committee membership—9.

(Signed out)

INMAN, Chairman.
ALLEN.
CHRISTIAN.
DUVAL.
EDWARDS.
JONES.
PEDROTTI.
ROCHESTER.
SCHOTTKY.

Senate Bill No. 945 ordered on file for second reading.

MESSAGES FROM THE ASSEMBLY.

The following messages from the Assembly were received and read:

ASSEMBLY CHAMBER, SACRAMENTO, April 9, 1931.

MR. PRESIDENT: I am directed to inform your honorable body that the Assembly on this day passed Assembly Bill No. 1023—An act to amend sections 653bb, 653cc, 653hh, 653ii, 653jj, 653kk, 653mm, 653qq, 653tt and 653vv, of title XXIII of part IV of division I of the Civil Code of the State of California, relating to non-profit cooperative marketing associations, and to add to said title XXIII new sections to be known as section 653hh (1), section 653hh (2) and section 653yy of the Civil Code of the State of California:

Also: Assembly Bill No. 1392—An act to amend section 902 of the Code of Civil Procedure, relating to writs of execution;

Also: Assembly Bill No. 1292—An act to amend section 4041.13 of the Political Code, relating to powers of boards;

Also: Assembly Bill No. 445—An act to amend section 311 of the Penal Code, relating to lewd conduct or acts and providing penalties therefor;

Also: Assembly Bill No. 1856—An act to amend section 2.440a of the School Code, relating to school districts;

Also: Assembly Bill No. 927—An act to amend section 626d of the Penal Code, relating to the protection of game;

Also: Assembly Bill No. 1088—An act to amend section 3692 of the Political Code, relating to the powers and duties of the State Board of Equalization;

Also: Assembly Bill No. 1089—An act to add to the Penal Code a new section, numbered 437, prescribing penalties for nonpayment of certain taxes;

Also: Assembly Bill No. 682—An act to amend section 12 of an act entitled "An act to accept from the Veterans' Home Association the conveyance of, and to vest the title in the State of California to, the tract of land in Napa County known as the Veterans' Home, with the improvements and furnishings thereon, to make the same a State Home for United States Soldiers, Sailors and Marines, and to provide for the government thereof by the State," approved March 11, 1897, as amended.

ARTHUR A. OHNIMUS, Chief Clerk.

By A. W. ENGELKE, Assistant Clerk.

Assembly Bills Nos. 1023 and 1392 read first time, and referred to Committee on Judiciary.

Assembly Bill No. 1292 read first time, and referred to Committee on County Government.

Assembly Bill No. 445 read first time, and referred to Committee on Revision of Criminal Law and Procedure.

Assembly Bill No. 1856 read first time, and referred to Committee on Education.

Assembly Bill No. 927 read first time, and referred to Committee on Fish and Game.

Assembly Bill No. 1088 read first time, and referred to Committee on Governmental Efficiency.

Assembly Bill No. 1089 read first time, and referred to Committee on Revenue and Taxation.

Assembly Bill No. 682 read first time, and referred to Committee on Military Affairs.

Also:

ASSEMBLY CHAMBER, SACRAMENTO, April 9, 1931.

MR. PRESIDENT: I am directed to inform your honorable body that the Assembly on this day adopted Assembly Concurrent Resolution No. 4—Relative to the appointment of a committee to investigate the California State Civil Service Commission and its conduct in the examinations given for State positions.

ARTHUR A. OHNIMUS, Chief Clerk.

By A. W. ENGELKE, Assistant Clerk.

Assembly Concurrent Resolution No. 4 read, and referred to Committee on Governmental Efficiency.

Also :

ASSEMBLY CHAMBER, SACRAMENTO, April 9, 1931.

MR. PRESIDENT: I am directed to inform your honorable body that the Assembly on this day concurred in Senate Amendments to Assembly Bill No. 744—An act to amend the California Irrigation District Act by adding thereto a new section to be numbered 48a, relating to clearing the title to land sold to the district for delinquent assessments.

ARTHUR A. OHNIMUS, Chief Clerk.
By A. W. ENGELKE, Assistant Clerk.

Also :

ASSEMBLY CHAMBER, SACRAMENTO, April 9, 1931.

MR. PRESIDENT: I am directed to inform your honorable body that the Assembly on April 8, 1931, passed Assembly Bill No. 496—An act to amend section 24 of the State Bar Act, approved March 31, 1927, as amended, relating to admission to practice law, and to repeal sections 275, 276, 276a, 277, 279, 280 of the Code of Civil Procedure.

ARTHUR A. OHNIMUS, Chief Clerk.
By A. W. ENGELKE, Assistant Clerk.

Assembly Bill No. 496 read first time, and referred to Committee on Judiciary.

MOTION TO RECONSIDER.

Pursuant to his notice given on the previous day, Senator Sharkey moved to reconsider the vote whereby Senate Bill No. 168 was passed.

POSTPONEMENT OF RECONSIDERATION.

On motion of Senator Sharkey, the further consideration of the motion to reconsider the vote whereby Senate Bill No. 168 was passed was continued until the next legislative day.

MOTION TO RECONSIDER.

Pursuant to his notice given on the previous day, Senator Tubbs moved to reconsider the vote whereby Assembly Bill No. 301 was passed.

POSTPONEMENT OF RECONSIDERATION.

On motion of Senator Tubbs, the further consideration of the motion to reconsider the vote whereby Assembly Bill No. 301 was passed was continued until the next legislative day.

INTRODUCTION, FIRST READING AND REFERENCE OF BILLS—(RESUMED).

The following amendment was offered :

By Senator Harper: Senate Constitutional Amendment No. 27—A resolution to propose to the people of the State of California an amendment to the constitution of said state by adding to article I thereof a new section to be numbered 1a, relative to equal rights for men and women.

Referred to Committee on Constitutional Amendments.

ADJOURNMENT.

At three o'clock and forty minutes p.m., on motion of Senator Breed, the President declared the Senate adjourned out of respect to the memory of the late Nicholas Longworth. Speaker of the House of Representatives in the Congress of the United States, until eleven o'clock a.m., Friday, April 10, 1931.

HAROLD J. POWERS, Minute Clerk.

IN SENATE.

SENATE CHAMBER,

SACRAMENTO, Friday, April 10, 1931.

The Senate met at eleven o'clock a.m.

Lieutenant Governor Frank F. Merriam, President of the Senate, in the chair.

Secretary Joseph A. Beek at the desk.

ROLL CALL.

The roll was called, and the following answered to their names:

Senators Allen, Baker, Breed, Bush, Carter, Cassidy, Clock, Crittenden, Deuel, Duval, Edwards, Evans, Fellom, Harper, Hays, Ingels, Inman, Jones, Maloney, McCormack, McKinley, Mixer, Moran, Nelson, Pedrotti, Rich, Riley, Rochester, Schottky, Sharkey, Slater, Swing, Treacy, Tubbs, Wag, and Williams—36.

Quorum present.

PRAYER.

Prayer was offered by the Chaplain, Rev. Sherman L. Divine.

READING OF THE JOURNAL.

During the reading of the Journal of Thursday, April 9, 1931, the further reading was dispensed with, on motion of Senator Slater.

LEAVE OF ABSENCE.

Senator Cleveland was, on motion of Senator Harper, granted leave of absence for this day.

PRIVILEGE OF FLOOR OF SENATE EXTENDED.

On request of Senator Moran, the privilege of the floor of the Senate Chamber for this day was unanimously extended to Los Molinos High School, Mr. E. O. Talbott, principal, and students as follows: Howard Ohinart, Earnest Brown, Bernice Carrington, Mary Jane Lingley, Camille Hall, Walter Lowry, Henry Lominaga, June McMartin, Cyrus Smith, Violet Barber, Elizabeth Walker, Charles Hunt, and Orwin Talbott.

On request of Senator Crittenden, the privilege of the floor of the Senate Chamber for this day was unanimously extended to Fair Oaks and Roosevelt Schools, Bradley Grover, principal, Miss Vera Gale, teacher, and pupils as follows: Anida Kolb, Virginia Daniels, Shirley McQueen, Simeon Harrington, Emilio Larragueta, Allie Manaro, Tasea Nomeblini, Joseph Morones, Margaret Coldani, Barbara Cornell, Elsie Collins, Elvin Baker, Edward Nomelini, James Roach, June Walters, Ruth Blazer, Lesley McLerie, Lorraine Uldall, Ella McIntire, Nadine Rossi, Geraldine Gil, Mario Dambrosio, Carrol Daniels, Meryl Thoman, Elizabeth Antonucci, Virginia Gray, Wanna Dilbeck, Palmer Mittenmaier, Bud Walters, Nick Bisbikis, Billy Heinz, Bobby Miller, Charles Stribley, N. J. McNair, Joe Barkett, Warren Ryland, Chester Oranges, George Carlisle, Emmett Carlisle, John Dilbeck, George Purinton, Michael Larragueta, Thomas Purinton, Lloyd Coleman, Laura Fugazzi, Anita Roach, Mike Badway, Leland Palmer, Ethelmae Strong, Freda Bitterman, Dorothy Hoxie, Helen Leisering, Beatrice Bishop, Asun-sion Vasquez, Josephine Miniaci, Josephine Miramontes, Anna Knapp, Josephine Bohnak, Mary Coldani, Marie Vasquez, Ila Smith, Rosie

Costello, Lena Vanotti, Faina McNair, Dorothy Dark, Jeannette Jaubert, Joaquina Ramirez, Catalina Guzman and Theresa Pricola.

On request of Senator Crittenden, the privilege of the floor of the Senate Chamber for this day was unanimously extended to Woods School of Woodbridge, California, Mrs. Amos P. Reese, teacher, and pupils as follows: Ida Wageman, Florence Lee, Jean Rouse, Laura Harris, Margaret Woods, Winifred Pearson, Naoma Son, Anna Hafer, Dorothy Robinson, Mary Jacobs, Julia Jacinto, Abe Grisbrecht, Adolph Hafer, Otto Pittle, Ernest Blakesley, Haruko Sakoda, Walter Mettler, Evelyn Strother, Virginia Barsotti, Virginia Allington, James Newman, Shigeru Kaba, Tadashi Kaba, Edwin Kamerer, Raymond Palmer, Kazuo Sakoda and Earl Edgecomb.

REPORTS OF STANDING COMMITTEES.

The following reports of standing committees were received and read:

ON ENGROSSMENT, ENROLLMENT AND PRINTING

SENATE CHAMBER, SACRAMENTO, April 10, 1931.

MR. PRESIDENT: Your Committee on Engrossment, Enrollment and Printing has examined Senate Bill No. 268—An act amending section 4243 of the Political Code, relating to salaries and compensation of officers in counties of the fourteenth class—and reports that the same has been correctly engrossed.

RILEY, Chairman.

ON COMMERCE AND NAVIGATION.

SENATE CHAMBER, SACRAMENTO, April 9, 1931.

MR. PRESIDENT: Your Committee on Commerce and Navigation, to which was referred Assembly Bill No. 1140—An act providing for the formation, government and operation of harbor districts; for the creation, improvement, development and maintenance of recreational harbors; for the acquisition and improvement, government and operation of lands and works in connection therewith or appurtenant thereto, whether lying entirely within unincorporated territory of a county or wholly or partially including territory of one or more municipalities within such county, defining the term, "recreational harbor," within the meaning of this act; and providing generally what may and may not be done in such harbor so classified and authorizing the governing body of such harbor district to adopt rules and regulations in relation to said harbor, and to adopt and enforce ordinances restricting and governing the said harbor and its use, violation of any said ordinance being punishable as are misdemeanors by fine or imprisonment, or both fine and imprisonment; providing a means for defraying the cost and expense of forming, constructing, improving, governing and operating such harbor district and harbors, and authorizing counties and cities, jointly and separately, to contribute out of their general funds the costs and expenses of such harbor district, and authorizing the incurring of indebtedness, and the issuance of bonds and the levy and collection of taxes within such district and the enforcement of such bonds and taxes to defray the cost of the organization of such harbor district and of the creation, construction, improvement, and extension of such harbor, and the works incidental thereto, and to defray the cost of operating and managing such harbor district and harbor; authorizing the establishment of appropriate funds in the manner provided by law for the impounding and disbursement of the moneys required to meet such costs and expenses; providing for the levy of special assessments within such district to defray such costs and expenses, either wholly or partially, and authorizing the legislative body of the county or city assuming jurisdiction to call the election upon the question of the formation of such harbor district to determine what zone or zones, if any, within the proposed harbor district are to be benefited to a greater or less extent than other zone or zones therein, and to define said zones within such district and assess the cost of the said harbor works and improvements within said district zones, and each of them, in accordance with the benefits so found to be enjoyed by the several zones therein delineated; providing and empowering such district to accept financial or other aid for improvements and operations from the United States of America, the State of California, and from any person or persons; providing the means whereby the legislative body of any city heretofore or hereafter granted any rights in respect to tidelands and submerged lands may permit the exercise of such rights by the board of governors of any harbor district formed hereunder and defining rights of littoral owners; and providing the means for obtaining action by the State through the State Engineer and Governor whereby tidelands, submerged lands and coastal waters may be segregated for recreational use, as herein defined, and providing for the appointment within any such harbor district formed under this act of a board of governors and fixing the qualifications, tenure of office, powers, duties of

such board of governors, and providing the means and terms by which territory may be annexed to any harbor district formed hereunder—has had the same under consideration, and respectfully reports the same back with amendments, and recommends that the amendments be adopted, and that it do pass as amended.

Committee membership—9.

(Signed out)

CLEVELAND, Chairman.
BAKER.
HARPER.
INMAN.
TUBBS.

Assembly Bill No. 1140 ordered on file for second reading.

Also:

MR. PRESIDENT: Your Committee on Commerce and Navigation, to which was referred Senate Bill No. 565—An act granting certain lands and salt marsh and tidelands of the State of California to the city of Oakland, including the management, use and control thereof—has had the same under consideration, and respectfully reports the same back with amendments, and recommends that the amendments be adopted and that it do pass as amended.

Committee membership—9.

(Signed out)

HARPER, Vice Chairman.
BAKER.
INMAN.
MALONEY.
TUBBS.

Senate Bill No. 565 ordered on file for second reading.

ON JUDICIARY.

SENATE CHAMBER, SACRAMENTO, April 10, 1931.

MR. PRESIDENT: Your Committee on Judiciary, to which was referred Senate Bill No. 189—An act to amend section 690 of the Code of Civil Procedure, relating to property exempt from execution—has had the same under consideration, and respectfully reports the same back with amendments, and recommends that the amendments be adopted, and that it do pass as amended.

Committee membership—17; committee vote: Ayes—15; absent—2.

CHRISTIAN, Chairman.

Senate Bill No. 189 ordered on file for second reading.

ON UNIVERSITIES AND TEACHERS COLLEGES.

SENATE CHAMBER, SACRAMENTO, April 10, 1931.

MR. PRESIDENT: Your Committee on Universities and Teachers Colleges, to which was referred Senate Bill No. 419—An act to add a new section to be numbered 10 to chapter 326, Statutes of 1925, entitled "An act to authorize and empower the State Director of Education, with the approval of the State Board of Control, to sell and convey the lands and buildings of the San Diego State Teachers College, and from the proceeds of such sale to purchase and improve a new and suitable site for said school, to erect and construct upon the site so purchased buildings and other structures and improvements necessary and proper for said school, to purchase furniture, fixtures, apparatus, and other things necessary for said school, and to rent such temporary buildings and grounds as may be necessary for the use of said school until the completion of the new school buildings," providing for a readjustment of the western boundary of the site of the San Diego State Teachers College—has had the same under consideration, and respectfully reports the same back, and recommends that it do pass.

Committee membership—9; committee vote: Ayes—8; absent—1.

DEUEL, Chairman.

Senate Bill No. 419 ordered on file for second reading.

ON EDUCATION.

SENATE CHAMBER, SACRAMENTO, April 9, 1931.

MR. PRESIDENT: Your Committee on Education, to which was referred Senate Bill No. 941—An act to amend section 5.812 of the School Code, relating to the retirement of teachers—has had the same under consideration, and respectfully reports the same back, and recommends that it do pass.

Committee membership—13; committee vote: Ayes—10; absent—3.

SLATER, Chairman.

Senate Bill No. 941 ordered on file for second reading.

Also:

SENATE CHAMBER, SACRAMENTO, April 10, 1931.

MR. PRESIDENT: Your Committee on Education, to which was referred Senate Bill No. 292—An act to amend sections 4.1001, 4.1022, 4.1024, 4.1026, 4.1091, 4.1113, 4.1118, 4.1211, 4.1233, 4.1238, 4.1301, 4.1323 and 4.1325 of the School Code, relating to bonds of school districts—has had the same under consideration, and respectfully reports the same back, and recommends that it do pass.

Committee membership—13; committee vote: Ayes—10; absent—3.

SLATER, Chairman.

Senate Bill No. 292 ordered on file for second reading.

Also:

SENATE CHAMBER, SACRAMENTO, April 9, 1931.

MR. PRESIDENT: Your Committee on Education, to which was referred Assembly Bill No. 1264—An act to repeal section 1.921 of the School Code, relating to the counting of attendance of pupils in part-time vocational work;

Also: Assembly Bill No. 1265—An act to repeal section 4.32 of the School Code, relating to annual estimates of amounts of State funds necessary for the support of high schools;

Also: Assembly Bill No. 1268—An act to amend section 4.395 of the School Code, relating to the deposit of money received from taxes levied upon a school district situated in two or more counties;

Also: Assembly Bill No. 1269—An act to amend section 4.896 of the School Code, relating to the apportionment of the County High School Fund; Has had the same under consideration, and respectfully reports the same back, and recommends that they do pass.

Committee membership—13; committee vote: Ayes—10; absent—3.

SLATER, Chairman.

Assembly Bills Nos. 1264, 1265, 1268 and 1269 ordered on file for second reading.

Also:

MR. PRESIDENT: Your Committee on Education, to which was referred Assembly Bill No. 1138—An act to repeal part V of division IV of the School Code, embracing sections 4.960 to 4.1353, both inclusive thereof, and to add a new part to division IV thereof, to be known as part V, embracing sections 4.960 to 4.1044, both inclusive, all relating to elementary district, high school district and junior college district bonds;

Also: Assembly Bill No. 1486—An act to add a new section to the School Code to be numbered 6.36, relating to the powers and duties of governing boards of school districts;

Has had the same under consideration, and respectfully reports the same back with amendments, and recommends that the amendments be adopted, and that they do pass as amended.

Committee membership—13; committee vote: Ayes—10; absent—3.

SLATER, Chairman.

Assembly Bills Nos. 1138 and 1486 ordered on file for second reading.

ASSISTANT SECRETARY FRANCIS E. DALIN AT THE DESK.

RESOLUTIONS.

The following resolutions were offered:
By Senators Clock and Rich:

WHEREAS, The Department of Natural Resources of the State of California has expended large amounts of money in the employment of special counsel or in attorneys' fees to special attorneys employed by the department, the said amount exceeding, since September 1, 1929, the sum of \$45,000; and

WHEREAS, It has been represented that some of the alleged services performed or for which this large sum of money was expended were in the conduct of litigation of questionable value to the State of California or to the Department of Natural Resources; and

WHEREAS, The expenditures were so great as to warrant the Senate of the State of California in investigating this situation with a view to making a recommendation that the Department of Natural Resources be furnished with regular attorneys to conduct the necessary litigation; therefore, be it

Resolved, That the Senate of the State of California call upon the Department of Natural Resources to furnish it with an itemized account of expenditures made for special attorneys' fees, and to whom paid, since September 1, 1929, and be requested to furnish the Senate with a copy of any contract or contracts in existence, together with the amounts which may yet be unpaid to the special attorneys so employed under said contract or contracts.

Resolution read, and referred to the Committee on Finance.

By Senator Inman:

WHEREAS, The Senate on the first day of April, 1931, adopted a resolution providing for a Special Committee of Three Senators to investigate the action of the State Board of Education in contracting with an eastern book publishing house to publish 300,000 copies of elementary text books; and

WHEREAS, No provision was made in said resolution for defraying the expenses of such committee in said investigations; now, therefore, be it

Resolved by the Senate of the State of California, That the sum of \$150 be and the same is hereby made available for the purpose of defraying the expenses of such committee in said investigation and for defraying the expenses of witnesses appearing before said committee, to be paid from the Contingent Fund of the Senate, and the State Controller is hereby authorized and directed to draw his warrants in favor of the chairman of said committee for such expenditures as may be certified to him from time to time by the chairman of said committee, and the State Treasurer is hereby authorized and directed to pay the same.

Resolution read, and referred to the Committee on Finance.

REPORTS OF STANDING COMMITTEES—(RESUMED).

The following reports of standing committee were received and read:

ON ELECTIONS.

SENATE CHAMBER, SACRAMENTO, April 10, 1931.

MR. PRESIDENT: Your Committee on Elections, to which was referred Senate Bill No. 388—An act to amend sections 1096 and 1115 of the Political Code, relating to the registration of electors—has had the same under consideration, and respectfully reports the same back with amendments, and recommends that the amendments be adopted, and the bill be re-referred to this committee.

Committee membership—11; committee vote: Ayes—9; absent—2.

FELLOM, Chairman.

CONSIDERATION OF COMMITTEE AMENDMENTS.

Pursuant to the report of the Committee on Elections, the following amendments to Senate Bill No. 388 were read and adopted:

AMENDMENT NUMBER ONE.

On page 1, line 7, of the printed bill, strike out the word "thirty", and insert in lieu thereof the word "forty".

AMENDMENT NUMBER TWO.

On page 2, line 22, of the printed bill, strike out the word "The", and insert the following: "In any territory outside of an incorporated city or town the name of the".

AMENDMENT NUMBER THREE.

On page 2, line 36, of the printed bill, after the period, strike out the word "The", and insert in lieu thereof the following: "In any territory outside of an incorporated city or town the".

Bill ordered to print, and re-referred to Committee on Elections.

Also:

MR. PRESIDENT: Your Committee on Elections, to which was referred Senate Bill No. 808—An act to amend sections 1094 and 1096 of the Political Code, relating to elections—has had the same under consideration, and respectfully reports the same back with amendments, and recommends that the amendments be adopted, and that it do pass as amended.

Committee membership—11; committee vote: Ayes—8; absent—3.

FELLOM, Chairman.

Senate Bill No. 808 ordered on file for second reading.

Also :

MR. PRESIDENT: Your Committee on Elections, to which was referred Assembly Constitutional Amendment No. 26—A resolution to propose to the people of the State of California an amendment to the constitution of the State by adding a new section to article IV thereof to be numbered 25½, relating to boxing, sparring and wrestling matches or exhibitions—has had the same under consideration, and respectfully reports the same back, and recommends that it do pass.

Committee membership—11; committee vote: Ayes—8; noes—1; absent—2.

FELLOW, Chairman.

Assembly Constitutional Amendment No. 26 ordered on file.

Also :

MR. PRESIDENT: Your Committee on Elections, to which was referred Assembly Bill No. 943—An act to amend sections 1083a, 1095a, 1097, of the Political Code, relating to registration of electors and conduct of elections;

Also: Assembly Bill No. 1153—An act to amend sections 1113, 1115, 1120, 1121 of the Political Code, relating to registration of electors and conduct of elections;

Also: Assembly Bill No. 1318—An act to amend sections 1103, 1105, 1106, of the Political Code, relating to registration of electors and conduct of elections; Has had the same under consideration, and respectfully reports the same back, and recommends that they do pass, but if there is any question raised in opposition to these bills, that they be re-referred to committee.

Committee membership—11; committee vote: Ayes—9; absent—2.

FELLOW, Chairman.

Assembly Bills Nos. 943, 1153, and 1318 ordered on file for second reading.

INTRODUCTION, FIRST READING, AND REFERENCE OF BILLS.

The following resolution was offered:

By Senator Breed: Senate Concurrent Resolution No. 32—Relative to leaves of absence of the Governor, Lieutenant Governor and the members of the Senate and Assembly of the forty-ninth session of the Legislature of the State of California.

Referred to Committee on Rules.

REQUEST FOR PERMISSION TO INTRODUCE A BILL.

The following request for permission to introduce a bill was presented:

By Senator Hays:

SENATE CHAMBER, SACRAMENTO, April 10, 1931.

MR. PRESIDENT: In accordance with the provisions of section 2, article IV of the constitution, I request permission to introduce a bill, the title of which is set forth below:

An act to amend section 141½ of the "California Vehicle Act," approved May 30, 1923, relating to liability of an owner or driver or person responsible for the operation of a vehicle, for the injury or death of a guest.

Request referred to Committee on Rules.

CONSIDERATION OF DAILY FILE.

SECOND READING OF SENATE BILLS.

Senate Bill No. 300—An act to amend section 1197 of the Political Code, relating to election ballots.

COMMITTEE AMENDMENTS.

During the second reading of the bill, the following committee amendments were offered:

AMENDMENT NUMBER ONE.

On page 6 of the printed bill, strike out lines 15 to 22, inclusive, and insert in lieu thereof the following: "Immediately under the name of each candidate and not separated therefrom by any line may appear, at the option of the candidate, one of the following designation:

a. Words designating the city, county, district or state office which the candidate then holds.

b. If the candidate be a candidate for the same office which he then holds, the word "incumbent."

c. The word designating the profession, vocation or occupation of the candidate. The profession, vocation or occupation so designated shall be the same as appears in the affidavit of registration of such candidate.

In all cases words so used shall be printed in eight point Roman bold-face capitals and lower case type."

Amendment adopted.

AMENDMENT NUMBER TWO.

Strike out both forms of ballot and substitute in lieu thereof the following forms of ballot: (The ballot forms may be found in the amended bill.)

Amendment adopted.

Bill read second time, ordered to print, engrossment, and on file for third reading.

Senate Bill No. 477—An act to repeal chapter 393, Statutes of 1909, entitled "An act to fix the salaries of the State Forester, deputy forester and assistant forester," approved March 22, 1909, as amended.

Bill read second time, ordered engrossed, and on file for third reading.

Senate Bill No. 230—An act to amend sections 4130 and 4300c of the Political Code, relating to recorders and fees.

COMMITTEE AMENDMENTS.

During the second reading of the bill, the following committee amendments were offered:

AMENDMENT NUMBER ONE.

On page 2, line 7, of the printed bill, strike out "twenty-five", and insert in lieu thereof: "fifty".

Amendment adopted.

AMENDMENT NUMBER TWO.

On page 2, line 16, of the printed bill, strike out "twenty-five", and insert in lieu thereof "fifty".

Amendment adopted.

Bill read second time, ordered to print, engrossment, and on file for third reading.

Senate Bill No. 902—An act to amend the Workmen's Compensation, Insurance and Safety Act of 1917.

COMMITTEE AMENDMENTS.

During the second reading of the bill, the following committee amendments were offered:

AMENDMENT NUMBER ONE.

Strike out lines 1 and 2 of the title of the printed bill, and insert in lieu thereof the following:

"An act to amend section 8 of the workmen's compensation, insurance and safety act of 1917, relating to and defining employees and excluding from the provisions of the act any person engaged in selling, offering for sale or delivering to the public any newspaper, magazine or periodical."

AMENDMENT NUMBER TWO.

On page 1 of the printed bill, strike out line 1, and insert in lieu thereof the following:

"SECTION 1. Section 8 of the workmen's compensation, insurance and safety act of 1917 is hereby amended to read as follows:

Sec. 8. (a) The term "employee" as used in sections 6 to 31, inclusive, of this act shall be construed to mean: Every person in the service of an employer as defined

by section 7 hereof under any appointment or contract of hire or apprenticeship, express or implied, oral or written, including aliens, and also including minors, whether lawfully or unlawfully employed, and all elected and appointed paid public officers, and all officers and members of boards of directors of quasi public or private corporations while rendering actual service for such corporations for pay, but excluding any person whose employment is both casual and not in the course of the trade, business, profession or occupation of his employer, and also excluding any employee engaged in household domestic service, farm, dairy, agricultural, viticultural or horticultural labor, in stock or poultry raising and also excluding any person engaged in vending, selling, offering for sale, or delivering directly to the public, any newspaper, magazine or periodical where the title to such newspaper, magazine or periodical has passed to the person so engaged, and any person holding an appointment as deputy clerk, deputy sheriff or deputy constable appointed for the convenience of such appointee, who receives no compensation from the county or municipal corporation or from the citizens thereof for services as such deputy; *provided*, that such last exclusion shall not deprive any person so deputized from recourse against any private person employing him for injury occurring in the course of and arising out of such employment. Nothing herein contained shall be deemed to alter, amend or repeal the provisions of chapter 824, statutes of 1927.

(b) Any person rendering service for another, other than as an independent contractor, or as expressly excluded herein, is presumed to be an employee within the meaning of this act. The term "independent contractor" shall be taken to mean, for the purposes of this act: any person who renders service, other than manual labor, for a specified recompense for a specified result, under the control of his principal as to the result of his work only and not as to the means by which such result is accomplished. A working member of a partnership receiving wages irrespective of profits from such partnership shall be deemed an employee within the meaning of this section.

(c) The term "casual" as used in this section shall be taken to refer only to employments where the work contemplated is to be completed in not exceeding ten working days, without regard to the number of men employed, and where the total labor cost of such work is less than one hundred dollars. The phrase "course of the trade, business, profession or occupation of his employer" shall be taken to include all services tending toward the preservation, maintenance or operation of the business, business premises or business property of the employer. The words "trade, business, profession or occupation of his employer" shall be taken to include any undertaking actually engaged in by him with some degree of regularity, the trade name, articles of incorporation or principal business of the employer to the contrary notwithstanding.

(d) Watchmen for nonindustrial establishments, paid by subscription by several persons, shall not be held to be employees within the meaning of this act. In other cases where watchmen, paid by subscription by several persons, have at the time of the injury sustained by them taken out and maintained in full force and effect insurance upon themselves as self-employing persons conferring benefits equal to those conferred by this act, the employer shall not be liable under this act.

(e) It shall not be a defense to the state, or any political subdivision or institution thereof, or public or quasi public corporation, that a person injured while rendering service for it was not lawfully employed by reason of the violation of any civil service or other law, rule, or regulation respecting the hiring of employees.

(f) Workmen associating themselves under a partnership agreement, the principal purpose of which is the performance of the labor on a particular piece of work, shall be deemed employees of the person having such work executed, and, in the event the average weekly earnings are not otherwise ascertainable, shall be deemed to be employed at an average weekly wage of twelve dollars; *provided, however*, that if such workmen shall have taken out and maintained in full force and effect insurance, in an insurance carrier as defined in this act, insuring to themselves and all persons employed by them benefits identical with those conferred by this act, the person for whom such work is to be done shall not be liable as an employer under this act.

(g) Nothing herein shall be construed to modify, amend or repeal the provisions of chapter 834, statutes of 1927."

Amendment adopted.

Bill read second time, ordered to print, engrossment, and on file for third reading.

Senate Bill No. 362—An act to prohibit the production of crude petroleum oil so as to constitute waste; to define waste; to provide for a determination of waste and the allocation of production to the several sources of supply and the several properties therein and to provide penalties for a violation of said law.

COMMITTEE AMENDMENTS.

During the second reading of the bill, the following committee amendments were offered :

AMENDMENT NUMBER ONE.

In line 26 of the title of the printed bill, as amended, strike out the semicolon after the word "act", and insert in lieu thereof the word "and".

Amendment adopted.

AMENDMENT NUMBER TWO.

In lines 27 and 28 of the title of the printed bill, as amended, after the word "thereof", insert a period and strike out the balance of line 27 and all of line 28

Amendment adopted.

AMENDMENT NUMBER THREE.

On page 3, line 48, of the printed bill, after the word "employ", insert "an attorney who shall receive a salary of not to exceed three thousand six hundred (\$3,600) dollars per annum, also such assistant attorneys as may be necessary, each of whom shall receive not to exceed two hundred fifty (250) dollars per month".

Amendment adopted.

AMENDMENT NUMBER FOUR.

On page 4, line 2, of the printed bill, strike out the word "oil", and insert in lieu thereof the word "and".

Amendment adopted.

AMENDMENT NUMBER FIVE.

On page 4, line 49, of the printed bill, strike out the word "one", and insert in lieu thereof the word "each".

Amendment adopted.

AMENDMENT NUMBER SIX.

On page 5, line 16, of the printed bill, after the word "held", insert "within the county where the field is located".

Amendment adopted.

AMENDMENT NUMBER SEVEN.

On page 7, line 12, of the printed bill, strike out the word "setting", and insert in lieu thereof the word "set".

Amendment adopted.

AMENDMENT NUMBER EIGHT.

On page 8, line 39, of the printed bill, after the word "provided", insert "by assessments".

Amendment adopted.

AMENDMENT NUMBER NINE.

On page 9 of the printed bill, as amended, strike out all of lines 1 to 12, inclusive.

Amendment adopted.

AMENDMENT NUMBER TEN.

On page 9, line 13, of the printed bill, as amended, after the word "Sec.", strike out the figure "14", and insert the figure "13".

Amendment adopted.

AMENDMENT NUMBER ELEVEN.

On page 9, line 18, of the printed bill, as amended, after the word "Sec.", strike out the figure "15", and insert the figure "14".

Amendment adopted.

Bill read second time, ordered to print, engrossment, and on file for third reading.

Senate Bill No. 945—An act to define building and loan associations and to regulate them and their organization, business, operation, consolidation and liquidation, and (without limiting the generality of the foregoing) also to do the following: To define and regulate the agents, salesmen and collectors of such associations, and to regulate their officers, directors and employees; to define, authorize, and regulate the issuance of, shares, stock and investment certificates of such associations, and to prescribe the rights, remedies and liabilities of holders thereof, and to make such investment certificates legal investments for certain purposes; to prescribe the rights, powers, remedies, duties and liabilities of such associations and the rights and remedies of their creditors; to regulate the investments, loans and borrowings of such associations, and their accounts, reports, audits, statements and advertising; to create and continue the Building and Loan Department and the office of Building and Loan Commissioner, provide for the salaries and expenses of such commissioner and his assistants and employees and define their rights, powers, remedies and duties; to provide penalties for offenses by such association, their directors, officers, agents, salesmen, collectors and employees and by other persons and corporations; and to repeal title XVI of part IV of division I of the Civil Code, chapter 354 of the Statutes of 1911 and acts amendatory thereof and supplemental thereto; chapter 133 of the Statutes of 1927, and all other acts and parts of acts inconsistent herewith.

COMMITTEE AMENDMENTS.

During the second reading of the bill, the following committee amendments were offered:

AMENDMENT NUMBER ONE.

On page 52, lines 20 to 23 of the printed bill, strike out "He shall receive an annual salary of six thousand dollars payable monthly out of the state treasury upon a warrant of the controller", and insert in lieu thereof the following: "He shall receive such compensation as shall be prescribed or authorized by law".

Amendment adopted.

AMENDMENT NUMBER TWO.

On page 52, line 42, of the printed bill, strike out all of lines 42 and 43, and in line 44 strike out "troller out of the state treasury", and insert in lieu thereof the following: "and such compensation as shall be prescribed or authorized by law or laws enacted subsequent to the enactment of this act".

Amendment adopted.

AMENDMENT NUMBER THREE.

On page 52, lines 47 and 49, inclusive, of the printed bill, strike out "and that the compensation of such attorney shall not exceed four thousand two hundred dollars per annum", and insert in lieu thereof the following: "and the compensation of such attorney shall be such as is hereafter provided for by law".

Amendment adopted.

AMENDMENT NUMBER FOUR.

On page 53, line 1, of the printed bill, insert after "paid", the following: ", as may be hereafter provided for by law".

Amendment adopted.

AMENDMENT NUMBER FIVE.

On page 53, line 7, of the printed bill, after the word "provide", insert the following: "as may be hereafter provided for by law".

Amendment adopted.

AMENDMENT NUMBER SIX.

On page 53, line 9, of the printed bill, strike out "All", and all of lines 10 to 13, inclusive.

Amendment adopted.

AMENDMENT NUMBER SEVEN.

On page 53, lines 32 and 33, of the printed bill, strike out "by the state", and insert in lieu thereof the following: "as may be hereafter provided for by law".

Amendment adopted.

AMENDMENT NUMBER EIGHT.

On page 61 of the printed bill, strike out lines 19 to 40, inclusive, and insert in lieu thereof the following:

"Sec. 13.18. Disposition of moneys. All moneys collected under the provisions of this act shall be disposed of in the manner and for such purposes as shall be prescribed by law or laws enacted subsequent to the enactment of this act".

Amendment adopted.

AMENDMENT NUMBER NINE.

On page 64, line 30, of the printed bill, strike out "on the effective date of this act shall be placed in the", and all of lines 31 to 38, inclusive, and insert in lieu thereof the following: ", and all moneys in the "building and loan inspection fund" referred to section 17, chapter 354, statutes 1911, as amended, shall be used in such manner and for such purposes as shall be prescribed by law or laws enacted subsequent to the enactment of this act."

Amendment adopted.

Bill read second time, ordered to print, engrossment, and on file for third reading.

CONSIDERATION OF DAILY FILE.

SECOND READING OF ASSEMBLY BILLS.

Assembly Bill No. 376—An act to amend the Irrigation District Improvement Act, as amended, by amending sections 1, 2, 6, 7, 8, 9 and 10 thereof, relating to assessments, warrants and property, and by adding three new sections to be numbered 15, 16 and 17, relating to assessments.

COMMITTEE AMENDMENTS.

During the second reading of the bill, the following committee amendments were offered:

AMENDMENT NUMBER ONE.

On page 2, line 43, of the printed bill, after the word "improvements", insert the following: "or to organize said improvement district for any of the purposes set forth in this act,".

Amendment adopted.

AMENDMENT NUMBER TWO.

On page 2, line 49, of the printed bill, after the word "improvements", insert the following: "or be organized for any of the purposes set forth in this act,".

Amendment adopted.

AMENDMENT NUMBER THREE.

On page 2, line 51, of the printed bill, after the word "assessment", insert a comma and the following words: "if such assessment is necessary".

Amendment adopted.

Bill read second time, ordered to print, and on file for third reading.

Assembly Bill No. 524—An act to amend sections 45, 47, and 48 of the California Irrigation District Act, relating to certificates of sale of lands sold for delinquent assessments and deeds issued pursuant thereto.

COMMITTEE AMENDMENTS.

During the second reading of the bill, the following committee amendments were offered:

AMENDMENT NUMBER ONE.

On page 3, line 24, of the printed bill, strike out "Where in", and insert in lieu thereof: "In".

Amendment adopted.

AMENDMENT NUMBER TWO.

On page 3, line 26, of the printed bill, insert after "facts", a period and the word: "Where".

Amendment adopted.

Bill read second time, ordered to print, and on file for third reading.

Assembly Bill No. 618—An act to amend section 4307 of the Political Code, relating to county charges.

COMMITTEE AMENDMENT.

During the second reading of the bill, the following committee amendment was offered:

AMENDMENT NUMBER ONE.

On page 1, line 26, of the printed bill, as amended in the Assembly March 20, 1931, strike out the period and insert in lieu thereof a semicolon, and add the following: "*provided, however*, anything herein to the contrary notwithstanding, that, in any criminal case in an inferior court in which any fine or forfeiture which would accrue would be payable to the treasurer of the county in which such court is located, then the sums required by law to be paid to the trial jurors, if any, and witnesses in said case, shall be county charges."

Amendment adopted.

Bill read second time, ordered to print, and on file for third reading.

Assembly Bill No. 619—An act to amend section 4300*f* of the Political Code, relating to jurors' fees.

COMMITTEE AMENDMENT.

During the second reading of the bill, the following committee amendment was offered:

AMENDMENT NUMBER ONE.

On page 1, line 15, of the printed bill, as amended in the Assembly March 20, 1931, strike out the period, and insert in lieu thereof a semicolon, and add the following: "*provided, however*, anything herein to the contrary notwithstanding, that, in any criminal case in an inferior court in which any fine or forfeiture which would accrue would be payable to the treasurer of the county in which such court is located, then the sums required by law to be paid to the trial jurors, if any, and witnesses in said case, shall be county charges."

Amendment adopted.

Bill read second time, ordered to print, and on file for third reading.

Assembly Bill No. 534—An act to amend section 103 $\frac{1}{2}$ of the Code of Civil Procedure, relating to clerks of justices' courts in cities or towns of the second and one-fourth, second and one-half, second and three-fourths and third classes, and appointments, salaries and duties of same.

Bill read second time, and ordered on file for third reading.

Assembly Bill No. 459—An act to amend section 18 of chapter 358, Statutes of 1925, entitled "An act authorizing the establishment of municipal courts, prescribing their constitution, regulation, government, procedure and jurisdiction, and providing for the election and appointment of the judges, clerks, and other attaches of such courts, their terms

of office, qualification and compensation and for the selection of jurors therein," approved May 23, 1925, as amended, relating to the appointment and duties of clerks, deputy clerks, marshals, deputy marshals, and the filling of vacancies in said offices.

Bill read second time, and ordered on file for third reading.

Assembly Bill No. 1866—An act to add two sections to the Code of Civil Procedure, to be numbered 1919*a* and 1919*b*, respectively, relating to the proof, attestation, authentication and admissibility in evidence of church records and/or registers and/or entries therefrom and/or certificates kept or issued by a clergyman or other person in accordance with law or with the rules, regulations and/or requirements of a religious denomination, society or church.

Bill read second time, and ordered on file for third reading.

Assembly Bill No. 365—An act to amend sections 4 and 5 of chapter 652, Statutes of 1921, entitled "An act to provide for the organization and government of public cemetery districts," approved June 1, 1921.

Bill read second time, and ordered on file for third reading.

Assembly Bill No. 1435—An act to amend section 2185*c* of the Political Code, relating to intemperate users of stimulants, and recommitment of intemperate users of narcotics.

Bill read second time, and ordered on file for third reading.

Assembly Bill No. 1235—An act to amend section 3 of the Narcotic Rehabilitation Act, approved April 9, 1927, as amended, relating to the arrest and examination of alleged drug addicts.

Bill read second time, and ordered on file for third reading.

Assembly Bill No. 1228—An act to protect trade owners, distributors and the public against injurious and uneconomic practices in the distribution of articles of standard quality under a distinguished trade-mark, brand or name.

Bill read second time, and ordered on file for third reading.

Assembly Bill No. 349—An act to amend section 6 of chapter 358, Statutes of 1925, entitled "An act authorizing the establishment of municipal courts, prescribing their constitution, regulation, government, procedure and jurisdiction, and providing for the election and appointment of the judges, clerks and other attaches of such courts, their terms of office, qualification and compensation and for the selection of jurors therein," approved May 23, 1925, as amended.

Bill read second time, and ordered on file for third reading.

Assembly Bill No. 1887—An act authorizing the State of California to accept and receive title to certain real property to be used as the site of the erection of a hangar.

Bill read second time, and ordered on file for third reading.

Assembly Bill No. 1011—An act to amend section 409 of the Political Code, relating to the fees to be collected by the Secretary of State.

Bill read second time, and ordered on file for third reading.

Assembly Bill No. 615—An act to amend chapter 801, Statutes of 1929, entitled "An act regulating the practice of civil engineering,"

approved June 14, 1929, by adding a new section to said act known as section 1b limiting the use of the title "structural engineer" and providing a method whereby civil engineers must qualify before using the title of structural engineer.

Bill read second time, and ordered on file for third reading.

Assembly Bill No. 315—An act relating to the judges of the superior court in and for the county of Santa Barbara, increasing and prescribing the salaries thereof.

Bill read second time, and ordered on file for third reading.

Assembly Bill No. 513—An act establishing standards, tests and requirements for certain refined petroleum products, providing for taking samples thereof, providing for sealing of certain containers, pumps and storage tanks connected thereto, providing for labeling of certain containers and pumps, and further, providing an annual license fee and fixing a penalty for the violation thereof of provisions contained therein.

Bill read second time, and ordered on file for third reading.

Assembly Bill No. 803—An act to amend section 4 of chapter 7, Statutes of 1919, entitled "An act authorizing the State Board of Control to purchase warrants of the Sacramento and San Joaquin drainage district issued in payment for the expense of continuing construction of the east levee of the Sutter By-pass; appropriating money therefor, and providing for reimbursement to the State of such appropriation," approved January 30, 1919, relating to warrants.

Bill read second time, and ordered on file for third reading.

Assembly Bill No. 487—An act to amend sections 3 and 8 of an act entitled "An act to regulate the practice of architecture," approved March 23, 1901, as amended, relating to the State Board of Architectural Examiners.

COMMITTEE AMENDMENTS.

During the second reading of the bill, the following committee amendments were offered:

AMENDMENT NUMBER ONE.

In line 1 of the title of the printed bill, strike out the "s", in the word "sections"; same line, after the word "section", strike out "3 and".

Amendment adopted.

AMENDMENT NUMBER TWO.

On page 2, line 31, of the printed bill, after the period, strike out rest of line; also same page, strike out lines 32 to 39, inclusive.

Amendment adopted.

Bill read second time, ordered to print, and on file for third reading.

RECONSIDERATION WAIVED.

Senator Tubbs waived his notice to reconsider the vote whereby Senate Bill No. 168 was passed.

Senate Bill No. 168 ordered transmitted to the Assembly.

RECONSIDERATION WAIVED.

Senator Sharkey waived his notice to reconsider the vote whereby Assembly Bill No. 301 was passed.

Assembly Bill No. 301 ordered transmitted to the Assembly.

RESOLUTION.

The following resolution was offered :

By Senator Evans :

WHEREAS, The following resolution was adopted by the Assembly, March 16, 1931 :

By Mr. Baum :

WHEREAS, United States Senator Samuel M. Shortridge of California is due to arrive home about this time ; and

WHEREAS, Senator Shortridge has been of invaluable service to the State of California in the United States Senate, taking a conspicuous part in all important proceedings ; and

WHEREAS, Senator Shortridge is acknowledged to be a brilliant speaker and is in a position to enlighten the members of the Assembly regarding important issues ; now, therefore, be it

Resolved, By the Assembly of the State of California, that Senator Samuel M. Shortridge is hereby invited to address the Assembly at a date in the near future which will suit his convenience :

And

WHEREAS, On April 9th, Senator Shortridge notified the Speaker of the Assembly that he would be pleased to address the Legislature Wednesday, April 15th, at 2.30 p.m. ; and

WHEREAS, The Speaker appointed a committee on arrangements composed of Assemblymen Baum, Morrison and Roland, and a request is made that the Senate appoint a similar committee to cooperate with Assembly committee in arranging for Senator Shortridge's reception, and the Senate's cooperation on the above mentioned date ; therefore, be it

Resolved by the Senate of the State of California, That it joins with the Assembly in the foregoing invitation ; and, be it further

Resolved, That the President of the Senate is requested to appoint a committee of three Senators to cooperate with the Assembly committee hereinabove referred to.

CONSIDERATION OF ASSEMBLY BILL NUMBER ONE THOUSAND
ONE HUNDRED FORTY.

Senator Rochester asked for, and was granted, unanimous consent to have Assembly Bill No. 1140 read second time for purpose of amendment.

SECOND READING OF ASSEMBLY BILL NUMBER ONE THOUSAND
ONE HUNDRED FORTY.

Assembly Bill No. 1140—An act providing for the formation, government and operation of harbor districts ; for the creation, improvement, development and maintenance of recreational harbors ; for the acquisition and improvement, government and operation of lands and works in connection therewith or appurtenant thereto, whether lying entirely within unincorporated territory of a county or wholly or partially including territory of one or more municipalities within such county, defining the term, "recreational harbor," within the meaning of this act ; and providing generally what may and may not be done in such harbor so classified and authorizing the governing body of such harbor district to adopt rules and regulations in relation to said harbor, and to adopt and enforce ordinances restricting and governing the said harbor and its use, violation of any said ordinance being punishable as are misdemeanors by fine or imprisonment, or both fine and imprisonment ; providing a means for defraying the cost and expense of forming, constructing, improving, governing and operating such harbor district and harbors, and authorizing counties and cities, jointly and separately, to contribute out of their general funds the costs and expenses of such harbor district, and authorizing the incurring of indebtedness, and the issuance of bonds and the levy and collection of taxes within such district and the enforcement of such bonds and taxes to defray the cost of the organization of such harbor district and of

the creation, construction, improvement, and extension of such harbor, and the works incidental thereto, and to defray the cost of operating and managing such harbor district and harbor; authorizing the establishment of appropriate funds in the manner provided by law for the impounding and disbursement of the moneys required to meet such costs and expenses; providing for the levy of special assessments within such district to defray such costs and expenses, either wholly or partially, and authorizing the legislative body of the county or city assuming jurisdiction to call the election upon the question of the formation of such harbor district to determine what zone or zones, if any, within the proposed harbor district are to be benefited to a greater or less extent than other zone or zones therein, and to define said zones within such district and assess the cost of the said harbor works and improvements within said district zones, and each of them, in accordance with the benefits so found to be enjoyed by the several zones therein delineated; providing and empowering such district to accept financial or other aid for improvements and operations from the United States of America, the State of California, and from any person or persons; providing the means whereby the legislative body of any city heretofore or hereafter granted any rights in respect to tidelands and submerged lands may permit the exercise of such rights by the board of governors of any harbor district formed hereunder and defining rights of littoral owners; and providing the means for obtaining action by the State through the State Engineer and Governor whereby tidelands, submerged lands and coastal waters may be segregated for recreational use, as herein defined, and providing for the appointment within any such harbor district formed under this act of a board of governors and fixing the qualifications, tenure of office, powers, duties of such board of governors, and providing the means and terms by which territory may be annexed to any harbor district formed hereunder.

COMMITTEE AMENDMENTS.

During the second reading of the bill, the following committee amendments were offered:

AMENDMENT NUMBER ONE.

On page 2 of the title of the printed bill, strike out the words "defining rights of littoral owners", and substitute therefor: "providing that accretions caused by work or structures constructed shall be deemed and treated as natural accretions:".

Amendment adopted.

AMENDMENT NUMBER TWO.

On page 2 of the title of the printed bill, strike out the words "state engineer", and substitute therefor: "chief of the division of state lands in the department of finance of the state".

Amendment adopted.

AMENDMENT NUMBER THREE.

On page 4, line 31, of the printed bill, add a new paragraph to section 5 to read as follows:

"Provided, however, that if prior to the date specified in said notice for the hearing, the owner or owners of sixty-six and two-thirds per cent of the total frontage littoral to and contained within the exterior lines of proposed harbor file written protest in the office of the clerk of the board of supervisors against the formation of such recreational harbor district the proceedings shall thereupon be terminated".

Amendment adopted.

AMENDMENT NUMBER FOUR.

On page 6, line 10, of the printed bill, strike out the words: "state engineer", and substitute therefor "chief of the division of state lands in the department of finance

of the state"; also on page 6, lines 22, 38, 39, 49, and page 8, line 6, page 7, lines 1, 2, 8, 10, 21, 25, 26, 29, 35 make the above substitution.

Amendment adopted.

AMENDMENT NUMBER FIVE.

On page 20 of the printed bill, strike out lines 19 and 20, and substitute therefor the following: "Constructed, shall be deemed and treated as natural accretions".

Amendment adopted.

Bill read second time, ordered to print, and on file for third reading.

CONSIDERATION OF DAILY FILE.

THIRD READING OF SENATE BILLS.

Senate Bill No. 437—An act to amend sections 4.383 and 4.384 of the School Code.

Bill read third time.

MOTION TO REFER TO SPECIAL COMMITTEE OF ONE.

During third reading of the bill, Senator Deuel moved to refer Senate Bill No. 437 to Senator Rich, as a Special Committee of One, to amend as follows:

AMENDMENT NUMBER ONE.

On page 1 of the printed bill, as amended in Senate March 23, 1931, strike out all of lines 3 to 23, both inclusive; strike out all of pages 2, 3 and 4, and on page 5, of the printed bill, strike out all of lines 1 to 11, both inclusive, and insert in lieu thereof the following:

"4.383. Except in districts where no district tax is levied, and elementary districts having but one teacher employed, the proposed budget for the ensuing school year as prepared by the trustees under the provisions of this code, or a summary thereof containing such items as may be applicable to the particular district, shall be published by the county superintendent of schools at least once in a newspaper of general circulation published within the district, or if there is no newspaper in said district, then in a newspaper published nearest to said district, prior to its adoption. The cost of such publication shall be a proper and legal charge against the school district or districts for which the publication is made, and shall not exceed the rate fixed by the board of supervisors for official advertising. Such publication shall be made between the eighth and fifteenth days of July of each year, and shall contain a notice that a public hearing will be held before the board of trustees of the school district, in some schoolhouse in said district, between the fifteenth and twenty-second days of July of said year, at which time any taxpayer in the district may appear and object to said proposed budget or any item thereof; and said budget shall not be finally adopted by said trustees until after said public hearing has been held."

AMENDMENT NUMBER TWO.

On page 5 of the printed bill, as amended in Senate March 23, 1931, strike out all of lines 15 to 24, both inclusive, and insert in lieu thereof the following:

"4.384. Any violation of this article or a failure to comply with its provisions by the county superintendent of schools is punishable under section 176 of the Penal Code of the State of California."

Motion carried.

REPORT OF SPECIAL COMMITTEE OF ONE.

SENATE CHAMBER, SACRAMENTO, April 10, 1931.

MR. PRESIDENT: Your Special Committee of One, to which was referred Senate Bill No. 437, with instructions to amend, respectfully reports the same back, amended as per instructions.

RICH, Committee.

Report read, and on motion of Senator Deuel adopted.

Bill ordered to print and re-engrossment.

Senate Bill No. 233—An act to amend sections 3 and 5 of chapter 753, Statutes of 1927, entitled "An act to establish the California State Historical Association, relative to providing for the appointment of a board of trustees for said association and making an appropriation for

its support during the seventy-ninth and eightieth fiscal years." approved May 25, 1927.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Senate Bill No. 233 passed by the following vote:

AYES—Senators Allen, Baker, Breed, Bush, Carter, Cassidy, Clock, Crittenden, Deuel, Evans, Fellom, Harper, Hays, Ingels, Inman, Maloney, McCormack, McKinley, Mixer, Moran, Nelson, Pedrotti, Rich, Riley, Rochester, Schottky, Sharkey, Slater, Swing, and Treacy—30.

NOES—None.

Title read and approved.

Bill ordered transmitted to the Assembly.

Senate Bill No. 729—An act to amend section 24 of chapter 586 of the Statutes of 1913, known as the "Water Commission Act," approved June 16, 1913, as amended, relating to references to the State Water Commission, as referee.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Senate Bill No. 729 passed by the following vote:

AYES—Senators Allen, Baker, Breed, Bush, Carter, Cassidy, Clock, Crittenden, Deuel, Duval, Edwards, Evans, Fellom, Harper, Hays, Ingels, Inman, Maloney, McCormack, Mixer, Nelson, Pedrotti, Rich, Riley, Rochester, Schottky, Sharkey, Slater, Swing, Treacy, and Wagy—31.

NOES—None.

Title read and approved.

Bill ordered transmitted to the Assembly.

Senate Bill No. 575—An act to amend sections 2, 4, and 5 of an act entitled "An act to create the office of Public Defender, to provide for the election of such officers, and prescribing their duties and compensation," approved May 24, 1921, relating to the compensation of Public Defender.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Senate Bill No. 575 passed by the following vote:

AYES—Senators Allen, Baker, Breed, Bush, Carter, Clock, Crittenden, Deuel, Duval, Edwards, Evans, Harper, Hays, Ingels, Inman, Maloney, McCormack, McKinley, Mixer, Moran, Nelson, Pedrotti, Rich, Riley, Rochester, Schottky, Sharkey, Slater, Swing, Treacy, and Wagy—31.

NOES—None.

Title read and approved.

Bill ordered transmitted to the Assembly.

Senate Bill No. 75—An act to add sections 28a and 28b to chapter 36, Statutes of 1881, entitled "An act to allow unincorporated towns and villages to equip and maintain a fire department and to assess and collect taxes, from time to time, for such purpose, and to create a board of fire commissioners," approved March 4, 1881, as amended, relating to the withdrawal from fire districts formed thereunder of territory therein which will not be benefited by remaining within said district, and for the dissolution of fire districts organized thereunder.

Bill read third time.

MOTION TO REFER TO SPECIAL COMMITTEE OF ONE.

During third reading of the bill, Senator Mixter moved to refer Senate Bill No. 75 to Senator Harper, as a Special Committee of One, to amend as follows:

AMENDMENT NUMBER ONE.

On page 1, line 5, of the printed bill, strike out "by chapter 681".

AMENDMENT NUMBER TWO.

On page 1 of the printed bill, strike out line 6, and insert in lieu thereof the following: "to read as follows:".

AMENDMENT NUMBER THREE.

On page 2 of the printed bill, strike out lines 32 and 33, and insert in lieu thereof the following: "of 1881, as amended, to read as follows:".

Motion carried.

REPORT OF SPECIAL COMMITTEE OF ONE.

SENATE CHAMBER, SACRAMENTO, April 10, 1931.

MR. PRESIDENT: Your Special Committee of One, to which was referred Senate Bill No. 75, with instructions to amend, respectfully reports the same back, amended as per instructions.

HARPER, Committee.

Report read, and on motion of Senator Mixter adopted.

Bill ordered to print and re-engrossment.

Senate Bill No. 268—An act amending section 4240 of the Political Code, relating to salaries and compensation of officers in counties of the eleventh class.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Senate Bill No. 268 passed by the following vote:

AYES—Senators Allen, Baker, Breed, Bush, Carter, Cassidy, Clock, Crittenden, Deuel, Duval, Edwards, Evans, Fellom, Harper, Hays, Ingels, Maloney, McCormack, McKinley, Mixter, Moran, Nelson, Rich, Riley, Schottky, Sharkey, Slater, Tubbs, and Waggy—29.

NOES—None.

Title read and approved.

Bill ordered transmitted to the Assembly.

CONSIDERATION OF DAILY FILE.

THIRD READING OF ASSEMBLY BILLS.

Assembly Bill No. 287—An act to amend sections 3746 and 3756 of the Political Code, relating to tax collector's notice that taxes are due and fixing date of delinquency.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Assembly Bill No. 287 passed by the following vote:

AYES—Senators Allen, Baker, Breed, Bush, Cassidy, Deuel, Duval, Edwards, Evans, Fellom, Harper, Hays, Ingels, Maloney, McKinley, Mixter, Moran, Nelson, Pedrotti, Rich, Riley, Schottky, Sharkey, Slater, Treacy, Tubbs, Waggy, and Williams—28.

NOES—None.

Title read and approved.

Bill ordered transmitted to the Assembly.

Assembly Bill No. 377—An act to amend section 2322x16 of the Political Code, relating to the salaries of the county agricultural commissioners, deputies and inspectors in counties of the sixteenth class.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Assembly Bill No. 377 passed by the following vote:

AYES—Senators Allen, Baker, Breed, Bush, Cassidy, Clock, Crittenden, Deuel, Duval, Edwards, Evans, Fellom, Harper, Hays, Ingels, Maloney, McKinley, Mixer, Moran, Schottky, Sharkey, Slater, Treacy, Tubbs, Wagy, and Williams—26.

NOES—None.

Title read and approved.

Bill ordered transmitted to the Assembly.

Assembly Bill No. 1812—An act to amend section 19x16 of the Juvenile Court Law, relating to probation officers in counties of the sixteenth class.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Assembly Bill No. 1812 passed by the following vote:

AYES—Senators Allen, Baker, Bush, Cassidy, Clock, Crittenden, Deuel, Duval, Edwards, Evans, Fellom, Harper, Hays, Ingels, Maloney, McKinley, Mixer, Moran, Pedrotti, Riley, Schottky, Sharkey, Slater, Treacy, Tubbs, Wagy, and Williams—27.

NOES—None.

Title read and approved.

Bill ordered transmitted to the Assembly.

Assembly Bill No. 1754—An act to amend section 16x16, Weights and Measures Act, relating to sealers of weights and measures in counties of the sixteenth class.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Assembly Bill No. 1754 passed by the following vote:

AYES—Senators Allen, Baker, Bush, Cassidy, Clock, Crittenden, Deuel, Duval, Edwards, Evans, Fellom, Harper, Hays, Ingels, Inman, Jones, Maloney, McCormack, McKinley, Mixer, Moran, Rich, Riley, Schottky, Sharkey, Slater, Treacy, Tubbs, Wagy, and Williams—30.

NOES—None.

Title read and approved.

Bill ordered transmitted to the Assembly.

Assembly Bill No. 374—An act to amend section 4245 of the Political Code, relating to salaries and fees of county and township officers, and organization of townships in counties of the sixteenth class.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Assembly Bill No. 374 passed by the following vote:

AYES—Senators Allen, Baker, Breed, Bush, Cassidy, Clock, Crittenden, Deuel, Duval, Edwards, Evans, Fellom, Harper, Hays, Maloney, McCormack, McKinley,

Mixer, Moran, Nelson, Pedrotti, Rich, Riley, Schottky, Slater, Treacy, Tubbs, Wagy, and Williams—29.

NOES—None.

Title read and approved.

Bill ordered transmitted to the Assembly.

Assembly Bill No. 1871—An act to amend section 2 of the Water Conservation Act of 1927, relating to the powers of water conservation districts.

Bill read third time.

The question being on the passage of the bill.

The roll was called and Assembly Bill No. 1871 passed by the following vote:

AYES—Senators Allen, Baker, Breed, Bush, Cassidy, Clock, Crittenden, Deuel, Duval, Edwards, Evans, Fellom, Harper, Hays, Ingels, Inman, Maloney, McCormack, McKinley, Mixer, Moran, Nelson, Pedrotti, Rich, Riley, Rochester, Schottky, Slater, Treacy, Tubbs, and Wagy—31.

NOES—None.

Title read and approved.

Bill ordered transmitted to the Assembly.

Assembly Bill No. 1096—An act to amend chapter 70, Statutes of 1929, entitled "An act creating the Department of Agriculture Fund, providing that all moneys are to be credited to this fund, providing that all moneys remaining in certain special funds at the time this act takes effect shall be credited to said fund, providing that separate record of income and disbursements be kept of all moneys accruing to this fund and providing for a revolving fund," approved April 9, 1929, by adding a new section thereto to be known as section 6, providing for the payment into the Department of Agriculture Fund, of moneys received by the Department of Agriculture under section 2319i of the Political Code.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Assembly Bill No. 1096 passed by the following vote:

AYES—Senators Allen, Baker, Breed, Bush, Cassidy, Clock, Deuel, Duval, Edwards, Evans, Fellom, Harper, Hays, Ingels, Maloney, McCormack, McKinley, Mixer, Moran, Nelson, Pedrotti, Rich, Riley, Rochester, Schottky, Slater, Treacy, Tubbs, and Wagy—29.

NOES—None.

Title read and approved.

Bill ordered transmitted to the Assembly.

Assembly Bill No. 151—An act to amend sections 1205 and 1446 of the Penal Code, relating to judgments directing imprisonment for satisfaction of fines and providing for payment of fines within a limited time or in installments in certain cases.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Assembly Bill No. 151 passed by the following vote:

AYES—Senators Allen, Baker, Breed, Bush, Cassidy, Clock, Crittenden, Deuel, Duval, Edwards, Evans, Fellom, Harper, Hays, Ingels, Inman, Maloney, McCormack, McKinley, Mixer, Moran, Nelson, Rich, Riley, Rochester, Schottky, Slater, Treacy, Tubbs, and Wagy—30.

NOES—None.

Title read and approved.

Bill ordered transmitted to the Assembly.

Assembly Bill No. 1007—An act to repeal sections 322 and 322a of the Civil Code, relating to corporations.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Assembly Bill No. 1007 passed by the following vote:

AYES—Senators Allen, Baker, Bush, Cassidy, Clock, Crittenden, Deuel, Duval, Edwards, Evans, Fellom, Harper, Hays, Ingels, Maloney, McCormack, McKinley, Mixer, Moran, Nelson, Rich, Riley, Rochester, Schottky, Slater, Treacy, Tubbs, and Wagy—28.

NOES—None.

Title read and approved.

Bill ordered transmitted to the Assembly.

Assembly Bill No. 1303—An act to amend section 112 and repeal section 1163 of the Code of Civil Procedure, relating to jurisdiction of justices' courts.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Assembly Bill No. 1303 passed by the following vote:

AYES—Senators Allen, Baker, Breed, Bush, Cassidy, Clock, Crittenden, Deuel, Duval, Edwards, Evans, Fellom, Harper, Hays, Inman, Jones, Maloney, McCormack, McKinley, Mixer, Nelson, Riley, Rochester, Schottky, Slater, Treacy, Tubbs, and Wagy—28.

NOES—None.

Title read and approved.

Bill ordered transmitted to the Assembly.

Assembly Bill No. 1018—An act authorizing suits against the State to quiet title against it to real property required for highway purposes when deed to the State is recorded in conflict with agreement with State's representatives in the matter of its acquisition.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Assembly Bill No. 1018 passed by the following vote:

AYES—Senators Allen, Baker, Breed, Bush, Cassidy, Clock, Crittenden, Deuel, Duval, Edwards, Evans, Fellom, Harper, Hays, Jones, Maloney, McCormack, McKinley, Mixer, Nelson, Riley, Rochester, Schottky, Sharkey, Slater, Treacy, Tubbs, and Wagy—28.

NOES—None.

Title read and approved.

Bill ordered transmitted to the Assembly.

Assembly Bill No. 1309—An act to repeal section 593 of the Code of Civil Procedure.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Assembly Bill No. 1309 passed by the following vote:

AYES—Senators Allen, Baker, Breed, Bush, Cassidy, Clock, Crittenden, Deuel, Edwards, Evans, Fellom, Harper, Hays, Jones, Maloney, McCormack, McKinley, Mixer, Nelson, Riley, Rochester, Schottky, Sharkey, Slater, Treacy, Tubbs, and Wagye—27.

NOES—None.

Title read and approved.

Bill ordered transmitted to the Assembly.

Assembly Bill No. 1313—An act to add a new section to the Code of Civil Procedure, to be numbered 953*e*, relating to the power of the court to grant a new trial in the event a stenographic reporter at the trial is unable because of death or other disability to transcribe the phonographic reports as provided in section 953*a* of said code.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Assembly Bill No. 1313 passed by the following vote:

AYES—Senators Allen, Baker, Breed, Bush, Cassidy, Clock, Crittenden, Deuel, Edwards, Evans, Fellom, Harper, Hays, Jones, Maloney, McCormack, McKinley, Mixer, Nelson, Riley, Rochester, Schottky, Sharkey, Slater, Treacy, Tubbs, and Wagye—27.

NOES—None.

Title read and approved.

Bill ordered transmitted to the Assembly.

Assembly Bill No. 256—An act to amend section 427 of the Code of Civil Procedure, relating to causes of action which may be united.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Assembly Bill No. 256 passed by the following vote:

AYES—Senators Allen, Baker, Breed, Bush, Cassidy, Crittenden, Deuel, Duval, Edwards, Evans, Fellom, Harper, Hays, Jones, Maloney, McCormack, McKinley, Mixer, Nelson, Riley, Rochester, Schottky, Sharkey, Slater, Treacy, Tubbs, and Wagye—27.

NOES—None.

Title read and approved.

Bill ordered transmitted to the Assembly.

REPORTS OF STANDING COMMITTEES—(RESUMED).

The following report of standing committee was received and read:

ON CONTINGENT EXPENSES.

SENATE CHAMBER, SACRAMENTO, April 10, 1931.

MR. PRESIDENT: Your Committee on Contingent Expenses, to which was referred the following resolution by Senator Inman:

WHEREAS, The Senate on the first day of April, 1931, adopted a resolution providing for a Special Committee of Three Senators to investigate the action of the State Board of Education in contracting with an eastern book publishing house to publish 300,000 copies of elementary textbooks; and,

WHEREAS, No provision was made in said resolution for defraying the expenses of such committee in said investigations; now, therefore, be it

Resolved by the Senate of the State of California. That the sum of \$150 be and the same is hereby made available for the purpose of defraying the expenses of such committee in said investigation and for defraying the expenses of witnesses appearing before said committee, to be paid from the Contingent Fund of the Senate, and the State Controller is hereby authorized and directed to draw his warrants in favor of the chairman of said committee for such expenditures as may be certified to him from time to time by the chairman of said committee and the State Treasurer is hereby authorized and directed to pay the same:

Has has the same under consideration, and respectfully reports the same back, and recommends that it be adopted.

(Signed out)

INGELS, Chairman.
MALONEY.

CONSIDERATION OF SENATOR INMAN'S RESOLUTION.

Senator Inman asked for, and was granted, unanimous consent for the consideration of his resolution, for purpose of adoption.

RESOLUTION BY SENATOR INMAN.

WHEREAS, The Senate on the first day of April, 1931, adopted a resolution providing for a Special Committee of Three Senators to investigate the action of the State Board of Education in contracting with an eastern book publishing house to publish 300,000 copies of elementary textbooks; and,

WHEREAS, No provision was made in said resolution for defraying the expenses of such committee in said investigations; now, therefore, be it

Resolved by the Senate of the State of California. That the sum of \$150 be and the same is hereby made available for the purpose of defraying the expenses of such committee in said investigation and for defraying the expenses of witnesses appearing before said committee, to be paid from the Contingent Fund of the Senate, and the State Controller is hereby authorized and directed to draw his warrants in favor of the chairman of said committee for such expenditures as may be certified to him from time to time by the chairman of said committee and the State Treasurer is hereby authorized and directed to pay the same.

Resolution read.

The question being on the adoption of the resolution.

The roll was called, and the resolution adopted by the following vote:

AYES—Senators Allen, Breed, Bush, Cassidy, Clock, Crittenden, Duval, Edwards, Evans, Fellom, Harper, Hays, Jones, Maloney, McCormack, McKinley, Mixer, Nelson, Riley, Rochester, Schottky, Slater, Treacy, Tubbs, and Wagye—25.

NOES—None.

REPORTS OF STANDING COMMITTEES—(RESUMED).

The following reports of standing committees were received and read:

ON DRAINAGE, SWAMP AND OVERFLOWED LANDS.

SENATE CHAMBER, SACRAMENTO, April 10, 1931.

MR. PRESIDENT: Your Committee on Drainage, Swamp and Overflowed Lands, to which was referred Senate Bill No. 689—An act to amend sections 3463, 3464, 3465 and 3466 of the Political Code, relating to reclamation districts—has had the same under consideration, and respectfully reports the same back with amendments, and recommends that the amendments be adopted, and that it do pass as amended.

Committee membership—5; committee vote: Ayes—5.

(Signed out)

McCORMACK, Chairman.
CRITTENDEN.
EVANS.
MORAN.

Senate Bill No. 689 ordered on file for second reading.

ON MOTOR VEHICLES.

SENATE CHAMBER, SACRAMENTO, April 7, 1931.

MR. PRESIDENT: Your Committee on Motor Vehicles, to which was referred Senate Bill No. 547—An act to amend section 159 of the California Vehicle Act, relating to the Motor Vehicle Fund—has had the same under consideration, and respectfully reports the same back, and recommends that it do pass.

Committee membership—17; committee vote: Ayes—14; absent—3.

BAKER, Chairman.

Senate Bill No. 547 ordered on file for second reading.

ON IRRIGATION.

SENATE CHAMBER, SACRAMENTO, April 10, 1931.

MR. PRESIDENT: Your Committee on Irrigation, to which was referred Senate Bill No. 825—An act to amend chapter 166, Statutes of 1929, entitled the "Water Conservation Act of 1929," approved April 27, 1929, by amending the title thereto, by amending sections 2, 23, 27, 29 and 33, and by adding twenty-five new sections to be numbered 24a, 24b, 24c, 24d, 24e, 24f, 24g, 24h, 24i, 24j, 24k, 24l, 24m, 33a, 33b, 33c, 33d, 33e, 33f, 33g, 33h, 33i, 33j, 33k, and 33l—has had the same under consideration, and respectfully reports the same back with amendments, and recommends that the amendments be adopted, and the bill be printed, and re-referred to this committee.

Committee membership—7.

(Signed out)

MIXTER, Chairman.
BUSH.
CRITTENDEN.
HAYS.
SCHOTTKY.
WAGY.

CONSIDERATION OF COMMITTEE AMENDMENTS.

Pursuant to the report of the Committee on Irrigation, the following amendments to Senate Bill No. 825 were read and adopted:

AMENDMENT NUMBER ONE.

On page 1 of the printed bill, strike out all of the title and insert in lieu thereof the following:

"An act to provide for the creation, organization and government of water conservation districts, defining their powers and prescribing the method of exercising the same; also amending and re-enacting as amended chapter 166 of the statutes of 1929, known as the "Water conservation act of 1929", and validating and confirming all proceedings had and taken under the provisions of said act resulting in the organization of water conservation districts, and continuing such districts under the provisions of this act with the powers herein conferred."

AMENDMENT NUMBER TWO.

Strike out all of Senate Bill No. 825 after the enacting clause, and insert in lieu thereof the following:

"SECTION 1. Water conservation districts may be organized and established by the board of supervisors of any county in this state, as herein expressly provided, when the conditions stated in this act are found to exist, and may exercise the powers herein expressly granted, or necessarily implied. Such districts may be entirely within unincorporated territory or partly within unincorporated and partly within incorporated territory, and within one or more counties of this state.

Whenever either five hundred, or five per cent or more, of the qualified electors of a proposed water conservation district comprising the whole or a part or parts of one or more watersheds of any stream or streams of water or unnavigable river or rivers, or territory adjacent to such watershed or watersheds, or deriving such district's water supply, in whole or in part, from such stream or streams, or river or rivers, or the subterranean supply of waters therefrom, shall desire to conserve the waters of such stream or streams or unnavigable river, or rivers, they may propose the organization of a water conservation district under the provisions of this act, and, when so organized, such district shall have the powers, rights and duties conferred, or which may be conferred, by law, upon such water conservation districts. All electors residing within the proposed district, whose names appear on the register of voters of the last general election, or at any time within thirty days preceding the presentation of a petition for the organization of a water conservation district under the provisions of this act, shall be presumptively qualified signers of said petition and bona fide electors of said district.

SEC. 2. Any water conservation district organized and established as herein provided shall have power:

1. To have perpetual succession;
2. To sue and be sued, except as otherwise provided herein, or by law, in all actions and proceedings in all courts and tribunals of competent jurisdiction;
3. To adopt a seal and alter it at pleasure;
4. To take by grant, appropriation, purchase, gift, devise, condemnation, or lease, and to hold, use, enjoy, and to lease or dispose of, real and personal property of every kind, within or without the district, necessary to the full exercise of its powers and to the accomplishment of the purposes of this act;
5. To make surveys and investigations of the water supply and resources of the district; to conserve and store water by acquiring dams, dam sites, reservoirs and reservoir sites, canals, ditches and conduits, and constructing dams and reservoirs for the storage of water and by spreading and sinking water, to build, construct, or acquire the necessary dams, dam sites, reservoirs and reservoir sites, canals,

ditches and conduits, spreading basins, sinking wells and sinking basins therefor; to maintain, operate and repair any of the constructions herein named; to appropriate, acquire and conserve water and water rights, for any useful purpose; to sell or otherwise dispose of any water that may be stored or appropriated; to commence, maintain, intervene in and compromise, in the name of the district, and to assume the costs of, any action or proceeding involving or affecting the ownership or use of water or water rights within the district, used or useful for any purposes of the district, or of common benefit to the lands situated therein; to commence, maintain, intervene in, defend and compromise actions and proceedings to prevent interference with or diminution of the natural flow of any stream or streams or unnavigable river, or rivers, including the natural subterranean supply of water therefrom, which may be used or useful, for any purpose of the district, or a common benefit to the lands within the district or its inhabitants; and to commence, maintain, and defend actions and proceedings to prevent any such interference with the aforesaid waters as may endanger the inhabitants or lands of the district;

6. To have and exercise the right of eminent domain, in the manner provided by law for the condemnation of private property for public use, to take any property necessary to be used for dams, dam sites, reservoirs, reservoir sites, canals, ditches and conduits, spreading basins, sinking wells or sinking basins, or to operate or to make use of same, or otherwise necessary to accomplish the purposes of this act;

7. To vote bonds, cause assessments to be levied, cause elections to be held for the voting of bonds, or on the question of special assessments, and if said special assessments are voted to cause the same to be levied, as herein provided, for the purpose of paying any obligation of the district, and for the purpose of raising of money, to further accomplish the purposes of this act in the manner herein provided;

8. To make contracts, to employ labor, and to do all acts necessary for the full exercise of the powers herein granted.

SEC. 3. In order to propose the organization of a water conservation district a petition shall be presented to the board of supervisors of the county, in which the lands within the proposed district, or the greater portion thereof, are situated, signed by five per cent or five hundred electors within such proposed district, which petition shall set forth and particularly describe the proposed boundaries of such district, and shall pray that the same be organized under the provisions of this act, and propose a name by which such district shall be known. The territory to be included within the district need not be contiguous. The petition shall be presented at a regular meeting of said board of supervisors, and shall have been published once a week for at least three weeks before such presentation in some newspaper printed and published in the county where the petition is presented, together with a notice stating the date of the meeting of said board at which the petition will be presented; and if any portion of the proposed district lies within another county, or counties, then said petition and notice shall be likewise published in a newspaper printed and published in each of said counties. Such petition may consist of any number of separate instruments, and, when contained upon more than one instrument, one copy only of such petition need be published, but the names of all the petitioners shall be published the same as if appended to the original petition. All such copies of petition, filed prior to the hearing of said petition, shall be considered by the board of supervisors the same as though filed with the petition first placed on file. Where a vote to create a district is lost, no petition for the formation of a district comprising any portion of the same territory shall be presented or considered for a period of twelve months thereafter.

SEC. 4. When such petition is presented, the board of supervisors shall hear the same, and may adjourn such hearing from time to time. If any hearing or continued hearing shall be continued to a time more than sixty days from the date of the order making such continuance, a notice of such continued hearing shall be published, in some newspaper or newspapers printed and published in each of the counties in which any portion of the proposed district lies, once a week for at least two weeks immediately prior to the time appointed for such continued hearing. On the final hearing said board shall make such changes in the proposed boundaries as may be deemed advisable, and shall define and establish such boundaries. But said board shall not modify said boundaries so as to exclude from said proposed district any territory which would be benefited by the formation of such district; nor shall any land be included within such proposed district which will not, in the judgment of said board, be benefited by the organization of such district. Any person whose lands would be benefited by such district may, upon his application and in the discretion of the board of supervisors, have such lands included within such proposed district. Upon such hearing of such petition the board of supervisors shall determine whether or not said petition complies with the requirements of sections 1 and 3 of this act, and for that purpose must hear all competent and relevant testimony offered in support thereof or in opposition thereto. No defect in the contents of the petition, or in the title to or form of the notice, or signature, shall vitiate any proceedings thereon, provided such petition or petitions have a sufficient number of qualified signatures attached thereto. The determination of the board of supervisors shall be entered upon the minutes of said board.

SEC. 5. When, under the provisions of the preceding sections, the boundaries of the proposed district are defined and established, said board shall make an order dividing said district into three or five or seven divisions, as requested in the petition. Such divisions shall be as nearly equal in area as practicable and shall be numbered consecutively, and one director, who shall be an elector of the division, shall be elected from each division by vote of the electors of the division in which such director resides. No person may be elected a director who shall not be a qualified elector of the district, and who shall not be a resident of the county, or of one of the counties in which the district is situated.

SEC. 6. Said board of supervisors shall then call an election within the proposed district for the determination of the question whether such proposed district shall or shall not be organized, and also to elect the number of directors which shall be prescribed pursuant to the next preceding paragraph of this act. Said board of supervisors shall divide said district, and the divisions thereof, into convenient precincts and fix a polling place in each precinct; *provided*, there shall be at least one precinct in each division of the district, where the district is divided into divisions. The board of supervisors shall appoint an inspector, a judge and two clerks for each of the precincts thus established to conduct said election. The inspector, judge and clerks of election in each precinct shall constitute the board of election for such precinct. The inspector shall be chairman of the election board, and may administer all oaths required in the progress of an election, and appoint judges and clerks, if, during the progress of the election, any judge or clerk cease to act. Any member of the board of election may administer and certify oaths required to be administered during the progress of the election. If the board of election, or any member thereof, fails to appear at the opening of the polls on the morning of the election, the electors of the precinct present at that hour may appoint a board or supply the place of an absent member thereof. The election must be held within forty days from the date of the order calling the election, and within one hundred twenty days of the date of filing said petition.

Such election shall be called by publication of notice thereof in a daily or weekly paper in each of the counties in which the district is situate, if there be one, at least once a week for three weeks previous to such election, and by posting notice thereof in three public places. Such notice shall designate a name for such proposed district, and describe the boundaries thereof and designate the respective election precincts and the polling place in each, and the election officers, and the time of the election, and the hours during which the polls will be kept open; *provided*, that the polls must be opened not later than eight o'clock a.m. and kept open until seven o'clock p.m.

The board of supervisors shall require the clerk of said board to provide and furnish ballots for said election. No particular form of ballot shall be required except that the same shall contain the words "Water conservation district—yes" or "Water conservation district—no," or words equivalent thereto, and shall also contain the names of candidates for the position of director of the district who shall have been endorsed by a petition to said board of supervisors containing the names of ten or more electors of the district, petitioning that the names of candidates designated in the petition be placed upon the ballot to be voted on at such election; *provided*, that, such nominating petitions for a director in any division must be signed by ten or more electors entitled to vote in such division; and *provided*, that, in any case, such petitions be filed with the board of supervisors calling said election within fifteen days from the first publication of the notice calling said election. The ballots shall contain instructions that the voters shall write or print or stamp a cross after the words that indicate his choice. The ballots shall contain as many blank spaces for the names of directors as there are directors to be elected, and the writing of the name of any qualified person in any of said spaces shall be deemed to be a vote for such person.

Said election shall be conducted in accordance with the general election laws of this state so far as applicable, and except as herein otherwise provided. The election officers shall publicly count the votes immediately after close of the election, and make a report of the result of said election to the board of supervisors within five days subsequent to the holding thereof.

SEC. 7. The said board of supervisors shall, on the first Monday succeeding such election, if then in session, or at its next meeting, general or special, proceed to canvass the votes cast at such election, and, if upon such canvass it determines that a majority of all the votes cast are "Water conservation district—yes," the board shall by an order entered in its minutes declare such territory duly organized as a water conservation district, under the name theretofore designated, and shall declare the persons receiving, respectively, the highest number of votes for director to be duly elected to such offices.

SEC. 8. The board shall then cause a copy of such order, duly certified by the clerk of said board of supervisors to be immediately filed for record in the office of the county recorder of any county in which any portion of the lands embraced in such district shall be situated, and must also immediately forward a copy thereof to the clerk of the board of supervisors of each of said last mentioned counties. From and after such filing, the organization of the district shall be complete.

SEC. 9. Such election on organization may be contested by any person holding property within the proposed district liable to be assessed for the raising of funds to carry out the purposes of the district. The directors elected at such election shall be made parties defendant. Such contest shall be brought in the superior court of the county where the petition for organization is filed; *provided*, if more than one contest be pending, they shall be consolidated and tried together. The court having jurisdiction shall immediately try such contest, and determine, upon the hearing, whether the election was fairly conducted and in substantial compliance with the requirements of this act, and enter its judgment accordingly. Such contest must be brought within twenty days after the canvass of the votes and declaration of the result by the board of supervisors. The right of appeal is hereby given to either party to the record within thirty days from entry of judgment. The appeal must be heard and determined by the supreme court within sixty days from the time of filing the notice of appeal.

SEC. 10. The directors elected at the election hereinbefore provided for shall immediately enter upon their duties as such upon qualifying in the manner herein-after provided. Such directors shall hold office respectively until their successors are elected and qualified.

SEC. 11. The directors of any district who shall be thus elected, on the first Tuesday after their election, after they shall have qualified, shall meet and classify themselves by lot into two classes, as nearly equal in number as possible, and the term of office of the class having the greater number shall expire at the next general February election in this act provided for; and the term of office of the class having the lesser number shall terminate at the next general February election thereafter. After such classification, said directors shall organize as a board, shall elect a president from their number, and appoint a secretary, who shall each hold office during the pleasure of the board. The secretary need not be one of the directors. The salary of the secretary and the amount of the bond to be given for the faithful performance of his duty shall be fixed by the board of directors. The bond of the secretary of the district shall be recorded in the office of the recorder of the county in which the district is organized and then filed with the district.

SEC. 12. In each district organized as herein provided an election shall be held on the first Tuesday in February of each odd numbered year, after the organization of the district, at which directors for the district, as provided in sections 5 and 6 of this act, shall be elected to fill the offices of the directors whose terms of office shall then expire, in accordance with the provisions of this act. Vacancies occurring in the board of directors, by reason of death, resignation or otherwise, shall be filled by appointment by the supervisors of the county where such district is organized. A director so appointed shall hold such office for the unexpired term of his predecessor. The person receiving the highest number of votes for the office to be filled at such election is elected thereto. Within ten days after receiving their respective certificates of election, or notice of appointment, each person who shall be elected or appointed to the office of director shall qualify as such by taking and subscribing an official oath and filing a bond as herein provided. Each director shall execute an official bond in the sum of one thousand dollars which shall be approved by the judge of the superior court of the county where the organization of the district was effected, and shall be recorded in the office of the county recorder of such county, and then, together with his official oath, filed with the secretary of the board of directors. All official bonds herein provided for shall be in the form prescribed by law for the official bonds of county officers.

SEC. 13. On the first Tuesday in March next following the election, the directors shall meet and organize as a board, elect a president and appoint a secretary, who shall each hold office during the pleasure of the board. The full term of office of directors is hereby fixed at four years. The office of the board of directors of any such district may be established by said board of directors at some proper and convenient place within or near the district, but after the office is once established, it shall not be changed without giving notice thereof by posting in three public places in the district and by publishing a similar notice for thirty days in some newspaper of general circulation published in the county where such district is organized.

SEC. 14. At a meeting of the board of directors of the district, to be held not less than twenty days before the time for any biennial election of officers, the board shall divide the district into convenient election precincts, appoint election boards, and do all things applicable thereto for the holding of such election, in the manner herein required to be done by the board of supervisors for the holding of an election on the question of formation of district. The clerk of the board of directors shall cause notice of such election to be given by having such notice published and posted in the manner required by this act for giving notice of election on formation of district, excepting that the notice shall be published once a week for not less than two weeks and posted for not less than fifteen days prior to the election. A notice shall also be posted in a conspicuous place in the office of the board of directors. Such notice shall designate the directors to be elected, the term for which each is to be elected, the respective election precincts and the polling place in each, the election officers, the time of the election and the hours during which the polls will be kept open. No particular form of ballot shall be required to be used. The clerk shall, however, furnish ballots which shall contain the names of the candidates for the

offices who shall be endorsed by petition signed as hereinbefore provided and filed with the clerk of the board of directors within seven days after the first publication of the notice of election. The ballot shall contain as many blank spaces as there are directors to be elected. The election shall be conducted in the manner herein required for the conduct of elections on the formation of districts.

SEC. 15. As soon as all the votes are read off and counted, a certificate shall be drawn up on each of the papers containing the poll lists and tallies, or attached thereto, stating the number of votes each one voted for has received, and designating the office to fill which he was voted for, which number shall be written in figures and in words at full length. Each certificate shall be signed by the election officers. One of said certificates with the poll list and the tally paper to which it is attached shall be retained by the inspector, and preserved by him at least six months. The ballots shall be strung upon a cord or thread by the inspector during the counting thereof in the order in which they are entered upon the tally list by the clerks; and said ballots together with the other of said certificates, with the poll list and tally paper to which it is attached, shall be sealed by the inspector in the presence of the judges and clerks and endorsed "election returns of (naming the precinct) precinct" and be directed to the secretary of the board of directors and shall be immediately delivered by the inspector, or by some other safe and responsible carrier designated by said inspector, to said secretary, and the ballots shall be kept unopened for at least six months, and if any person be of the opinion that the vote of any precinct has not been correctly counted he may appear on the day appointed for the board of directors to open and canvass the returns and demand a recount of the vote of the precinct that is so claimed to have been incorrectly counted.

SEC. 16. No list, tally paper, or certificate from any election, shall be set aside or rejected for want of form if it can be satisfactorily understood. The board of directors must meet at its usual place of meeting on the first Monday after each election to canvass the returns. If, at the time of the meeting, the returns of each precinct in the district in which the polls were opened have been received, the board of directors must then and there proceed to canvass the returns; but if all the returns have not been received, the canvass must be postponed from day to day until the returns have been received, or until six postponements have been had. The canvass must be made in public and by opening the returns and determining the vote of the district for each person voted for and declaring the result thereof.

SEC. 17. The secretary of the board of directors must, as soon as the result is declared, enter in the records of the board a statement of such result, which statement must show: (a) the whole number of votes cast in the district and in each precinct thereof if there be more than one precinct; (b) the names of the persons voted for; (c) the office to fill which each person was voted for; (d) the number of votes given in each precinct to each of said persons; (e) the number of votes given in each division for the office of director. The board of directors must declare elected the persons having the highest number of votes given for each office. The secretary must immediately make out and deliver to each of such persons a certificate of election, signed by him and authenticated with the seal of the board.

SEC. 18. The board of directors shall hold regular meetings in their office on the first Tuesday in March, June, September and December, and such special meetings as may be required for the proper transaction of business. Special meetings may be ordered by the president or by a majority of the members of the board, specifying in writing the business to be transacted, which call for such special meeting shall be entered in the minutes of the board. Three days' notice to any member not joining in the order must be given by the secretary, by mailing same to him at his last address, and only the business specified in the order must be transacted at such special meeting. All meetings of the board must be public, and a majority of members shall constitute a quorum for the transaction of business. A minute of all proceedings of the board shall be kept by the secretary, and all records of the board shall be open to public inspection during business hours. The board of directors shall, on the first Tuesday in March of each year, make and render a verified statement of the financial condition of the district, showing particularly the receipts and disbursements of the last preceding year, together with the source of such receipts and purpose of such disbursements. Such statement shall be placed on file in the office of the district and be opened to public inspection during office hours.

SEC. 19. The board of directors shall have the power and it shall be its duty to manage and conduct the business and affairs of the district; to make and execute all necessary contracts; to adopt a seal for the district to be used in the attestation of proper documents; to provide for the payment, from the proper fund, of all the debts and just claims against the district; to cause such work to be done and to acquire such property as it shall deem necessary or advisable to accomplish the purposes of the district, and to estimate the cost thereof, together with rights of way for the purpose of ingress to and egress from the works of the district; to appoint and employ such engineer or engineers and such attorney or attorneys as the board may deem necessary or advisable to accomplish the purposes of the district; to employ and hire such men, teams, tools, implements, machinery and equipment as the board of directors may deem expedient or advisable to perform the work which it shall deem necessary or advisable to accomplish the purposes of the district; and generally may perform all acts as shall be necessary to fully carry out the purposes of this act.

Provided, however, that the powers of this act vested in the board of directors are vested subject to the conditions, restrictions and limitations imposed by the act of the State of California creating the water commission of the state, and subject to the powers therein vested in the said water commission.

SEC. 20. In addition to those herein conferred, the district through its board of directors may exercise the following powers:

(a) The board of directors of the district, whenever it may deem it to be to the advantage of the district so to do, may enter into contracts with municipalities, sanitary districts or other incorporated bodies, either within or without the district, providing for the delivery to the district of sewage and or storm water produced by or coming from such incorporated bodies, and to treat, purify and reclaim the same for beneficial use, and to store, distribute, sell or otherwise dispose of the water and by-products resulting from such treatment, purification or reclamation. The district may construct and operate the works necessary therefor, and may acquire and/or construct and maintain pipe lines, flumes, ditches and reservoirs suitable or adaptable for the prevention of the wastage of water. Whenever the district shall receive a revenue from the sale of water and by-products in excess of the cost of operating and maintaining the works herein authorized, it may, for the purpose of enlarging, extending or improving such works, issue its certificates of indebtedness payable out of such excess revenues, and pledge the same for the payment of the indebtedness so created.

(b) The board of directors of the district may enter into contracts with municipalities, water districts, counties, cities and counties, the State of California, or the government of the United States, under such terms as may be mutually advantageous, for the acquisition and/or construction of the works authorized by this act to be acquired or constructed, and each of the parties to such contract may contribute to the cost of such acquisition and/or construction such sums of money as may be therein agreed upon. Such contracts shall provide for the operation and maintenance of the property thus acquired and for the distribution and sale of any water that may be stored or controlled by the parties thereto. Any surplus revenue derived from such sale, after paying the cost of the operation and maintenance of the property, may be distributed to the parties to the contract in such proportions as may be agreed upon, or used for extensions and improvements.

SEC. 21. No claim shall be paid by the treasurer until allowed by the board of directors, and only upon a warrant of the county auditor drawn upon an order signed by the president and countersigned by the secretary of the board of directors.

SEC. 22. Each member of the board of directors shall receive ten dollars for each day's attendance at the meetings of the board and actual and necessary expenses and a per diem not exceeding ten dollars per day, while engaged in official business under the order of the board.

SEC. 23. No director or any other officer named in this act shall in any manner be interested, directly or indirectly, in any contract awarded or to be awarded by the board of directors, or in the profits to be derived therefrom; and for any violation of this provision, such officer shall be deemed guilty of a misdemeanor, and such conviction shall work a forfeiture of his office, and he shall be punished by a fine not exceeding five hundred dollars or by imprisonment in the county jail not exceeding six months, or by both such fine and imprisonment.

SEC. 24. The board of directors shall have no power, except as herein provided as to certificates of indebtedness, special assessments, and the issuance of bonds by the district, to incur any debt or liability whatever, in excess of the express provisions of this act; and any debt or liability incurred in excess of said express provisions, except as to certificates of indebtedness, special assessments, and the issuance of bonds, shall be and remain absolutely void; except that for the purposes of organization, or for any of the purposes of this act, the board of directors may incur, before the collection of the first assessment, an indebtedness not exceeding in the aggregate an amount equivalent of twenty-five (25) cents for each acre of land in the district, and it may cause warrants of the district to issue therefor bearing interest at seven per cent (7%) per annum from date of issue until the treasurer shall have available funds for the payment thereof. The expenses of organization, including the fees of attorneys and others employed to conduct the organization proceedings, shall be deemed to be a charge upon the district, and be payable by the district.

SEC. 25. The board of directors, when it deems it advisable or for the best interests of the district and for the convenience of the electors thereof, may at any time, but not less than sixty days before an election to be held in the district, change the boundaries of the divisions of the district; *provided,* such changes shall be made to keep each division as nearly equal in area as may be practicable. Such changes of boundaries of the divisions must be shown on the minutes of the board. Before any such change of the boundaries of the divisions shall be made, the board of directors shall give notice of its intention to make a change or changes therein. Such notice shall specify, in a general way, the changes which the board proposes to make and a time and place at which any owner of land in the district may appear before the board and object to the making of the proposed change or changes, or

petition that a change be made otherwise than as proposed, and at which the board will hear any such objection or petition. Such notice shall be published at least once a week for two weeks, before the time appointed for the hearing, in some newspaper or newspapers published in each of the counties in which any part of the district is situated. At the time and place appointed for such hearing, or at the time and place to which such hearing may be adjourned, the board shall hear all such objections and petitions which may be presented to the board, and, thereupon, the board may make such change or changes in the boundaries of the divisions as it may determine to be for the best interests of the district.

SEC. 26. In case of condemnation proceedings, the board shall proceed in the name of the district, under the provisions of title seven, part three, of the Code of Civil Procedure of this state, which said provisions are hereby made applicable for that purpose, and it is hereby declared that the use of the property which may be condemned, taken or appropriated under the provisions of this act, is a public use, subject to regulation and control of the state in the manner prescribed by law.

SEC. 27. The legal title to all property acquired by the district under the provisions of this act shall immediately and by operation of law vest in such district, and shall be held by such district in trust for and as hereby dedicated and set apart for the uses and purposes set forth in this act. And said board is hereby authorized and empowered to hold, use, acquire, manage, occupy and possess said property as herein provided. The said board is hereby authorized and empowered to take conveyances or other assurances for all property acquired by it under the provisions of this act, in the name of such water conservation district, to and for the uses and purposes herein expressed, and to institute and maintain any and all actions and proceedings, suits at law or in equity, necessary or proper in order to fully carry out the provisions of this act, or to enforce, maintain, protect or preserve any and all rights, privileges and immunities created by this act, or acquired in pursuance thereof. And in all courts, actions, suits or proceedings the said board may sue, appear and defend in person or by attorneys, and in the name of such water conservation district.

SEC. 28. The board of directors must, on or before the fifteenth day of August of each year, furnish the board of supervisors and the auditor of the county wherein the district is situated, or if such district is not entirely within one county, then, as hereinafter provided, to the supervisors and auditors of each county in which any portion of the district is situated, an estimate in writing of the amount of money needed for the purposes of the district for the ensuing fiscal year. This amount must be sufficient to raise a sum of money which shall be sufficient to pay the incidental expenses of the district, and the costs of the work of spreading and sinking waters which the board of directors may deem advisable to be done during the ensuing year; the estimated cost of repairs to and maintenance of any property or works of the district, the estimated amount necessary for the payment of the costs of any action or proceeding which may be taken by the district, including the cost of employment of attorneys and engineers; and if bonds have been voted by the district the board of directors shall include in said estimate an amount sufficient to raise the interest due or that will become due on all outstanding bonds of the district on the first day of the next ensuing January, and the first day of the next ensuing July, or that the board of directors believes will become due on either or both of said dates on bonds authorized but not sold; also sufficient to pay the principal of all bonds of the district that have matured or that will mature before the close of the next ensuing calendar year; and also if said district shall have voted a special assessment as provided in section 35 hereof, the board shall include in said estimate the amount of the installment of said special assessment to be levied each year; and such estimates may also include such an amount as the board of directors may deem advisable to expend in the acquisition or construction of settling basins, wells, and other works for the storing, spreading and sinking of waters, together with necessary rights of way for use of same; *provided, however*, that if at the time of making said estimates herein referred to the district shall not have voted a special assessment as provided for in section 35 hereof and said district shall not have voted bonds as in this act provided, then the assessment levied during any year for the raising of said funds shall not exceed one and one-half ($1\frac{1}{2}$) mills on each one hundred cents of the assessed values of the lands within the district, according to the last assessment rolls, but if a special assessment has been voted or if bonds have been voted by the district then the assessment for the payment thereof shall be in excess of the one and one-half ($1\frac{1}{2}$) mills on each one hundred cents of the assessed values of the lands within the district.

SEC. 29. When a district is in more than one county the total estimate as provided for in the preceding section shall be divided by the board of directors in proportion to the value of the land of the district in each county. This value must be determined from the equalized values of the last assessment rolls of such counties, as revised by said board of supervisors. When such division of the estimate has been made, the board shall furnish the supervisors and auditors of the respective counties a written statement of the part of the estimate apportioned to that county.

SEC. 30. The board of supervisors of each county wherein is situated a district, or any part thereof, organized under the provisions of this act, must, annually, at the time of levying county taxes, levy an assessment to be known as the "-----" (name

of district) water conservation district assessment," sufficient to raise the amount reported to them as herein provided by the board of directors. The supervisors must determine the rate of such assessment by deducting fifteen per cent for anticipated delinquencies from the total assessed value of the land in the district within the county, as it appears on the assessment roll of the county, and then dividing the sum reported by the board of directors, as required to be raised, by the remainder of such total assessed value; *provided*, that if a fraction of a cent occur on a valuation of one hundred dollars, it shall be taken as a full cent.

SEC. 31. The assessment so levied shall be computed and entered on the assessment roll by the county auditor, and if the supervisors fail to levy the assessment provided in the preceding section, then the auditor must do so. Such assessment shall be collected at the same time and in the same manner as state and county taxes, and when collected shall be paid into the county treasury for the use of said district.

SEC. 32. The provisions of the Political Code of this state, prescribing the manner of levying and collecting assessments and the duties of the several county officers with respect thereto, are, so far as they are applicable and not in conflict with the specific provisions of this act, hereby adopted and made a part hereof. Said officers shall be liable upon their several official bonds for the faithful discharge of the duties imposed upon them by this act.

SEC. 33. If the district is in more than one county, the treasury of the county where the district was organized shall be the repository of all the funds of the district. For this purpose, the treasurers of any other counties wherein is situated a portion of said district, must, at any time, not oftener than twice a year, upon the order of the board of directors, settle with said board and pay over to the treasurer of the county where the district was organized all moneys in their possession belonging to the district. Said last named treasurer is authorized and required to receive and receipt for the same, and to place the same to the credit of the district. He shall be responsible upon his official bond for the safe keeping and disbursement, in the manner herein provided, of these and all moneys of the district held by him.

SEC. 34. The treasurer shall pay out the moneys of the district only upon warrants of the county auditor, drawn upon order of the board of directors signed by the president and attested by the secretary. Upon presentation of any matured bond, or any matured interest coupon on any bond of the district, the treasurer shall pay the same from the bond fund. If funds are not available for the payment of any such matured bond or interest coupon, it shall draw interest at the rate of seven per cent per annum from the date of its presentation for payment until notice is given that funds are available for its payment, and it shall be stamped and provision made for its payment as in the case of a warrant for the payment of which funds are not available on its presentation. The treasurer shall report in writing at each regular meeting of the board of directors and as often thereafter as requested by the board the amount of money on hand, the amount of receipts since his last report, and the amounts paid out; such reports shall be verified and filed with the secretary of the board.

SEC. 35. The board of directors may at any time call an election and submit to the qualified electors of the district the question whether a special assessment shall be levied for the purpose of raising money to be applied to any of the purposes of this act or of any act supplementary hereto. Such election must be called upon the notice prescribed, and the same shall be held and the result thereof determined and declared in all respects in conformity with the provisions of section 6 of this act. The notice must specify the amount of money proposed to be raised, and the purpose or purposes for which it is intended to be used, and it may state that said assessment shall be levied in two, three or four annual installments and specify the amount of the installment to be levied in each year. At the election the ballots shall contain the words "Assessment—yes" or "Assessment—no," or words equivalent thereto. If a majority of the votes cast are "Assessment—yes," the board of directors shall at the time of the annual estimate under section 27 hereof, include in said estimate the amount voted, or if the notice of election shall have provided for levying said assessment in annual installments, the board of directors shall, at the time of the annual estimate in each of the years specified in said notice include in said estimate the amount of the installment provided in said notice to be raised in said year. Said special assessment shall be levied as generally provided by sections 29, 30, 31 and 32 of this act and when collected shall be paid to the treasurer of the county in which the district was organized for the purpose or purposes specified in the notice or notices calling the respective elections at which they were voted.

SEC. 36. The district may incur a bonded indebtedness for any purpose for which the board of directors is authorized to expend the funds of the district in the manner in this act set forth.

The board of directors, whenever the interest of the district shall require, may cause a report to be made to the effect that the acquisition of certain property or works or the construction of such works is convenient or necessary to serve or fulfill the purpose for which the district was created and that the cost of such property or works can not be paid for out of the annual revenue of the district. Such report shall be in such detail and be accompanied by such exhibits as will disclose the purpose sought to be accomplished and the means to be employed therefor. Such report shall be printed in convenient form for distribution to the electors of the district.

After the printing of said report the board of directors by resolution adopted by a majority of the members of the board may call an election to be held in the district for the purpose of authorizing the incurring of a bonded indebtedness by the district. Such resolution shall specify the purpose for which the indebtedness is to be incurred, the amount of bonds which it is proposed shall be issued, the rate of interest and the number of years, not exceeding twenty, the whole or any part of said bonds are to run until maturity. It shall further provide for submitting the question of the incurring of such indebtedness to the qualified electors of the district at an election called for that purpose, and the words to appear upon the ballot shall be "Bonds—yes," and "Bonds—no," or words of similar import, together with a general statement of the amount and purpose of the bonds to be issued. Several propositions may be submitted at the same election. None but qualified electors of the district shall be permitted to vote thereat.

The manner of holding and conducting such election, the selection of officers to conduct the same, the designation of precincts and polling places, the preparation of ballots and the receipt, counting and return of the same, and the canvassing and determining the results thereof shall be as provided for the election of directors as provided in this act as nearly as practicable, and in particulars not so provided shall be in accordance with the general laws of the state relative to elections whereat propositions are submitted and voted upon. In the event that such election has been fairly held and conducted, no informality nor omission to perform a prescribed duty shall be held to invalidate or affect the legality of any bonded debt authorized to be incurred.

If a majority of the votes cast upon the proposition shall have been marked and counted "Bonds—yes" or appear to favor the proposition submitted, then such proposition shall be deemed to have been accepted by the voters and to authorize the incurring of a bonded debt and the issuance of bonds therefor to the amount of and for the purpose stated in the proposition.

Thereafter the board of directors of the district may issue the bonds of the district for the whole or for any part of the amount of the indebtedness so authorized, and may, from time to time, provide for the issuance of such amounts as the necessity therefor shall appear, until the full amount of such bonds authorized shall have been issued. Each separate issue shall be given a serial number or letter.

The board of directors shall, by a resolution adopted by a majority of its members, prescribe the form of the bonds and the form of the coupons attached thereto and fix the time when the whole or any part of the principal shall become due and payable. The payment of the first installment may be deferred for a period not longer than five years from the date of the bond, and not less than five per cent of the principal sum shall be paid each year at and following the date when the first installment becomes due and payable. The bonds shall bear interest at a rate not exceeding six per centum per annum, payable semiannually.

The denomination of the bonds shall be stated in the resolution providing for their issuance, but shall not be less than one hundred nor more than one thousand dollars. The principal and interest shall be payable in gold coin of the United States at the office of the treasurer of the county or such other place as may be designated or at either place at the option of the holder of the bond.

The bonds shall be dated, numbered consecutively, and be signed by the president of the district and attested by the secretary with the official seal of the district. The interest coupons shall bear the actual or facsimile signature of the president of the district.

The bonds as the same shall be issued may be sold at such times and in such amounts as the board of directors shall deem expedient, after a notice inviting bids therefor shall have been given by publication in a newspaper of general circulation published in the district for a period of at least ten days prior to such sale. A certified check payable to the district for at least five per cent of the amount of the bonds offered shall accompany each bid conditioned that the bidder will accept and pay for the bonds bid for if awarded to him, otherwise such check shall be forfeited to the district and the amount thereof paid into the treasury. In case no bids are received the bonds offered may be sold at private sale.

No bonds shall be sold to an amount which, together with the amount of bonds outstanding and unpaid, shall exceed five per cent of the total assessed value of the lands within the district as the same shall appear upon the last assessment rolls of the county or counties within which the district is situated.

The proceeds arising from the sale of bonds shall be paid into the treasury of the district and placed to the credit of a special fund and expended only for the purpose for which the indebtedness was created.

It shall be the duty of the board of supervisors of the county or counties within which the district is situated to provide for the levy and collection of an assessment tax upon the lands within the district as in this act provided sufficient and in season to pay any installment of principal and all interest that may become due during the year following the levy of such assessment tax.

At any time the board of directors may apply to the commission authorized by law to approve bonds of irrigation and other districts for certification as legal investments for savings banks or for other purposes specified in the act creating such commission and when such certification shall have been given, the bonds of the

district shall be acceptable for investment and surety purposes to the same extent as are county or municipal bonds.

SEC. 37. The boundaries of any water conservation district organized or existing under the provisions of this act may be changed to include additional land within such district as hereinafter in this act provided, and the inclusion within any district of any land not contiguous thereto shall be deemed to effect a change of the boundaries of said district; but no change in the boundaries of any district shall impair or affect its organization or its right in or to property or any of its rights or privileges of whatsoever kind or nature, nor shall it affect, impair, or discharge any contract, obligation, lien or charge for or upon which it was or might become liable or chargeable had such change of its boundaries not been made.

SEC. 38. The holder or holders of title, or evidence of title, or a majority of the holders of title, or evidence of title of, to any tract of land may file in the office of the board of directors of any water conservation district a petition praying that said tract of land be included within said district; *provided*, that if there is more than one holder of title or evidence of title of said land, the petitioners must include the holders of the title or evidence of title of at least one half of the area of said land. If any petitioner is the owner of an undivided interest in said land, or any of it, he shall be deemed to be the owner of such proportion of the area of the land in which he has an interest as his interest bears to the whole of such land. Each signature to such petition shall be acknowledged or proved as provided by law to signatures to an instrument to entitle it to be recorded.

SEC. 39. The secretary of the board of directors shall cause a notice of the filing of said petition to be given and published in the same manner and for the same time as notices of elections for the issuance of bonds are required in this act to be given and published. The notice shall state the purpose of the petition and describe the boundaries of the tract of land proposed to be included and give the names of the petitioners, and it shall notify all persons interested in or that may be affected by the proposed inclusion of said land within the district to appear at the office of said board at a time named in said notice for the hearing of said petition and objections thereto and show cause in writing, if any they have, why said land or any of it should not be included as proposed in said petition. The time to be specified in the notice for the hearing of said petition and any objections thereto shall be the regular meeting of the board next after the expiration of the time for the publication of said notice. The petitioners shall advance to the secretary sufficient money to pay for the publication of said notice, which shall be refunded to said petitioners in case said petition is granted in whole or in part.

SEC. 40. The board of directors at the time and place mentioned in said notice, or at such other time or times to which the hearing of said petition may be postponed, shall proceed to hear the petition and all the objections thereto presented in writing by any person showing cause as aforesaid why said proposed change of boundaries of the district should not be made. The failure by any person interested in said district or in the matter of the proposed change of its boundaries, to show cause in writing as aforesaid, shall be deemed and taken as an assent on his part to a change of the boundaries of the district as prayed for in said petition, or to such a change thereto as will include a part of said lands. The filing of such petition with said board as aforesaid shall be deemed and taken as an assent on the part of each and all of such petitioners to such a change of said boundaries as may include the whole or any portion of the lands described in said petition.

SEC. 41. The board of directors to whom such petition is presented may require, as a condition precedent to the granting of the same, that the petitioners shall severally pay to such district such respective sums, as nearly as the same can be estimated, (taxes and amounts to be determined by the board), as said petitioners or their grantors would have been required to pay to such district as assessments had such lands been included in such district at the time the same was originally formed.

SEC. 42. If the board of directors, after the hearing provided for in section 40 hereof, shall determine that said petition complies with the requirements of section 38 hereof and that the inclusion within the district of the tract of land described in said petition, or some portion or portions thereof, will be for the best interests of the district and if no protest against the inclusion of such land is made as provided in section 43 hereof, or if such protest be made and enough signatures be withdrawn therefrom so that said protest is no longer sufficient, the board shall order the boundaries of the district to be changed so that said tract of land, or such portion or portions thereof as the board shall deem it for the best interests of the district to include, shall be included in the district, and if the board determines that only a portion or certain portions of the tract of land described in said petition should be included said petition shall be dismissed unless the petitioners include a majority of the holders of title or evidence of title of said portion, or of each of said portions, of said tract, representing also at least one-half the area of said portion, or of each of said portions, or unless, within sixty days from the time such determination is made, there shall be filed with the board the consent in writing, acknowledged or proved as required in section 38 hereof, of a majority of the holders of title or evidence of title of said portion, or of each of said portions, of said tract of land, representing also at least one-half of the area of said portion or each of said portions. The order shall describe the boundaries of the land so included within the district.

and if said land adjoins any portion of the district the order shall also describe that portion of the boundary of the district which coincides with the boundary of the land so included, and for the purposes of said order the board may cause a survey to be made of such portions of said boundaries as may be deemed necessary. If more than one petition for the inclusion of land has been presented, the board may in one order include within the district any number of separate tracts of land. Any public land of the United States of America may be included within any water conservation district by such order of the board of directors on any petition therefor, except as may be provided otherwise, by the laws of the United States.

SEC. 43. If a protest against the inclusion of such lands, signed by not less than three per cent of the holders of title of evidence of titles to lands within the district, and holding the title or evidence of title to not less than three per cent in value of the lands within the district according to the last equalized assessment roll of the county within which said lands are situated, shall have been presented to the board of directors and upon the hearing of said matter said protest shall not be withdrawn, or after the withdrawal therefrom of any signatures it shall still be signed by not less than three per cent of the holders of title or evidence of title to lands within the district and holding the title or evidence of title to not less than three per cent in value of the lands within the district according to the last equalized assessment roll of said county within which said lands are situated, or if the board of directors deem it not for the best interests of the district to include therein the lands described in said petition for inclusion, or any of them, the board shall adopt a resolution stating the facts and describing the boundaries of the tract of land proposed to be included in the district; but before calling the election provided for in the next section the board may require an undertaking, with sufficient sureties from the petitioners for the inclusion of said land conditioned that the petitioners or the sureties will pay all the costs of holding such election in case such inclusion shall be denied.

SEC. 44. Upon the adoption of the resolution mentioned in the last preceding section, the board shall order that an election be held within said district, to determine whether the boundaries shall be changed as mentioned in said resolution; and shall fix the time at which such election shall be held, and cause notice thereof to be given and published. Such notice shall be given and published, and such election shall be held and conducted, the returns thereof shall be made and canvassed, and the result of the election ascertained and declared, and all things pertaining thereto conducted, in the manner prescribed by said act in case of a special election to determine whether bonds of a water conservation district shall be issued. The ballots cast at such election shall contain the words "for change of boundaries," or "against change of boundaries," or words equivalent thereto. The notice of election shall describe the proposed change of the boundaries in such manner and terms that it can readily be traced.

SEC. 45. If a majority of all the votes cast at such election shall be against such change of the boundaries of the district the board shall order that said petition be denied, and shall proceed no further in said matter. But if a majority of such votes be in favor of such change of the boundaries of the district, the board shall thereupon order that the boundaries be changed in accordance with said resolution adopted by the board. The said order shall describe the entire boundaries of said district and for that purpose the board shall cause a survey of such portions thereof to be made as the board may deem necessary.

SEC. 46. Upon a change of the boundaries of a district being made, a copy of the order of the board of directors ordering such change, certified by the president and secretary of the board, shall be filed for record in the recorder's office of each county within which are situated any of the lands of the district, and thereupon the district shall be and remain a water conservation district, as fully and to every intent and purpose as if the lands which are included in the district by the change of the boundaries, as aforesaid, had been included therein at the original organization of the district.

SEC. 47. Upon the filing of the copies of the order, as in the last preceding section mentioned, the secretary shall record in the minutes of the board the petition aforesaid; and said minutes, or a certified copy thereof, shall be admissible in evidence with the same effect as the petition.

SEC. 48. A guardian, executor or administrator of an estate, who is appointed as such under the laws of this state, and who, as such guardian, executor or administrator, is entitled to the possession of the lands belonging to the estate which he represents, may, on behalf of his ward or the estate which he represents, upon being thereunto authorized by the proper court, sign and acknowledge the petition in this act mentioned, and may show cause, as in this act mentioned why the boundaries of the district should not be changed.

SEC. 49. In case land is included within any district as aforesaid, the board of directors thereof shall, but not less than thirty days before any election in such district, reestablish the boundaries of the divisions and election precincts within such district, so as to include such lands therein and so as to make such divisions as nearly equal in area as may be practicable. In case of the inclusion of any land less than thirty days before an election within such district, the inhabitants of the land so included shall not be entitled to vote at such election.

SEC. 50. Any such district may be dissolved by the board of supervisors in the county in which it is organized in the manner following: Upon receiving a petition signed by ten per cent of the electors of the district, or by the owners of one-half of the lands comprising the district, requesting the dissolution of the district, the board of supervisors shall publish a notice once a week for two weeks in some newspaper in the county in which the district was organized, and also in each county in which any part of the district lies, giving notice that such petition has been filed with said board of supervisors, and that the board will hear said petition, and all objections thereto, at the next regular meeting of said board after the expiration of the time of publishing said notice (specifying the date), and directing all persons interested therein to show cause at such time, if any they have, why such district should not be dissolved. At the time appointed for such hearing, or at any time to which the same may be adjourned, the board of supervisors shall hear and pass upon said petition, and may grant or deny the same, and, if its decision shall be against the dissolution of the district, such decision shall be final and conclusive.

If such petition be granted, the board of supervisors shall, by resolution, provide for and order the holding of a special election in such district, and shall submit to the qualified electors of the district the proposition whether or not the district shall be dissolved. The resolution shall recite the filing of the petition for dissolution, and the approval of the same by the board of supervisors, and fix a time for the holding of such election. Such election shall be noticed, conducted, and the returns thereof made and canvassed, in the same manner as is provided in this act for the election upon the question whether or not the district should be organized, excepting that the ballots to be used at said election shall contain the words, "Dissolution of district—yes" or "Dissolution of district—no," or words equivalent thereto. If votes representing sixty per cent of the total number of votes cast are cast in favor of the dissolution of such district, then the board of supervisors shall enter an order to that effect upon its minutes, declaring such district dissolved, and upon the entry of such order said district shall be dissolved; *provided, however*, if there shall be any outstanding indebtedness of such district, at the time of the dissolution thereof, the board of supervisors shall levy assessments for the payment of such indebtedness in like manner as though such district had not been dissolved, until all such indebtedness shall be fully paid, and shall cause such obligations to be paid according to their tenor out of the moneys raised from such assessments.

Upon the dissolution of any such district, any and all real property belonging to the district, shall become and be the property of the county in which the same is situate; and the personal property belonging to the district shall be sold by the board of supervisors of the county in which the district was organized, and the proceeds from such sale, together with all moneys of the district, remaining after the payment of all of the obligations of the district, shall be paid into the general funds of the counties in which any part of the district lies in the same proportions that the assessed values of the lands (according to the last assessment rolls) within the district in each of said counties bear one to the other.

SEC. 51. This act shall be liberally construed to carry out the purposes and intent hereof.

SEC. 52. In case any section or sections, or a part of any section, of this act shall be found to be unconstitutional, the remainder of the act shall not be invalidated thereby, but shall remain in full force and effect.

SEC. 53. This act shall not be construed as repealing the existing conservancy act of California, approved May 16, 1919, or any part thereof or any other existing law of this state, but shall be treated as, and shall be in effect, an alternative act thereto.

SEC. 54. It is hereby declared that this act is a reenactment of chapter 166 of the statutes of 1929, and known as the "Water conservation act of 1929," and is to be construed as a continuation of said act.

All water conservation water districts that have been organized after an election has been held pursuant to said statute and declared to have been organized in accordance with its provisions are hereby declared to have been duly and legally organized and all proceedings relative thereto are hereby validated and confirmed. Such districts shall continue to exist and exercise and enjoy all the powers, rights and privileges conferred by this act."

Bill ordered to print, and re-referred to Committee on Irrigation.

ON ELECTIONS.

SENATE CHAMBER, SACRAMENTO, April 9, 1931.

MR. PRESIDENT: Your Committee on Elections, to which was referred Senate Bill No. 210—An act to amend sections 5, 7 and 12 of chapter 690, Statutes of 1913, entitled the Direct Primary Law, as amended, prohibiting persons becoming candidates of more than one party—has had the same under consideration, and respectfully reports the same back with amendments, and recommends that the amendments be adopted, and that it do pass as amended.

Committee membership—11.

FELLOM, Chairman.

Senate Bill No. 210 ordered on file for second reading.

MESSAGES FROM THE ASSEMBLY.

The following messages from the Assembly were received and read:

ASSEMBLY CHAMBER, SACRAMENTO, April 10, 1931.

MR. PRESIDENT: I am directed to inform your honorable body that the Assembly on this day passed Senate Bill No. 49—An act repealing chapter 537, Statutes of 1911, entitled "An act to provide for the preparation and distribution of serums or vaccines for the prevention of the disease known as cholera in hogs in the State of California, making an appropriation therefor and prescribing the duties of the Controller and Treasurer in relation thereto," approved April 21, 1911;

Also: Senate Bill No. 282—An act to regulate the construction and maintenance of auto camps in unincorporated areas; to provide for the inspection and supervision of the same; to provide for the abatement thereof in certain cases; to provide penalties for the violation of the provisions hereof and to repeal chapter 615, Statutes of 1929, entitled "An act to regulate the construction and maintenance of auto camps in unincorporated areas, to provide for the inspection and supervision of same and to provide penalties for the violation of the provisions thereof," approved May 31, 1929.

ARTHUR A. OHNIMUS, Chief Clerk.
By FRED J. DESCH, Assistant Clerk.

Senate Bills Nos. 49 and 282 ordered to enrollment.

Also:

ASSEMBLY CHAMBER, SACRAMENTO, April 10, 1931.

MR. PRESIDENT: I am directed to inform your honorable body that the Assembly on this day passed Senate Bill No. 152—An act to validate bonds, including refunding bonds, of sanitary districts and all proceedings relative thereto, and to provide for the levy and collection of taxes to pay the principal and interest on such bonds;

Also: Senate Bill No. 153—An act validating the formation, organization and existence of sanitary districts;

Also: Senate Bill No. 155—An act to validate all proceedings for the issuance of bonds and all bonds heretofore issued or sold or to be issued or sold by any acquisition and improvement district, and authorizing and directing the levy and collection of a tax sufficient to pay the principal and interest thereof;

Also: Senate Bill No. 272—An act to add a new section to be numbered 18a, chapter 25, Statutes of 1911, extra session, entitled the Reclamation Board Act, relating to claims of parties against the Sacramento and San Joaquin Drainage District for moneys advanced for work on the flood control project;

Also: Senate Bill No. 421—An act to amend section 363i of the Political Code, relating to the supervision of ports by the Department of Public Works, and to repeal sections 2584, 2586, 2589, 2590 and 2607 of the Political Code, relating to the Board of State Harbor Commissioners for the bay of San Diego, and to the San Diego Harbor Improvement Fund;

Also: Senate Bill No. 160—An act to amend section 3477 of the Political Code, relating to crediting purchasers, forwarding statements, and paying over moneys by registers of reclamation districts.

ARTHUR A. OHNIMUS, Chief Clerk.
By FRED J. DESCH, Assistant Clerk.

Senate Bills Nos. 152, 153, 155, 272, 421 and 160 ordered to enrollment.

Also:

ASSEMBLY CHAMBER, SACRAMENTO, April 10, 1931.

MR. PRESIDENT: I am directed to inform your honorable body that the Assembly on April 9, 1931, passed Assembly Bill No. 936—An act to amend sections 788 and 878 of an act entitled "An act to provide for the organization, incorporation and government of municipal corporations," approved March 13, 1883, as amended, relating to the cities of the fifth and sixth class.

ARTHUR A. OHNIMUS, Chief Clerk.
By FRED J. DESCH, Assistant Clerk.

Assembly Bill No. 936 read first time, and referred to Committee on Municipal Corporations.

Also:

ASSEMBLY CHAMBER, SACRAMENTO, April 10, 1931.

MR. PRESIDENT: I am directed to inform your honorable body that the Assembly on this day passed Assembly Bill No. 217—An act to amend section 3817 of the Political Code, relating to penalties on redemption of real estate from sale for delinquent taxes;

Also: Assembly Bill No. 776—An act to adopt the California valley quail as the official State bird and avifaunal emblem of this State;

Also: Assembly Bill No. 8—An act to amend section 1946 of the Civil Code, relating to the hiring of real property;

Also: Assembly Bill No. 410—An act to amend section 4277 of the Political Code, relating to salaries and fees of officials in counties of the forty-eighth class;

Also: Assembly Bill No. 773—An act to amend section 1 of chapter 286, Statutes of 1927, entitled "An act authorizing the Department of Finance to appropriate waters in connection with the utilization and conservation of the water resources of the State in the development of a general or coordinated plan; authorizing the State Department of Finance to release or assign such appropriation; authorizing the State Department of Finance to request other departments of the State or State officers to furnish service or assistance to make investigations in connection with the development of a general or coordinated plan for the utilization or conservation of the water resources of the State," approved April 29, 1927;

Also: Assembly Bill No. 737—An act to add a new section to the Penal Code to be numbered 628m, relating to the protection of white sea bass;

Also: Assembly Bill No. 1793—An act to amend section 16x23 Weights and Measures Act, relating to sealers of weights and measures in counties of the twenty-third class;

Also: Assembly Bill No. 1814—An act to amend section 2322x1 of the Political Code, relating to the office of agricultural commissioner in counties of the first class.

ARTHUR A. OHNIMUS, Chief Clerk.

By FRED J. DESCH, Assistant Clerk.

Assembly Bill No. 217 read first time, and referred to Committee on Revenue and Taxation.

Assembly Bill No. 776 read first time, and referred to Committee on Governmental Efficiency.

Assembly Bill No. 8 read first time, and referred to Committee on Judiciary.

Assembly Bill No. 410 read first time, and referred to Committee on County Government.

Assembly Bill No. 773 read first time, and referred to Committee on Conservation.

Assembly Bill No. 737 read first time, and referred to Committee on Fish and Game.

Assembly Bills Nos. 1793 and 1814 read first time, and referred to Committee on County Government.

Also:

ASSEMBLY CHAMBER, SACRAMENTO, April 10, 1931.

MR. PRESIDENT: I am directed to inform your honorable body that the Assembly on this day passed Assembly Bill No. 559—An act to add a new section to the Code of Civil Procedure, to be numbered 1179a, relating to proceedings for forcible entry, forcible detainer, or unlawful detainer;

Also: Assembly Bill No. 404—An act to amend section 2322x5 of the Political Code, relating to the office of agricultural commissioner in counties of the fifth class;

Also: Assembly Bill No. 503—An act to amend section 2924 of the Civil Code, relating to making certain transfers a mortgage and defining the manner in which a power of sale contained in a mortgage or deed of trust may be exercised;

Also: Assembly Bill No. 1665—An act to amend section 2.446 of the School Code, relating to a change of boundaries as a consequence of two or more school districts forming a union or joint union district;

Also: Assembly Bill No. 947—An act to add a new section to the School Code, to be numbered 5.1032, providing for the refunding of contributions paid into the Public School Teachers' Permanent Fund through mistake, inadvertence or error;

Also: Assembly Bill No. 948—An act to amend section 2.884 of the School Code, relating to the challenging of electors at school district elections;

Also: Assembly Bill No. 949—An act to amend section 1.252 of the School Code, relating to the payment of salaries of county supervisors of attendance;

Also: Assembly Bill No. 950—An act to amend section 5.1043 of the School Code, relating to the payment of contributions to the Public School Teachers' Permanent Fund;

Also: Assembly Bill No. 951—An act to amend section 5.842 of the School Code, relating to the filing of confidential personal reports by persons employed in the public schools.

ARTHUR A. OHNIMUS, Chief Clerk.

By FRED J. DESCH, Assistant Clerk.

Assembly Bill No. 559 read first time, and referred to Committee on Judiciary.

Assembly Bill No. 404 read first time, and referred to Committee on County Government.

Assembly Bill No. 503 read first time, and referred to Committee on Judiciary.

Assembly Bills Nos. 1665, 947, 948, 949, 950 and 951 read first time, and referred to Committee on Education.

Also:

ASSEMBLY CHAMBER, SACRAMENTO, April 10, 1931.

MR. PRESIDENT: I am directed to inform your honorable body that the Assembly on this day passed Assembly Bill No. 1185—An act to amend sections 2, 9 and 10 of an act entitled "An act to control and regulate the possession, sale and use of pistols, revolvers and other firearms capable of being concealed upon the person; to prohibit the manufacture, sale, possession or carrying of certain other dangerous weapons within this State; to provide for registering all sales of pistols, revolvers or other firearms capable of being concealed upon the person; to prohibit the carrying of concealed firearms except by lawfully authorized persons; to provide for the confiscation and destruction of such weapons in certain cases; to prohibit the ownership, use or possession of any of such weapons by certain classes of persons; to prescribe penalties for violations of this act and increased penalties for repeated violations hereof; to authorize, in proper cases, the granting of licenses or permits to carry firearms concealed upon the person; to provide for licensing retail dealers in such firearms and regulating sales thereunder; and to repeal chapter 145 of California Statutes of 1917, relating to the same subject," approved June 13, 1923, as amended.

ARTHUR A. OHNIMUS, Chief Clerk.

By FRED J. DESCH, Assistant Clerk.

Assembly Bill No. 1185 read first time, and referred to Committee on Judiciary.

Also:

ASSEMBLY CHAMBER, SACRAMENTO, April 10, 1931.

MR. PRESIDENT: I am directed to inform your honorable body that the Assembly on this day passed Senate Bill No. 286—An act to create the Trinity and Klamath River fish and game district, and to prohibit, to provide penalties for, and to declare a public nuisance the mudding, roiling and polluting of the waters of said district;

Also: Senate Bill No. 172—An act to amend the California Irrigation District Act by adding a new section thereto to be numbered 47a, relating to partial redemption of land sold for delinquent assessment;

Also: Senate Bill No. 312—An act to amend the California Irrigation District Act by amending sections 35, 37, 38, 41, and 78 thereof, relating to assessments and exclusion of land;

Also: Senate Bill No. 207—An act to amend sections 3, 4 and 5 of chapter 343 of the Statutes of 1931, entitled "An act to provide for leasing kelp beds in the waters of the State of California by the Board of Fish and Game Commissioners," and to repeal section 7 thereof;

Also: Senate Bill No. 499—An act to amend section 2098 of the Political Code, relating to the National Guard;

Also: Senate Bill No. 498—An act to amend section 2102 of the Political Code, relating to the National Guard;

Also: Senate Bill No. 429—An act to amend section 2079 of the Political Code, relating to allowances to organizations of the National Guard.

ARTHUR A. OHNIMUS, Chief Clerk.

By FRED J. DESCH, Assistant Clerk.

Senate Bills Nos. 286, 172, 312, 207, 499, 498 and 429 ordered to enrollment.

APPOINTMENT OF SPECIAL COMMITTEE BY THE PRESIDENT.

In accordance with Senator Evans' motion that the President of the Senate appoint a special committee to make arrangements for Senator Shortridge's address before the Senate, or Senate and Assembly in joint convention, the President announced the appointment of Senators Evans, Moran and Maloney.

ADJOURNMENT.

At one o'clock and two minutes p.m., on motion of Senator Breed, the President declared the Senate adjourned until eleven o'clock a.m., Monday, April 13, 1931.

HAROLD J. POWERS, Minute Clerk.

IN SENATE.

SENATE CHAMBER,
SACRAMENTO, Monday, April 13, 1931.

The Senate met at eleven o'clock a.m.

Lieutenant Governor Frank F. Merriam, President of the Senate, in the chair.

Secretary Joseph A. Beek at the desk.

ROLL CALL.

The roll was called, and the following answered to their names:

Senators Allen, Baker, Breed, Bush, Christian, Cleveland, Clock, Crittenden, Deuel, Duval, Edwards, Evans, Fellom, Harper, Hays, Ingels, Inman, Jones, Maloney, McCormack, McKinley, Mixer, Moran, Pedrotti, Riley, Rochester, Schottky, Sharkey, Slater, Swing, Treacy, Tubbs, Wagy, Williams, and Young—35.

Quorum present.

PRAYER.

Prayer was offered by the Chaplain, Rev. Sherman L. Divine.

READING OF THE JOURNAL.

During the reading of the Journal of Friday, April 10, 1931, the further reading was dispensed with, on motion of Senator Slater.

LEAVES OF ABSENCE.

Senator Carter was, on motion of Senator Rochester, granted leave of absence for this day.

Senator Cassidy was, on motion of Senator Wagy, granted leave of absence for this day.

Senator Nelson was, on motion of Senator Breed, granted leave of absence for this day.

Senator Rich was, on motion of Senator Ingels, granted leave of absence for this day.

PRIVILEGE OF FLOOR OF SENATE EXTENDED.

On request of Senator Sharkey, the privilege of the floor of the Senate Chamber for this day was unanimously extended to Mrs. Willa Jane Hellwig of Alvarado, Alameda County, worthy grand matron, State of California, Order of Eastern Star, and Mrs. Robert P. Easley of Antioch, deputy grand matron.

On request of Senator Wagy, the privilege of the floor of the Senate Chamber for this day was unanimously extended to Mrs. L. E. Chrisman, Redondo Beach; Miss K. F. Lewis, Mrs. J. P. Luxford and Miss Helen Luxford of Hermosa Beach.

On request of Senator Swing, the privilege of the floor of the Senate Chamber for this day was unanimously extended to C. L. Gillett of El Centro, California, and H. G. Clement of Redlands.

On request of Senator Maloney, the privilege of the floor of the Senate Chamber for this day was unanimously extended to Lettie Howard, past business agent of waitresses union of San Francisco.

On request of Senator Duval, the privilege of the floor of the Senate Chamber for this day was unanimously extended to Gwyn Thurmond of Ventura County.

On request of Senators Williams and Riley, the privilege of the floor of the Senate Chamber for this day was unanimously extended to C. E. Wilson, Gene Crosby, and George Debury.

On request of Senator Young, the privilege of the floor of the Senate Chamber for this day was unanimously extended to G. H. McMurray of San Jose.

On request of Senator Baker, the privilege of the floor of the Senate Chamber for this day was unanimously extended to Hon. Gus. C. Moser, State Senator, of Portland, Oregon; also Mrs. G. C. Moser.

REPORTS OF STANDING COMMITTEES.

The following reports of standing committee were received and read:

ON ENGROSSMENT, ENROLLMENT AND PRINTING.

SENATE CHAMBER, SACRAMENTO, April 13, 1931.

MR. PRESIDENT: Your Committee on Engrossment, Enrollment and Printing has examined Senate Bill No. 230—An act to amend sections 4130 and 4300c of the Political Code, relating to recorders and fees;

Also: Senate Bill No. 300—An act to amend section 1197 of the Political Code, relating to election ballots;

Also: Senate Bill No. 362—An act to prohibit and prevent the waste of crude petroleum oil in the State of California and defining such waste, and in that behalf creating an Oil Conservation Commission; providing for the appointment of the members of said commission; fixing the terms of office of the members of said commission; providing for the filling of vacancies in the membership of said commission; providing for the powers, duties and authority of said commission and the members thereof; requiring producers of crude petroleum oil and operators of wells and owners and operators of any storage facilities of crude petroleum oil to make and file certain reports; providing for the filing and hearing of complaints concerning the waste of crude petroleum oil and for oaths, subpoenas and depositions; providing for the fixing of allowable production of crude petroleum oil for the State and for the several oil fields thereof, respectively, and for the several zones, properties and wells in each such oil field, respectively, so as to stop such waste; providing for the enforcement of said act; providing penalties for refusing to permit the commission or its representatives to inspect any drilling or producing well or storage facilities and for failing, neglecting or refusing to furnish any report or record or statement required by the commission and for wilfully rendering or furnishing a false or fraudulent report, statement or record, creating a fund for the purposes of said act and providing for the assessment and collection thereof;

Also: Senate Bill No. 477—An act to repeal chapter 393, Statutes of 1909, entitled "An act to fix the salaries of the State Forester, deputy forester and assistant forester," approved March 22, 1909, as amended;

And reports that the same have been correctly engrossed.

RILEY, Chairman.

Also:

MR. PRESIDENT: Your Committee on Engrossment, Enrollment and Printing has examined Senate Bill No. 548—An act to amend chapter 266, Statutes of 1923, entitled the California Vehicle Act, approved May 30, 1923, as amended, by amending the title thereof, by repealing section 20, and by amending sections 7, 7½, 8½, 21, 29, 35, 36, 41, 43, 47, 64, 72, 82, 83½, 85, 87, 89, 90, 91, 94, 95, 96, 100, 106, 110, 111, 113, 115, 116, 119, 122, 123, 124, 125, 126, 131, 135, 136, 138, 142, 145, 146, 151, and by adding thereto new sections numbered 7½, 45½, 47½, 57½, 62½, 64½, 93½, 111½, 113½, 114½, 131½, 135½, 136½, 139½, 145½, 145½, relating to the regulation of traffic on streets and highways and to the use and operation of vehicles and the registration and identification of vehicles and the licensing of operators and chauffeurs, the service of civil process on nonresidents, the reporting of accidents and damage to vehicles, and to the powers and duties of the California Highway Patrol and to the erection of signs, signals or lights upon or adjacent to highways and to the enforcement of this act;

Also: Senate Bill No. 578—An act to amend the title of and to revise that certain act entitled "An act providing for the creation, organization and govern-

ment of joint highway districts composed of two or more counties of the State of California," approved April 5, 1917, as amended;

Also: Senate Bill No. 709—An act to amend section 4239 of the Political Code, relating to compensation of county and township officers in counties of the tenth class;

Also: Senate Bill No. 768—An act to amend section 636 of the Penal Code, relating to the protection of fish;

Also: Senate Bill No. 902—An act to amend section 8 of the Workmen's Compensation, Insurance and Safety Act of 1917, relating to and defining employees and excluding from the provisions of the act any person engaged in selling, offering for sale or delivering to the public any newspaper, magazine or periodical; And reports that the same have been correctly engrossed.

RILEY, Chairman.

Also:

MR. PRESIDENT: Your Committee on Engrossment, Enrollment and Printing has examined Senate Bill No. 75—An act to add sections 28a and 28b to chapter 36, Statutes of 1881, entitled "An act to allow unincorporated towns and villages to equip and maintain a fire department and to assess and collect taxes, from time to time, for such purpose, and to create a board of fire commissioners," approved March 4, 1881, as amended, relating to the withdrawal from fire districts formed thereunder of territory therein which will not be benefited by remaining within said district, and for the dissolution of fire districts organized thereunder;

Also: Senate Bill No. 137—An act to amend section 157 of the Code of Civil Procedure, relating to the qualifications of superior judges;

Also: Senate Bill No. 175—An act to define medical and hospital service companies and agents; to provide for the regulation, supervision and licensing thereof; to create a fund therefor; to create the office of Commissioner of Medical and Hospital Service Companies; to provide for the enforcement of said act and penalties for the violation thereof; and to make an appropriation;

Also: Senate Bill No. 183—An act to amend the Civil Code by adding a new section to be numbered 356a, relating to the employment of attorneys by corporations and the practice of law by corporations;

Also: Senate Bill No. 287—An act to regulate motor boats of less than 15 gross tons capacity, operating in California waters and carrying passengers for hire and providing a penalty for violation thereof;

Also: Senate Bill No. 323—An act to amend section 607 of the Penal Code, relating to the destroying or injuring of reclamation or drainage ditches; And reports that the same have been correctly re-engrossed.

RILEY, Chairman.

Also:

MR. PRESIDENT: Your Committee on Engrossment, Enrollment and Printing has examined Senate Bill No. 368—An act to add a new section to the Political Code to be numbered 3817a, relating to the extension of the period of redemption of property sold for taxes and containing a provision declaring this act to be an emergency measure, stating the facts constituting such emergency, and providing this act shall take effect immediately upon its passage;

Also: Senate Bill No. 437—An act to amend sections 4.383 and 4.384 of the School Code;

Also: Senate Bill No. 701—An act to amend sections 2, 3, 4, 5, 6, 7, 8, 9, 10, 11, 12, 13, 14, 15, 16, 17, 18, 19, 20, 21, 22, 23, 24, 25, 26, 27, 28, 29 and to repeal sections 20a and 21a of and to add sections 30, 31, 32, 33, 34, 35, 36, 37, and 38 to an act entitled "An act providing for the regulation and supervision of companies, brokers, agents, and sales of securities as the same are therein defined, and to prevent fraud in the sale of securities; providing for the enforcement of said act and penalties for the violation thereof; and creating a State Corporation Department and the office of 'Commissioner of Corporation,'" approved May 18, 1917, as amended, relating to the Division of Corporations, the regulation and supervision of companies, brokers, agents, investment counsel and sales of securities, and the prevention of fraud in the sale of securities;

Also: Senate Bill No. 781—An act to amend section 16x14 of the Weights and Measures Act, relating to sellers of weights and measures in counties of the fourteenth class;

And reports that the same have been correctly re-engrossed.

RILEY, Chairman.

Also:

MR. PRESIDENT: Your Committee on Engrossment, Enrollment and Printing has examined Senate Bill No. 409—An act to amend sections 1 and 9 of chapter 426, Statutes of 1915, entitled "An act to insure the better education of dental surgeons and to regulate the practice of dentistry in the State of California, providing penalties for the violation hereof," as amended, relating to license fees and the issuance, suspension and revocation of licenses;

Also: Senate Bill No. 530—An act authorizing a contract between the State of California and the State of Arizona for the joint purchase of that certain highway

bridge across the Colorado River, at or near Ehrenburg, Arizona, declaring the urgency thereof, and providing that this act shall take effect immediately; And reports that the same have been correctly enrolled and presented to the Governor on the tenth day of April, at three o'clock and fifteen minutes p.m.

RILEY, Chairman.

RESOLUTION.

The following resolution was offered:

By Committee on Contingent Expenses:

Resolved, That the Controller be and he is hereby directed to draw his warrant in favor of the Secretary of the Senate in the sum of \$1,161.36, for the items set forth below, the same to be payable out of the Contingent Fund of the Senate, and the Treasurer is hereby directed to pay the same, and the Secretary is instructed to furnish the Controller with vouchers covering the items set forth below:

State Supply Department.....	\$380 94
G. N. Hammond Typewriter Co.....	67 50
H. S. Crocker Co., stationery and supplies.....	92 56
Wm. Carragher, lettering boxes.....	2 00
Noack-Harger Co., clock repairs.....	7 50
Carithers Sign Co., signs.....	6 00
Department of Finance.....	18 62
Western Union.....	133 70
Cascade Towel Supply Co.....	28 50
Postal Telegraph & Cable Co.....	11 29
Postage.....	300 00
Pacific Telephone and Telegraph Co.....	112 75
Total.....	\$1,161 36

(Signed out)

INGELS, Chairman.
MALONEY.
WILLIAMS.

Resolution read.

Senator Ingels moved the adoption of the resolution.

The question being on the adoption of the resolution.

The roll was called, and the resolution adopted by the following vote:

AYES—Senators Allen, Baker, Breed, Christian, Cleveland, Crittenden, Edwards, Fellom, Harper, Hays, Ingels, Jones, McCormack, McKinley, Mixter, Moran, Riley, Schottky, Sharkey, Slater, Treacy, Tubbs, Wagy, Williams, and Young—25.
NOES—None.

REPORTS OF STANDING COMMITTEES—(RESUMED).

The following report of standing committee was received and read:

ON RULES.

SENATE CHAMBER, SACRAMENTO, April 13, 1931.

MR. PRESIDENT: Your Committee on Rules, to which was referred Senate Concurrent Resolution No. 32—Relative to leaves of absence of the Governor and the members of the Senate and Assembly of the forty-ninth session of the Legislature of the State of California—has had the same under consideration, and respectfully reports the same back, and recommends that it be adopted.

Committee membership—5; committee vote: Ayes—4; absent—1.

BREED, Chairman.

Senate Concurrent Resolution No. 32 ordered on file.

INTRODUCTION, FIRST READING AND REFERENCE OF BILLS.

The following resolution was offered:

By Senators Slater, Sharkey, Nelson, Ingels, Fellom, Maloney and Tubbs: Senate Joint Resolution No. 16—Relative to accepting amendments to permit from the government of the United States for the construction of approach roads and toll collection areas over certain rights

of way leading to the Golden Gate Bridge and relating to the retrocession by the Congress of the United States of jurisdiction over said rights of way as relocated and said toll areas, bridge ends and bridge.

Referred to Committee on Roads and Highways.

CONSIDERATION OF DAILY FILE.
SECOND READING OF SENATE BILLS.

Senate Bill No. 189—An act to amend section 690 of the Code of Civil Procedure, relating to property exempt from execution.

COMMITTEE AMENDMENTS.

During the second reading of the bill, the following committee amendments were offered:

AMENDMENT NUMBER ONE.

On page 2, line 37, of the printed bill, after the word "business", strike out the following: "which does not include the profession or business of a minister engaged in uttering statements over a radio or other mechanical devices: when so engaged the property of such person is not exempt from execution".

Amendment adopted.

AMENDMENT NUMBER TWO.

On page 2 of the printed bill, strike out the lines 47, 48, 49 and 50, and insert in lieu thereof, the following:

"Sec. 9. The wages and earnings of all seamen, seagoing fishermen and sealers, not exceeding one hundred fifty dollars, regardless of where or when earned, when it appears by the debtor's affidavit, or otherwise, that such earnings are necessary for the use of his family, residing in this state, supported in whole or part, by his labor; but where debts are incurred by any such person, or his wife, or family for the common necessities of life, or have been incurred at a time when the debtor had no family residing in this State, supported in whole or in part by his labor, or incurred for personal services rendered by any employee, or former employee, the one-half of such earnings above mentioned is nevertheless subject to execution, garnishment or attachment to satisfy debts so incurred."

Amendment adopted.

Bill read second time, ordered to print, engrossment, and on file for third reading.

Senate Bill No. 419—An act to add a new section to be numbered 10 to chapter 326, Statutes of 1925, entitled "An act to authorize and empower the State Director of Education, with the approval of the State Board of Control, to sell and convey the lands and buildings of the San Diego State Teachers College, and from the proceeds of such sale to purchase and improve a new and suitable site for said school, to erect and construct upon the site so purchased buildings and other structures and improvements necessary and proper for said school, to purchase furniture, fixtures, apparatus, and other things necessary for said school, and to rent such temporary buildings and grounds as may be necessary for the use of said school until the completion of the new school buildings," providing for a readjustment of the western boundary of the site of the San Diego State Teachers College.

Bill read second time, ordered engrossed, and on file for third reading.

Senate Bill No. 941—An act to amend section 5.812 of the School Code, relating to the retirement of teachers.

Bill read second time, ordered engrossed, and on file for third reading.

Senate Bill No. 292—An act to amend sections 4.1001, 4.1022, 4.1024, 4.1026, 4.1091, 4.1113, 4.1118, 4.1211, 4.1233, 4.1238, 4.1301, 4.1323 and 4.1325 of the School Code, relating to bonds of school districts.

Bill read second time, ordered engrossed, and on file for third reading.

Senate Bill No. 808—An act to amend sections 1094 and 1096 of the Political Code, relating to elections.

COMMITTEE AMENDMENTS.

During the second reading of the bill, the following committee amendments were offered:

AMENDMENT NUMBER ONE.

On page 1 of the printed bill, strike out lines 1 to 4, inclusive, and insert in lieu thereof the following:

"SECTION 1. Section 1094 of the Political Code is amended to read as follows: 1094. Commencing January 1, 1932, except as hereinafter provided, there shall be in each county and city and county of the state, a new and complete registration of the voters of such county or city and county, who are entitled thereto. Such registration shall be in progress at all times except during the thirty-nine days immediately preceding any election, when it shall cease for such election as to electors residing in the territory within which such election is to be held; and transfers of registration for such election may be made from one precinct to another precinct in the same county or city and county at any time when such registration shall be in progress in the precinct to which the elector seeks to transfer; *provided*, that where any election is held on or after the first day of January and before the first day of April of the year 1932 the original affidavits of registration and indexes used in the last general state election in any county or city and county in the state, together with the original affidavits of registration since the last election, and supplemental indexes, showing all additional registrations, changes and corrections made since the registration for the last general election, completed to and including the fortieth day prior to said election then being held, may be used at such election to determine the persons entitled to vote thereat.

All affidavits of registration made prior to the first day of January of the year 1932 shall be deemed canceled upon said day except for the sole purpose of being used as hereinbefore stated at elections held thereafter and before the first day of April of that year, and shall on said last mentioned day be deemed canceled for all purposes. The board having charge and control of elections in each county or city and county, may provide by resolution, for the registration of voters in their respective precincts, by the officer charged with the registration of voters, and may also provide by resolution for the registration of voters at specified times and places, other than the office of the county clerk or registrar of voters, deemed most convenient to large numbers of voters, without reference to respective or particular precincts, in such a manner that the affidavits of registration as provided by law may be taken at such time and place, of any voter within the county who is entitled to register therein; *provided, however*, that in any city and county no registration outside of the main office of the officer charged with the registration of voters shall be had except that which is without reference to particular precincts as last specified herein; *and provided, also*, that any registration which may be made at the main office for registration in any such city and county may be made and taken in any place in said city and county in such manner as may be provided by rules and regulations made by the board having control of registration in any such city and county.

Upon the written request of the officer charged with the registration of voters, which request said officer shall make upon petition from any ten electors of the county, such petition must be filed in his office not less than twenty days before the date of the next succeeding election and it shall specify the premises from which lists are desired, every landlord or keeper of premises where lodgers abide shall furnish said officer a list of all lodgers occupying rooms, or sleeping apartments, or beds in the premises under his or her or its control. Such lists shall be furnished upon blanks provided by said officer, and they must be received in his office not less than ten days before the day of said election. Any landlord or keeper of premises where lodgers abide, who neglects or refuses to comply promptly with the provisions of this section or who furnishes a false list of such lodgers, shall be guilty of a misdemeanor. All lists so returned shall be kept on file in the office of the officer receiving same, open to public inspection. It shall be the duty of said officer to compile a list of such persons, if there are any, who are registered as residing in any of these premises and whose names are not returned in the lists furnished by the landlord or keeper thereof. At least three days before the date of the next succeeding election, in any precinct where such premises are located, said officer shall send by registered mail to the inspector of election in said precinct a certified copy of the list he has

thus prepared, with instructions to challenge the vote of each and all such persons if offered at the election, under subdivision 5 of section 1230 of the Political Code. Whenever in the laws of this state the word "register" or "great register" is used with relation to elections, it shall be deemed to mean and include the relative and proper affidavits of registration, or both thereof, prepared and bound by the county clerk or registrar of voters.

SEC. 2. Section 1096 of the Political Code is amended to read as follows:

1096. The affiant making the affidavit of registration must be at least twenty-one years of age at the time of the next succeeding election; a citizen of the United States ninety days prior to such election; a resident of the state one year, of the county ninety days, and of the precinct forty days next preceding such election and the affidavit must show such facts. It shall also show:

1. The name at length, including Christian or given name, the middle name, or initial, if any, said Christian or given name, if the name of a woman, to be preceded in all cases by the designations of Miss or Mrs. as the case may be.

2. The place of residence with sufficient particularity to identify the same and determine therefrom the voting precinct of such affiant. If the elector be not the proprietor or head of the house, or the wife or husband of such proprietor, then it must show upon what floor thereof, and what room such elector occupies in such house.

3. The height of affiant in feet and inches.

4. The country or state of nativity of affiant.

5. If foreign born, how citizenship was acquired, whether by citizenship of father by provisions of treaty or act of congress, by order of a court of naturalization, by marriage to a citizen, by naturalization of a parent or husband, or otherwise. The month, day and year when, and the place or state where affiant became a citizen shall be shown, except in the case of citizenship acquired by citizenship or naturalization of parents, by treaty, or by act of congress. When citizenship depends upon the citizenship or naturalization of parent or husband the name of such parent or husband shall appear.

6. The fact whether or not the elector desiring to be registered is able to read the constitution in the English language and to write his or her name, and whether or not the elector has any physical disability, by reason of which he or she can not mark the ballot; and if he or she can not mark the ballot by reason of physical disability, then the nature of such disability must be entered. The affiant shall sign such affidavit with his or her own usual signature, and if unable to write he or she shall sign with a mark or cross, and the county clerk or registrar before whom such affidavit is made shall insert therein the date of such affidavit, which shall be the date of the jurat. The affiant may state in such affidavit the name of any political party or organization with which he intends to affiliate at the ensuing primary election, whether or not such party or organization is a party or organization qualified, at the time of such registration, to participate in such primary election according to the provisions of the direct primary law."

Amendment adopted.

Bill read second time, ordered to print, engrossment, and on file for third reading.

Senate Bill No. 689—An act to amend sections 3463, 3464, 3465 and 3466 of the Political Code, relating to reclamation districts.

Bill read second time, ordered engrossed, and on file for third reading

Senate Bill No. 547—An act to amend section 159 of the California Vehicle Act, relating to the Motor Vehicle Fund.

Bill read second time, ordered engrossed, and on file for third reading.

Senate Bill No. 210—An act to amend sections 5, 7 and 12 of chapter 690, Statutes of 1913, entitled the Direct Primary Law, as amended, prohibiting persons becoming candidates of more than one party.

COMMITTEE AMENDMENTS.

During the second reading of the bill, the following committee amendments were offered:

AMENDMENT NUMBER ONE.

In the title of the printed bill, strike out the "s", in "sections", also "5, 7 and", and after "as amended", strike out "prohibiting persons becoming candidates of more than one party", and insert in lieu thereof the following: "relating to direct primary elections."

Amendment adopted.

AMENDMENT NUMBER TWO.

On page 1 of the printed bill, strike out all of lines 1 to 27, inclusive, and all of pages 2 to 11, inclusive, and strike out lines 1 to 16, inclusive, on page 12.

Amendment adopted.

AMENDMENT NUMBER THREE.

On page 12 of the printed bill, strike out lines 17 to 19, inclusive, and insert in lieu thereof the following:

"SECTION 1. Section 12 of the direct primary law is hereby amended to read as follows:"

Amendment adopted.

AMENDMENT NUMBER FOUR.

On page 13 of the printed bill, strike out lines 5 to 13, inclusive, and insert in lieu thereof the following:

"Immediately under the name of each candidate and not separated therefrom by any line may appear, at the option of the candidate, one of the following designations:

a. Words designating the city, county, district or state office which the candidate then holds.

b. If the candidate be a candidate for the same office which he then holds, the word "incumbent".

c. The word designating the profession, vocation or occupation of the candidate. The profession, vocation or occupation so designated shall be the same as appears in the affidavit of registration of such candidate.

In all cases words so used shall be printed in eight point Roman bold-face capitals and lower case type."

Amendment adopted.

AMENDMENT NUMBER FIVE.

Strike out both forms of ballot and substitute in lieu thereof the following forms of ballot:

Amendment adopted.

Bill read second time, ordered to print, engrossment, and on file for third reading.

1703 Number to be used on
by inspectors

3347

MADE COMPOSED BY ONLY WITH RUBBER STAMP.
NEVER WRITE NAME ON PAPER.

(Print Ballot by one Pre-Numbered Line, leaving
Top Margin Empty)

OFFICIAL PRIMARY ELECTION BALLOT NON-PARTISAN BALLOT

8th Congressional, 17th Senatorial, 6th Assembly District

To vote for a person whose name appears on the ballot, stamp a cross (X) in the square at the RIGHT of the name of the person for whom you desire to vote. To vote for a person whose name is not printed on the ballot, write his name in the blank space provided for that purpose.

JUDICIAL		County Clerk	Vote for One
Chief Justice Supreme Court Vote for One ROBERT ALEXANDER Incumbent A. C. GIBBONS State Senator J. C. GILKESON Attorney		ALEXANDER CROSSAN Attorney LEE G. DAGGETT Incumbent R. C. FAVIS	
Associate Justice Supreme Court Vote for Two A. F. HOPKINS Incumbent DEWEY McDORMICK Incumbent L. B. WERTZ Attorney DAVID ANTONIOZ Attorney		Judge Vote for One H. M. DODD Attorney J. F. GRAUBERT Attorney L. M. LUTHELMAN Incumbent N. L. LUNNING Attorney F. S. FULL Attorney	
Judges of the District Court of Appeal, First District Vote for One J. T. HICKY Incumbent R. D. MUIR Attorney		Treasurer Vote for One H. D. HALEY T. J. HOLLOMAN Attorney EDWARD HUNTY Member	
Judges of the Superior Court Vote for Two J. J. RYAN Incumbent F. J. RYAN Incumbent F. B. HIRLEY Attorney W. H. STAFFORD Chief Justice J. J. WINGLOW Attorney		Assessor Vote for One H. L. JACKSON Attorney H. L. JACKSON Attorney CARPENTIER, THOMAS, JR. Incumbent	
Jurists of the Peace Vote for Two J. H. YOUNGER Attorney A. S. ZIMM Incumbent J. F. ADAMS Incumbent		Tax Collector Vote for One D. S. MERRITT Attorney M. W. WHELAN Attorney L. MERRITT Incumbent	
SCHOOL Superintendent of Public Instruction Vote for One GEO. F. LOTT Incumbent J. HARLOW Teacher A. J. TORRES Teacher		Recorder Vote for One H. A. NEASEY Incumbent W. B. DRIEN Attorney J. P. OWELL	
County Superintendents of Schools Vote for One F. W. TURNER High School Principal RUTH LOMES Incumbent WILLIAM D. MOORE Teacher		Public Administrator Vote for One H. J. GERMAN Attorney G. A. FAUNELLE Incumbent	
COUNTY AND TOWNSHIP Sherrif Vote for One M. E. TEHANEY Incumbent HARRY VACHER Deputy Sheriff G. D. BEARDSLEE Constable		Coroner Vote for One WARREN L. BEAD Attorney J. F. RUGGLES Attorney FRED A. SMITH Incumbent	
District Attorney Vote for One JAMES M. BYRNE Attorney E. C. COOK Attorney W. E. COMLEY Incumbent		Surveyor Vote for One H. F. JEFFE Attorney JUSTUS STADLER Incumbent	
		Superintendent Vote for One J. B. SPAIN Member EDWARD C. STONG Attorney B. L. TAYLOR Farmer	
		Deputable Vote for One JAMES E. THOMPSON Incumbent E. G. WARNER	

COPY 100-1000000

Senate Bill No. 565—An act granting certain lands and salt marsh and tidelands of the State of California to the city of Oakland, including the management, use and control thereof.

COMMITTEE AMENDMENT.

During the second reading of the bill, the following committee amendment was offered:

AMENDMENT NUMBER ONE.

On page 2 of the printed bill, following line 33, insert the following paragraph: "(c) There is hereby excepted and reserved to the State of California all deposits of minerals, including oil and gas, in said land, and to the State of California, or persons authorized by the State of California, the right to prospect for, mine, and remove such deposits from said land."

Amendment adopted.

Bill read second time, ordered to print, engrossment, and on file for third reading.

CONSIDERATION OF DAILY FILE.

SECOND READING OF ASSEMBLY BILLS.

Assembly Bill No. 1264—An act to repeal section 4.921 of the School Code, relating to the counting of attendance of pupils in part-time vocational work.

Bill read second time, and ordered on file for third reading.

Assembly Bill No. 1265—An act to repeal section 4.32 of the School Code, relating to annual estimates of amounts of State funds necessary for the support of high schools.

Bill read second time, and ordered on file for third reading.

Assembly Bill No. 1268—An act to amend section 4.395 of the School Code, relating to the deposit of money received from taxes levied upon a school district situated in two or more counties.

Bill read second time, and ordered on file for third reading.

Assembly Bill No. 1269—An act to amend section 4.896 of the School Code, relating to the apportionment of the county high school fund.

Bill read second time, and ordered on file for third reading.

Assembly Bill No. 1138—An act to repeal part V of division IV of the School Code, embracing sections 4.960 to 4.1353, both inclusive, thereof, and to add a new part to division IV thereof, to be known as part V, embracing sections 4.960 to 4.1044, both inclusive, all relating to elementary district, high school district and junior college district bonds.

COMMITTEE AMENDMENTS.

During the second reading of the bill, the following committee amendments were offered:

AMENDMENT NUMBER ONE.

On page 2, line 35, of the printed bill, strike out "thirty", and insert in lieu thereof the following: "twenty-five".

Amendment adopted.

AMENDMENT NUMBER TWO.

On page 3, line 24, of the printed bill, strike out "thirty", and insert in lieu thereof the following: "twenty-five".

Amendment adopted.

AMENDMENT NUMBER THREE.

On page 4, line 6, of the printed bill, strike out "thirty", and insert in lieu thereof the following: "twenty-five".

Amendment adopted.

Bill read second time, ordered to print, and on file for third reading.

Assembly Bill No. 1486—An act to add a new section to the School Code to be numbered 6.36, relating to the powers and duties of governing boards of school districts.

COMMITTEE AMENDMENT.

During the second reading of the bill, the following committee amendment was offered:

AMENDMENT NUMBER ONE.

On page 1 of the printed bill, strike out all of lines 3 to 7, both inclusive, and insert in lieu thereof the following:

"6.36. In each school district governed by a city board of education, the governing board may make repairs, alterations or additions to school buildings, repair or build apparatus or equipment, make improvements on the school grounds and erect new buildings by day's labor, whenever the total cost of labor on the job does not exceed one thousand dollars.

In any school district not governed by a city board of education, the governing board may perform similar work as elsewhere herein provided, whenever the total cost of the job does not exceed five hundred dollars."

Amendment adopted.

Bill read second time, ordered to print, and on file for third reading.

Assembly Bill No. 943—An act to amend sections 1083*a*, 1095*a*, 1097 of the Political Code, relating to registration of electors and conduct of elections.

Bill read second time, and ordered on file for third reading.

Assembly Bill No. 1153—An act to amend sections 1113, 1115, 1120, 1121 of the Political Code, relating to registration of electors and conduct of elections.

Bill read second time, and ordered on file for third reading.

Assembly Bill No. 1318—An act to amend sections 1103, 1105, 1106 of the Political Code, relating to registration of electors and conduct of elections.

Bill read second time, and ordered on file for third reading.

RECESS.

On motion of Senator Breed, at eleven o'clock and twenty-eight minutes a.m., the President of the Senate declared recess until eleven o'clock and thirty-eight minutes a.m., to listen to remarks by the Hon. James Rolph, Jr., Governor of California, and Mayor George Baker of Portland, Oregon.

RECONVENED.

At eleven o'clock and thirty-eight minutes a.m., the Senate reconvened. Lieutenant Governor Frank F. Merriam, President of the Senate, in the chair.

Secretary Joseph A. Beek at the desk.

CONSIDERATION OF DAILY FILE.

THIRD READING OF SENATE BILLS.

Senate Bill No. 380—An act to add a new section to be numbered 4½ to chapter 397, Statutes 1911, entitled "An act to provide for work in

and upon streets, avenues, lanes, alleys, courts, places and sidewalks within municipalities, and upon property and rights of way owned by municipalities or of which a municipality has possession and the right of use under the provisions of section 14 of article 1 of the constitution, and for the establishing and changing the grades of any such streets, avenues, lanes, alleys, courts, places, sidewalks, properties or rights of way, and providing for the issuance and payment of street improvement bonds to represent certain assessments for the cost thereof, and providing a method for the payment of such bonds," relating to the laying of water pipes and mains in public streets in cases where the water is supplied by a public agency other than the city ordering the improvement.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Senate Bill No. 380 passed by the following vote:

AYES—Senators Allen, Baker, Breed, Christian, Cleveland, Clock, Crittenden, Deuel, Duval, Edwards, Evans, Fellom, Harper, Hays, Ingels, Jones, Maloney, McKinley, Mixer, Moran, Pedrotti, Riley, Rochester, Schottky, Sharkey, Slater, Swing, Treacy, Tubbs, Waggy, Williams, and Young—32.

NOES—None.

Title read and approved.

Bill ordered transmitted to the Assembly.

Senate Bill No. 831—An act to amend sections 4.360, 4.361, 4.362, 4.365, 4.366, 4.372 of the School Code, and to add thereto new sections to be numbered 4.374, 4.375 and 4.376: to repeal chapter IV, embracing sections 4.460 to 4.501, both inclusive, chapter V, embracing sections 4.510 to 4.520, both inclusive, chapter VI, embracing sections 4.530 to 4.582, both inclusive, chapter VII, embracing sections 4.590 to 4.626, both inclusive, of part III of division IV of the School Code; to repeal chapter 397 of the Statutes of 1929, entitled "An act relating to maximum rates of tax for school district purposes," approved May 22, 1929.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Senate Bill No. 831 passed by the following vote:

AYES—Senators Allen, Breed, Cleveland, Clock, Deuel, Duval, Edwards, Fellom, Harper, Hays, Ingels, Inman, Jones, Maloney, McCormack, McKinley, Mixer, Moran, Pedrotti, Riley, Rochester, Schottky, Sharkey, Slater, Swing, Treacy, Tubbs, Waggy, Williams, and Young—30.

NOES—None.

Title read and approved.

Bill ordered transmitted to the Assembly.

Senate Bill No. 137—An act to amend section 157 of the Code of Civil Procedure, relating to the qualifications of superior judges.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Senate Bill No. 137 passed by the following vote:

AYES—Senators Allen, Breed, Cleveland, Clock, Deuel, Duval, Edwards, Evans, Fellom, Harper, Hays, Ingels, Inman, Jones, Maloney, McKinley, Mixer, Moran, Pedrotti, Riley, Schottky, Sharkey, Slater, Swing, Treacy, Tubbs, Waggy, Williams, and Young—29.

NOES—None.

AMENDMENT TO TITLE.

The following amendment to the title was offered, and its adoption moved by Senator Williams:

AMENDMENT NUMBER ONE.

In line 2 of the title of the re-engrossed bill, strike out the words "superior judges", and insert in lieu thereof the words "judges of the superior court."

Amendment adopted.

Title, as amended, read and approved.

Bill ordered to print and re-engrossment, and transmitted to the Assembly.

Senate Bill No. 577—An act defining the obligations of any person, company, association or corporation owning or operating any railroad or railway track or tracks upon public highways, roads, streets, avenues, boulevards, lanes, alleys, courts, places, public ways, or other property or rights of way of the public in connection with paving, repaving, repairing, macadamizing, remacadamizing or otherwise improving thereof; requiring any such person, company, association or corporation to restore pavements disturbed by it and to put its track and track structures in good operating condition; superseding all acts inconsistent therewith and repealing all other acts and parts of acts in conflict therewith.

Bill read third time.

MOTION TO REFER TO SPECIAL COMMITTEE OF ONE.

During third reading of the bill, Senator Mixter moved to refer Senate Bill No. 577 to Senator Harper, as a Special Committee of One, to amend as follows:

AMENDMENT NUMBER ONE.

On page 3 of the printed bill, strike out lines 38 to 43, inclusive.

AMENDMENT NUMBER TWO.

On page 3, line 44, of the printed bill, strike out the figure "7", and insert in lieu thereof the following: "6".

AMENDMENT NUMBER THREE.

On page 3 of the printed bill, after line 49, insert the following:

"SEC. 7. If any section, subsection, sentence, clause or phrase of this act is for any reason held to be unconstitutional, such decision shall not affect the validity of the remaining portions of this act. The Legislature hereby declares that it would have passed this act, and each section, subsection, sentence, clause and phrase thereof irrespective of the fact that any one or more sections, subsections, sentences, clauses or phrases be declared unconstitutional."

Motion carried.

REPORT OF SPECIAL COMMITTEE OF ONE.

SENATE CHAMBER, SACRAMENTO, April 13, 1931.

MR. PRESIDENT: Your Special Committee of One, to which was referred Senate Bill No. 577, with instructions to amend, respectfully reports the same back, amended as per instructions.

HARPER, Committee.

Report read, and on motion of Senator Mixter adopted.

Bill ordered to print and re-engrossment.

Senate Bill No. 75—An act to add sections 28a and 28b to chapter 36, Statutes of 1881, entitled "An act to allow unincorporated towns and villages to equip and maintain a fire department and to assess and collect taxes, from time to time, for such purpose, and to create a board of fire commissioners." approved March 4, 1881, as amended, relating

to the withdrawal from fire districts formed thereunder of territory therein which will not be benefited by remaining within said district, and for the dissolution of fire districts organized thereunder.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Senate Bill No. 75 passed by the following vote:

AYES—Senators Baker, Breed, Bush, Christian, Cleveland, Clock, Crittenden, Deuel, Edwards, Evans, Fellom, Harper, Hays, Ingels, Inman, Jones, Maloney, McCormack, Mixer, Moran, Pedrotti, Riley, Schottky, Sharkey, Slater, Swing, Treacy, Tubbs, Waggy, Williams, and Young—31.

NOES—None.

Title read and approved.

Bill ordered transmitted to the Assembly.

Senate Bill No. 781—An act to amend section 16.11 of the Weights and Measures Act, relating to sealers of weights and measures in counties of the eleventh class.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Senate Bill No. 781 passed by the following vote:

AYES—Senators Allen, Baker, Breed, Bush, Christian, Cleveland, Crittenden, Duval, Edwards, Evans, Fellom, Harper, Hays, Ingels, Inman, Jones, Maloney, McCormack, Mixer, Moran, Riley, Schottky, Sharkey, Slater, Swing, Treacy, Tubbs, Waggy, and Williams—29.

NOES—None.

Title read and approved.

Bill ordered transmitted to the Assembly.

Senate Bill No. 548—An act to amend chapter 266, Statutes of 1923, entitled the California Vehicle Act, approved May 30, 1923, as amended, by amending the title thereof, by repealing section 20, and by amending sections 7, 7½, 8½, 21, 29, 35, 36, 41, 43, 47, 64, 72, 82, 83½, 85, 87, 89, 90, 91, 94, 95, 96, 100, 106, 110, 111, 113, 115, 116, 119, 122, 123, 124, 125, 126, 131, 135, 136, 138, 142, 145, 146, 151, and by adding thereto new sections numbered 7¼, 45¼, 47½, 57½, 62½, 64½, 93½, 111½, 113½, 114½, 131½, 135½, 136½, 139½, 145½, 145¾, relating to the regulation of traffic on streets and highways and to the use and operation of vehicles and the registration and identification of vehicles and the licensing of operators and chauffeurs, the service of civil process on nonresidents, the reporting of accidents and damage to vehicles, and to the powers and duties of the California Highway Patrol and to the erection of signs, signals or lights upon or adjacent to highways and to the enforcement of this act.

Bill read third time.

MOTION TO REFER TO SPECIAL COMMITTEE OF ONE.

During third reading of the bill, Senator Jones moved to refer Senate Bill No. 548 to Senator Inman, as a Special Committee of One, to amend as follows:

AMENDMENT NUMBER ONE.

On page 24, line 43, of the printed bill, as amended April 8, strike out the word "Forty-five", and insert in lieu thereof the word "Forty".

AMENDMENT NUMBER TWO.

On page 24, line 41, of the printed bill, as amended, strike out the words "Twenty-five", and insert in lieu thereof the word "Twenty".

AMENDMENT NUMBER THREE.

On page 24, line 39, of the printed bill, as amended, strike out the word "Twenty", and insert the word "Fifteen".

AYES AND NOES DEMANDED.

A roll call was demanded by Senators Jones, Breed and Maloney on Senator Jones' motion to refer Senate Bill No. 548 to Senator Inman, as a Special Committee of One, for amendment.

The roll was called, and Senator Jones' motion to refer Senate Bill No. 548 to Senator Inman, as a Special Committee of One, for amendment, lost by the following vote:

AYES—Senators Bush, Inman, Jones, Schottky, Slater, Waggy, and Young—7.

NOES—Senators Breed, Christian, Cleveland, Clock, Crittenden, Deuel, Duval, Evans, Fellom, Harper, Hays, Ingels, Maloney, McKinley, Mixter, Moran, Rochester, Sharkey, Swing, Treacy, Tubbs, and Williams—22.

MOTION TO EXTEND HOUR OF RECESS.

At one o'clock p.m., Senator Breed moved the hour of recess be extended until the conclusion of the argument on Senate Bill No. 548. Motion lost.

RECESS.

At one o'clock p.m., the President of the Senate declared recess until two o'clock p.m.

RECONVENED.

At two o'clock p.m., the Senate reconvened.

Lieutenant Governor Frank F. Merriam, President of the Senate, in the chair.

Assistant Secretary Francis E. Dalin at the desk.

MESSAGES FROM THE ASSEMBLY.

The following message from the Assembly was received and read:

ASSEMBLY CHAMBER, SACRAMENTO, April 13, 1931.

MR. PRESIDENT: I am directed to inform your honorable body that the Assembly on April 10, 1931, passed Assembly Bill No. 183—An act to amend an act entitled "An act providing for the incorporation, government and management of metropolitan water districts, authorizing such districts to incur bonded debt and to acquire, construct, operate and manage works and property, providing for the taxation of property therein and the performance of certain functions relating thereto by officers of counties, providing for the addition of area thereto and the exclusion of area therefrom and authorizing municipal corporations to aid and participate in the incorporation of such districts," approved May 10, 1927, as amended, designated the "Metropolitan Water District Act," by amending sections 2, 5, 5½, 6, 7, 8 and 9, all relating to the incorporation, powers, government and management of metropolitan water districts, and the addition of area thereto and declaring same an urgency measure.

ARTHUR A. OHNIMUS, Chief Clerk.
By FRED J. DESCH, Assistant Clerk.

Assembly Bill No. 183 read first time, and referred to Committee on Municipal Corporations.

REPORTS OF STANDING COMMITTEES—(RESUMED).

The following reports of standing committees were received and read:

ON RULES.

SENATE CHAMBER, SACRAMENTO, April 8, 1931.

MR. PRESIDENT: Your Committee on Rules, to which was referred Assembly Bill No. 612—An act to amend section 239 of the Political Code, relating to organization

of the Assembly—has had the same under consideration, and respectfully reports the same back, and recommends it do pass.

Committee membership—5; committee vote: Ayes—5.

BREED, Chairman.

Assembly Bill No. 612 ordered on file for second reading.

ON FEDERAL RELATIONS.

SENATE CHAMBER, SACRAMENTO, April 8, 1931.

MR. PRESIDENT: Your Committee on Federal Relations, to which was referred Assembly Joint Resolution No. 16—Relative to memorializing United States Secretary of Agriculture Arthur M. Hyde, to rescind his order of December 26, 1930, with regard to the labeling of food products containing corn sugar—has had the same under consideration, and respectfully reports the same back, and recommends that it be adopted.

Committee membership—5.

(Signed out)

SCHOTTKY, Chairman.

HARPER.

McCORMACK.

RILEY.

WAGY.

Assembly Joint Resolution No. 16 ordered on file.

ON GOVERNMENTAL EFFICIENCY.

SENATE CHAMBER, SACRAMENTO, April 13, 1931.

MR. PRESIDENT: Your Committee on Governmental Efficiency, to which was referred Senate Bill No. 276—An act to add a new article to chapter III of title I of part III of the Political Code, to be numbered article II_n, embracing sections 377 to 377_n, inclusive, relating to a Department of Professional and Vocational Standards—has had the same under consideration, and respectfully reports the same back with amendments, and recommends that the amendments be adopted, and be re-referred to this committee.

Committee membership—11; committee vote: Ayes—11.

CRITTENDEN, Chairman

CONSIDERATION OF COMMITTEE AMENDMENTS.

Pursuant to the report of the Committee on Governmental Efficiency, the following amendments to Senate Bill No. 276 were read and adopted:

AMENDMENT NUMBER ONE.

On page 3 of the printed bill, strike out line 43, and insert in lieu thereof the following: "investigators, inspectors, deputies and attorneys as are necessary to".

AMENDMENT NUMBER TWO.

On page 3 of the printed bill, strike out lines 46 and 47, and insert in lieu thereof the following: "said division of said department, and such investigators, inspectors, deputies and attorneys shall be exempt from the provisions".

AMENDMENT NUMBER THREE.

On page 3 of the printed bill, strike out lines 50 and 51, and insert in lieu thereof the following: "director of finance, to employ such investigators, inspectors, deputies and attorneys as are necessary to properly investigate and".

AMENDMENT NUMBER FOUR.

On page 4 of the printed bill, strike out lines 2 and 3, and insert in lieu thereof the following: "board in said division of said department and such investigators, inspectors, deputies and attorneys shall be exempt from the".

Bill ordered to print, and re-referred to Committee on Governmental Efficiency.

ON COUNTY GOVERNMENT.

SENATE CHAMBER, SACRAMENTO, April 10, 1931.

MR. PRESIDENT: Your Committee on County Government, to which was referred Senate Bill No. 884—An act to amend section 19.38 of the Juvenile Court Law, relating to probation officers in counties of the thirty-eighth class;

Also: Senate Bill No. 885—An act to amend section 232.38 of the Political Code, relating to the office of agricultural commissioner in counties of the thirty-eighth class;

Also: Senate Bill No. 886—An act to amend section 16.38 of the Weights and Measures Act, relating to sealers of weights and measures in counties of the thirty-eighth class;

Also: Senate Bill No. 887—An act to amend section 4267 of the Political Code, relating to compensation of county and township officers in counties of the thirty-eighth class;

Also: Senate Bill No. 919—An act to amend section 4233 of the Political Code, relating to the salaries, fees and expenses of officers in counties of the fourth class; Has had the same under consideration, and respectfully reports the same back with amendments, and recommends that the amendments be adopted, and that they do pass as amended.

Committee membership—9; committee vote: Ayes—7; absent—2.

WAGY, Chairman.

Senate Bills Nos. 884, 885, 886, 887 and 919 ordered on file for second reading.

Also:

MR. PRESIDENT: Your Committee on County Government, to which was referred Assembly Bill No. 1286—An act to amend section 16x18 of the Weights and Measures Act, relating to sealers of weights and measures in counties of the sixteenth class;

Also: Assembly Bill No. 201—An act to amend section 19x18 of the Juvenile Court Law, relating to salaries and expenses of probation officers and their assistants;

Also: Assembly Bill No. 204—An act to amend section 2322x18 of the Political Code, relating to the salary of the county agricultural commissioner, his deputies and inspectors, in counties of the sixteenth class;

Also: Assembly Bill No. 982—An act to amend section 4260 of the Political Code, relating to compensation of county and township officers in counties of the thirty-first class;

Also: Assembly Bill No. 1601—An act to amend section 4279 of the Political Code, relating to compensation of county and township officers in counties of the fiftieth class;

Also: Assembly Bill No. 1417—An act to amend section 19x24 of the Juvenile Court Law, as relating to salaries of probation officers in counties of the twenty-fourth class;

Has had the same under consideration, and respectfully reports the same back with amendments, and recommends that the amendments be adopted, and that they do pass as amended.

Committee membership—9; committee vote: Ayes—7; absent—2.

WAGY, Chairman.

Assembly Bills Nos. 1286, 201, 204, 982, 1601 and 1417 ordered on file for second reading.

Also:

MR. PRESIDENT: Your Committee on County Government, to which was referred Assembly Bill No. 1713—An act to amend section 19x39 of the Juvenile Court Law, relating to probation officers in counties of the thirty-ninth class;

Also: Assembly Bill No. 1714—An act to amend section 2322x39 of the Political Code, relating to the office of agricultural commissioner in counties of the thirty-ninth class;

Also: Assembly Bill No. 1716—An act to amend section 16x39 of the Weights and Measures Act, relating to sealers of weights and measures in counties of the thirty-ninth class;

Also: Assembly Bill No. 1718—An act to amend section 19x49 of the Juvenile Court Law, relating to probation officers in counties of the forty-ninth class;

Also: Assembly Bill No. 1074—An act to amend section 4249 of the Political Code, relating to compensation of county and township officers in counties of the twentieth class;

Also: Assembly Bill No. 1530—An act to amend section 16x20 of the Weights and Measures Act, relating to sealers of weights and measures in counties of the twentieth class;

Also: Assembly Bill No. 1535—An act to amend section 2322x20 of the Political Code, relating to the salary of the agricultural commissioner, his deputies and inspectors in counties of the twentieth class;

Also: Assembly Bill No. 1536—An act to amend section 19x20 of the Juvenile Court Law, relating to the compensation of the probation officers in counties of the twentieth class;

Has had the same under consideration, and respectfully reports the same back, and recommends that they do pass.

Committee membership—9; committee vote: Ayes—7; absent—2.

WAGY, Chairman.

Assembly Bills Nos. 1713, 1714, 1716, 1718, 1074, 1530, 1535 and 1536 ordered on file for second reading.

Also:

MR. PRESIDENT: Your Committee on County Government, to which was referred Assembly Bill No. 1162—An act relating to the supervision, investigation, and rehabilitation of wards of the juvenile court, committed to the care of any association, society, or corporation, embracing within its objects the purpose of caring for or obtaining homes for such persons;

Also: Assembly Bill No. 1600—An act to amend section 9a50 of an act entitled "An act to provide for the establishment and maintenance of county free libraries in the State of California, and repealing 'An act entitled 'An act to provide county library systems,' approved April 12, 1909, and all acts and parts of acts in conflict with this act,'" approved February 25, 1911, as amended, relating to libraries in counties of the fiftieth class;

Also: Assembly Bill No. 1602—An act to amend section 16x50 of the Weights and Measures Act, relating to sealers of weights and measures in counties of the fiftieth class;

Also: Assembly Bill No. 1603—An act to amend section 2322x50 of the Political Code, relating to the office of agricultural commissioner in counties of the fiftieth class;

Also: Assembly Bill No. 1604—An act to amend section 9a33 of an act entitled "An act to provide for the establishment and maintenance of county free libraries in the State of California, and repealing 'An act entitled 'An act to provide county library systems,' approved April 12, 1909, and all acts and parts of acts in conflict with this act,'" approved February 25, 1911, as amended, relating to libraries in counties of the thirty-third class;

Also: Assembly Bill No. 1605—An act to amend section 4262 and to repeal section 4257a of the Political Code, relating to compensation of county and township officers in counties of the thirty-third class;

Also: Assembly Bill No. 1606—An act to amend section 16x33 of the Weights and Measures Act, relating to sealers of weights and measures in counties of the thirty-third class;

Has had the same under consideration, and respectfully reports the same back, and recommends that they do pass.

Committee membership—9; committee vote: Ayes—7; absent—2.

WAGY, Chairman.

Assembly Bills Nos. 1162, 1600, 1602, 1603, 1604, 1605 and 1606 ordered on file for second reading.

Also:

MR. PRESIDENT: Your Committee on County Government, to which was referred Assembly Bill No. 599—An act to amend sections 2322a and 2322g of the Political Code, relating to county horticultural commissioner—has had the same under consideration, and respectfully reports the same back, and recommends that bill be re-referred to Committee on Agriculture and Live Stock.

Committee membership—9; committee vote: Ayes—7; absent—2.

WAGY, Chairman.

Assembly Bill No. 599 ordered re-referred to Committee on Agriculture and Live Stock.

Also:

MR. PRESIDENT: Your Committee on County Government, to which was referred Assembly Bill No. 1705—An act to amend section 19x31 of the Juvenile Court Law, relating to probation officers in counties of the thirty-first class;

Also: Assembly Bill No. 1706—An act to amend section 16x31 of the Weights and Measures Act, relating to sealers of weights and measures in counties of the thirty-first class;

Also: Assembly Bill No. 1707—An act to amend section 9a31 of an act entitled "An act to provide for the establishment and maintenance of county free libraries in the State of California, and repealing 'An act entitled 'An act to provide county library systems,' approved April 12, 1909, and all acts and parts of acts in conflict with this act,'" approved February 25, 1911, as amended, relating to libraries in counties of the thirty-first class;

Also: Assembly Bill No. 1709—An act to amend section 2322x43 of the Political Code, relating to the office of agricultural commissioner in counties of the forty-third class;

Also: Assembly Bill No. 1710—An act to amend section 16x43 of the Weights and Measures Act, relating to sealers of weights and measures in counties of the forty-third class;

Also: Assembly Bill No. 1711—An act to amend section 16~~x~~49 of the Weights and Measures Act, relating to sealers of weights and measures in counties of the forty-ninth class;

Also: Assembly Bill No. 1712—An act to amend section 2322~~x~~49 of the Political Code, relating to the office of agricultural commissioner in counties of the forty-ninth class;

Has had the same under consideration, and respectfully reports the same back, and recommends that they do pass.

Committee membership—9; committee vote: Ayes—7; absent—2.

WAGY, Chairman.

Assembly Bills Nos. 1705, 1706, 1707, 1709, 1710, 1711 and 1712 ordered on file for second reading.

Also:

MR. PRESIDENT: Your Committee on County Government, to which was referred Assembly Bill No. 208—An act to amend section 4285 of the Political Code, relating to the salaries, fees and expenses of officers in counties of the fifty-sixth class;

Also: Assembly Bill No. 210—An act to amend section 4278 of the Political Code, relating to officers in counties of the forty-ninth class and the salaries, fees and expenses thereof;

Also: Assembly Bill No. 413—An act to amend sections 4268 and 4268~~a~~ and to repeal section 4273~~a~~ of the Political Code, relating to fees and salaries of officers in counties of the thirty-ninth class;

Also: Assembly Bill No. 1296—An act to add section 19~~x~~43 to the Juvenile Court Law, relating to salary of the probation officer in counties of the forty-third class;

Also: Assembly Bill No. 1297—An act to amend sections 4272 and 4272~~a~~ of the Political Code, relating to the salaries, fees and expenses of officers, and the fees and mileage of jurors in counties of the forty-third class;

Also: Assembly Bill No. 1701—An act to add a new section to be numbered 9~~a~~43 to the act entitled "An act to provide for the establishment and maintenance of county free libraries in the State of California, and repealing 'An act entitled "An act to provide county library systems," approved April 12, 1909, and all acts and parts of acts in conflict with this act," approved February 25, 1911, as amended, relating to libraries in counties of the forty-third class;

Also: Assembly Bill No. 1704—An act to amend section 2322~~x~~31 of the Political Code, relating to the office of agricultural commissioner in counties of the thirty-first class;

Has had the same under consideration, and respectfully reports the same back, and recommends that they do pass.

Committee membership—9; committee vote: Ayes—7; absent—2.

WAGY, Chairman.

Assembly Bills Nos. 208, 210, 413, 1296, 1297, 1701 and 1704 ordered on file for second reading.

CONSIDERATION OF DAILY FILE.

THIRD READING OF SENATE BILLS—(RESUMED).

CONSIDERATION OF SENATE BILL NUMBER FIVE HUNDRED

FORTY-EIGHT—(RESUMED).

Senate Bill No. 548—An act to amend chapter 266, Statutes of 1923, entitled the California Vehicle Act, approved May 30, 1923, as amended, by amending the title thereof, and by amending sections 7, 7½, 8½, 21, 29, 35, 36, 41, 43, 47, 64, 72, 82, 83½, 85, 87, 89, 90, 91, 94, 95, 96, 100, 106, 110, 111, 113, 115, 116, 119, 122, 123, 124, 125, 126, 131, 135, 136, 138, 142, 145, 146, 151, and by adding thereto new sections numbered 7¼, 45¾, 47½, 57½, 62½, 64½, 93½, 111¾, 113½, 114¾, 131½, 135½, 136½, 139¾, 145½, 145¾, relating to the regulation of traffic on streets and highways and to the use and operation of vehicles and the registration and identification of vehicles and the licensing of operators and chauffeurs, the service of civil process on nonresidents, the reporting of accidents and damage to vehicles, and to the powers and duties of the Cali-

fornia Highway Patrol and to the erection of signs, signals or lights upon or adjacent to highways and to the enforcement of this act.

Bill read third time previously.

The question being on the passage of the bill.

The roll was called, and Senate Bill No. 548 passed by the following vote:

AYES—Senators Baker, Breed, Christian, Cleveland, Clock, Crittenden, Duval, Duval, Edwards, Evans, Fellom, Harper, Hays, Inman, Jones, Maloney, McCormack, Mixer, Moran, Pedrotti, Riley, Rochester, Schottky, Sharkey, Slater, Treacy, Tubbs, Waggy, Williams, and Young—30.

NOES—None.

Title read and approved.

Bill ordered transmitted to the Assembly.

Senate Bill No. 768—An act to amend section 636 of the Penal Code, relating to the protection of fish.

Bill read third time.

MOTION TO REFER TO SPECIAL COMMITTEE OF ONE.

During third reading of the bill, Senator Duval moved to refer Senate Bill No. 768 to Senator Young, as a Special Committee of One, to amend as follows:

AMENDMENT NUMBER ONE.

On page 5, line 38, of the printed bill, as amended, strike out the word "into", and insert in lieu thereof the words "to the division of fish and game for deposit in".

Motion carried.

REPORT OF SPECIAL COMMITTEE OF ONE.

SENATE CHAMBER, SACRAMENTO, April 13, 1931.

MR. PRESIDENT: Your Special Committee of One, to which was referred Senate Bill No. 768, with instructions to amend, respectfully reports the same back, amended as per instructions.

YOUNG, Committee.

Report read, and on motion of Senator Duval adopted.

Bill ordered to print, and re-engrossment.

INTRODUCTION, FIRST READING AND REFERENCE OF BILLS—(RESUMED).

The following resolution was offered:

By Senators Fellom, Maloney, Treacy and Tubbs: Senate Concurrent Resolution No. 33—Approving the charter of the City and County of San Francisco, State of California, voted for and ratified by the electors of said City and County of San Francisco at a special election held therein on the twenty-sixth day of March, 1931.

CONSIDERATION OF SENATE CONCURRENT RESOLUTION NUMBER THIRTY-THREE.

Senator Maloney asked for, and was granted, unanimous consent for the consideration of Senate Concurrent Resolution No. 33, without reference to committee, for purpose of adoption.

Senate Concurrent Resolution No. 33—Approving the charter of the City and County of San Francisco, State of California, voted for and ratified by the electors of said City and County of San Francisco at a special election held therein on the twenty-sixth day of March, 1931.

Resolution read.

The question being on the adoption of the resolution.

The roll was called, and Senate Concurrent Resolution No. 33 adopted by the following vote:

AYES—Senators Baker, Breed, Christian, Cleveland, Clock, Crittenden, Deuel, Duval, Edwards, Evans, Fellom, Harper, Hays, Inman, Jones, Maloney, McCormack, Mixer, Moran, Pedrotti, Riley, Rochester, Schottky, Sharkey, Slater, Treacy, Tubbs, Wag, Williams, and Young—30.

NOES—None.

Senate Concurrent Resolution No. 33 ordered transmitted to the Assembly.

Senate Bill No. 300—An act to amend section 1197 of the Political Code, relating to election ballots.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Senate Bill No. 300 passed by the following vote:

AYES—Senators Baker, Breed, Christian, Cleveland, Clock, Crittenden, Deuel, Duval, Edwards, Evans, Fellom, Harper, Hays, Jones, Maloney, McCormack, Mixer, Moran, Pedrotti, Riley, Rochester, Schottky, Sharkey, Slater, Treacy, Tubbs, Wag, Williams, and Young—29.

NOES—None.

Title read and approved.

Bill ordered transmitted to the Assembly.

Senate Bill No. 230—An act to amend sections 4130 and 4300c of the Political Code, relating to recorders and fees.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Senate Bill No. 230 passed by the following vote:

AYES—Senators Baker, Breed, Christian, Cleveland, Clock, Crittenden, Deuel, Duval, Edwards, Evans, Fellom, Harper, Hays, Jones, Maloney, McCormack, Mixer, Moran, Pedrotti, Riley, Rochester, Schottky, Sharkey, Slater, Treacy, Tubbs, Wag, Williams, and Young—29.

NOES—None.

Title read and approved.

Bill ordered transmitted to the Assembly.

CONSIDERATION OF DAILY FILE.

THIRD READING OF ASSEMBLY BILLS.

Assembly Bill No. 1063—An act to add a new section to the Code of Civil Procedure to be numbered 1952, relating to the destruction or other disposal of exhibits introduced at the trial of civil actions or proceedings.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Assembly Bill No. 1063 passed by the following vote:

AYES—Senators Baker, Breed, Christian, Cleveland, Clock, Deuel, Duval, Edwards, Evans, Fellom, Harper, Hays, Inman, Maloney, McCormack, McKinley, Mixer, Moran, Pedrotti, Riley, Rochester, Schottky, Sharkey, Slater, Treacy, Tubbs, Wag, Williams, and Young—29.

NOES—None.

Title read and approved.

Bill ordered transmitted to the Assembly.

Assembly Bill No. 147—An act to amend section 4 of chapter 740, Statutes of 1927, entitled "An act to authorize and control the deposit in banks of money belonging to or in the custody of any county, city and county, city, town, municipality or other political subdivision within this State, and to repeal all acts or parts of acts in conflict with this act," approved May 24, 1927, relating to the deposit of bonds of municipal water districts and bridge and highway districts as security.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Assembly Bill No. 147 passed by the following vote:

AYES—Senators Baker, Breed, Christian, Cleveland, Clock, Deuel, Duval, Edwards, Evans, Fellom, Harper, Hays, Inman, Maloney, McCormack, McKinley, Mixer, Moran, Pedrotti, Riley, Rochester, Schottky, Sharkey, Slater, Treacy, Tubbs, Wagy, Williams, and Young—29.

NOES—None.

Title read and approved.

Bill ordered transmitted to the Assembly.

Assembly Bill No. 651—An act to amend section 11 of chapter 387, Statutes of 1913, entitled "An act providing for the organization of water districts by the board of supervisors of the different counties of the State upon petition therefor by the landowners; providing for the joint government and control thereof by the landowners thereof and the board of supervisors of the county in which the same are formed; providing for the duties in connection therewith of the county officials of each county in which any of the lands contained in said district are located; providing for the acquisition and construction by said district of irrigation works, for the irrigation of the lands embraced therein and for the distribution thereby of water for irrigation purposes; providing for the payment of the debts thereof by a tax levied on the lands embraced therein; providing for the issuance and sale of bonds thereby; providing that said bonds may be investigated by an appointive board of three hydraulic engineers; providing for the approval of said bonds by the State Superintendent of Banks in case said investigation is favorably reported and that thereafter said bonds may be lawfully purchased, or received in pledge as security for any money or deposits or for the performance of any act, by banks, banking institutions, insurance companies, trust companies, guardians, executors, administrators and special administrators; providing in certain cases for the transfer of districts from the supervision of one county board of supervisors to another; and providing for the dissolution of said districts for nonuser of corporate power," approved June 13, 1913, relating to sale of the title to lands in such water districts of which the district was purchaser at a delinquent tax sale.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Assembly Bill No. 651 passed by the following vote:

AYES—Senators Baker, Breed, Christian, Cleveland, Clock, Deuel, Duval, Edwards, Evans, Fellom, Harper, Hays, Inman, Maloney, McCormack, McKinley, Mixer, Moran, Pedrotti, Riley, Rochester, Schottky, Sharkey, Slater, Treacy, Tubbs, Wagy, and Williams—28.

NOES—None.

Title read and approved.

Bill ordered transmitted to the Assembly.

Assembly Bill No. 268—An act to amend section 2322x34 of the Political Code, relating to the salary and compensation of the agricultural commissioner in counties of the thirty-fourth class.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Assembly Bill No. 268 passed by the following vote:

AYES—Senators Baker, Breed, Christian, Cleveland, Clock, Deuel, Duval, Edwards, Evans, Fellom, Harper, Hays, Inman, Maloney, McCormack, McKinley, Mixer, Moran, Pedrotti, Riley, Rochester, Schottky, Sharkey, Slater, Treacy, Tubbs, Wagy, Williams, and Young—29.

NOES—None.

Title read and approved.

Bill ordered transmitted to the Assembly.

Assembly Bill No. 1555—An act to amend section 2322x31 of the Political Code, relating to the office of agricultural commissioner in counties of the thirty-first class.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Assembly Bill No. 1555 passed by the following vote:

AYES—Senators Baker, Breed, Christian, Cleveland, Clock, Deuel, Duval, Edwards, Evans, Fellom, Harper, Hays, Inman, Maloney, McCormack, McKinley, Mixer, Moran, Pedrotti, Riley, Rochester, Schottky, Sharkey, Slater, Treacy, Tubbs, Wagy, Williams, and Young—29.

NOES—None.

Title read and approved.

Bill ordered transmitted to the Assembly.

Assembly Bill No. 1556—An act to amend section 19x31 of the Juvenile Court Law, relating to probation officers in counties of the thirty-first class.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Assembly Bill No. 1556 passed by the following vote:

AYES—Senators Baker, Breed, Christian, Cleveland, Clock, Crittenden, Deuel, Duval, Edwards, Evans, Fellom, Harper, Hays, Inman, Maloney, McCormack, McKinley, Mixer, Moran, Pedrotti, Riley, Rochester, Schottky, Sharkey, Slater, Treacy, Wagy, Williams, and Young—29.

NOES—None.

Title read and approved.

Bill ordered transmitted to the Assembly.

Assembly Bill No. 1557—An act to amend section 4260 of the Political Code, relating to compensation of county and township officers in counties of the thirty-first class.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Assembly Bill No. 1557 passed by the following vote:

AYES—Senators Baker, Breed, Christian, Cleveland, Clock, Crittenden, Deuel, Duval, Edwards, Evans, Fellom, Harper, Hays, Inman, Maloney, McCormack,

McKinley, Mixer, Moran, Pedrotti, Riley, Rochester, Schottky, Sharkey, Slater, Treacy, Tubbs, Wagy, Williams, and Young—30.

NOES—None.

Title read and approved.

Bill ordered transmitted to the Assembly.

Assembly Bill No. 1558—An act to amend section 16r31 of the Weights and Measures Act, relating to sealers of weights and measures in counties of the thirty-first class.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Assembly Bill No. 1558 passed by the following vote:

AYES—Senators Baker, Breed, Christian, Cleveland, Clock, Crittenden, Duval, Edwards, Evans, Harper, Hays, Inman, Maloney, McCormack, McKinley, Mixer, Moran, Pedrotti, Riley, Schottky, Sharkey, Slater, Treacy, Tubbs, Wagy, Williams, and Young—27.

NOES—None.

Title read and approved.

Bill ordered transmitted to the Assembly.

Assembly Bill No. 1559—An act to amend section 19r34 of the Juvenile Court Law, relating to probation officers in counties of the thirty-fourth class.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Assembly Bill No. 1559 passed by the following vote:

AYES—Senators Baker, Breed, Christian, Cleveland, Clock, Crittenden, Denel, Duval, Edwards, Harper, Hays, Inman, Jones, Maloney, McCormack, McKinley, Mixer, Moran, Pedrotti, Riley, Schottky, Sharkey, Slater, Treacy, Tubbs, Wagy, and Williams—27.

NOES—None.

Title read and approved.

Bill ordered transmitted to the Assembly.

Assembly Bill No. 1561—An act to amend section 16r34, Weights and Measures Act, relating to sealers of weights and measures in counties of the thirty-fourth class.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Assembly Bill No. 1561 passed by the following vote:

AYES—Senators Baker, Breed, Christian, Cleveland, Clock, Crittenden, Denel, Duval, Edwards, Fellom, Harper, Hays, Inman, Jones, Maloney, McCormack, McKinley, Mixer, Pedrotti, Riley, Rochester, Schottky, Sharkey, Slater, Treacy, Tubbs, Wagy, and Williams—28.

NOES—None.

Title read and approved.

Bill ordered transmitted to the Assembly.

Assembly Bill No. 1562—An act to amend section 4263 of the Political Code, relating to compensation of county and township officers in counties of the thirty-fourth class.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Assembly Bill No. 1562 passed by the following vote:

AYES—Senators Baker, Breed, Christian, Cleveland, Clock, Crittenden, Deuel, Duval, Edwards, Fellom, Harper, Hays, Jones, Maloney, McCormack, McKinley, Mixer, Moran, Pedrotti, Schottky, Sharkey, Slater, Treacy, Tubbs, Wagy, and Williams—26.

NOES—None.

Title read and approved.

Bill ordered transmitted to the Assembly.

Assembly Bill No. 524—An act to amend sections 45, 47, and 48 of the California Irrigation District Act, relating to certificates of sale of lands sold for delinquent assessments and deeds issued pursuant thereto.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Assembly Bill No. 524 passed by the following vote:

AYES—Senators Baker, Breed, Christian, Cleveland, Clock, Crittenden, Deuel, Duval, Evans, Fellom, Harper, Hays, Maloney, McCormack, McKinley, Mixer, Moran, Pedrotti, Schottky, Sharkey, Slater, Treacy, Tubbs, Wagy, and Williams—25.

NOES—None.

Title read and approved.

Bill ordered transmitted to the Assembly.

Assembly Bill No. 618—An act to amend section 4307 of the Political Code, relating to county charges.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Assembly Bill No. 618 passed by the following vote:

AYES—Senators Baker, Breed, Christian, Cleveland, Clock, Crittenden, Deuel, Duval, Edwards, Evans, Fellom, Harper, Hays, Inman, Maloney, McKinley, Mixer, Moran, Pedrotti, Schottky, Sharkey, Slater, Treacy, Tubbs, Wagy, and Williams—26.

NOES—None.

Title read and approved.

Bill ordered transmitted to the Assembly.

Assembly Bill No. 619—An act to amend section 4300f of the Political Code, relating to jurors' fees.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Assembly Bill No. 619 passed by the following vote:

AYES—Senators Baker, Breed, Christian, Cleveland, Clock, Crittenden, Deuel, Duval, Edwards, Evans, Fellom, Harper, Hays, Inman, Maloney, McCormack, McKinley, Mixer, Moran, Pedrotti, Schottky, Sharkey, Slater, Treacy, Tubbs, Wagy, and Williams—27.

NOES—None.

Title read and approved.

Bill ordered transmitted to the Assembly.

Assembly Bill No. 534—An act to amend section 103½ of the Code of Civil Procedure, relating to clerks of justices' courts in cities or towns

of the second and one-fourth, second and one-half, second and three-fourths and third classes, and appointments, salaries and duties of same.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Assembly Bill No. 534 passed by the following vote:

AYES—Senators Baker, Breed, Christian, Cleveland, Clock, Crittenden, Deuel, Duval, Edwards, Evans, Fellom, Harper, Hays, Inman, Maloney, McCormack, McKinley, Mixer, Moran, Pedrotti, Schottky, Sharkey, Slater, Treacy, Tubbs, Wagy, and Williams—27.

NOES—None.

Title read and approved.

Bill ordered transmitted to the Assembly.

Assembly Bill No. 365—An act to amend sections 4 and 5 of chapter 652, Statutes of 1921, entitled "An act to provide for the organization and government of public cemetery districts," approved June 1, 1921.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Assembly Bill No. 365 passed by the following vote:

AYES—Senators Baker, Breed, Christian, Clock, Crittenden, Deuel, Duval, Edwards, Evans, Fellom, Harper, Hays, Inman, Jones, Maloney, McCormack, McKinley, Mixer, Moran, Pedrotti, Schottky, Sharkey, Slater, Treacy, Tubbs, Wagy, Williams, and Young—28.

NOES—None.

Title read and approved.

Bill ordered transmitted to the Assembly.

Assembly Bill No. 1435—An act to amend section 2185c of the Political Code, relating to intemperate users of stimulants, and recommitment of intemperate users of narcotics.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Assembly Bill No. 1435 passed by the following vote:

AYES—Senators Baker, Breed, Christian, Cleveland, Clock, Crittenden, Deuel, Duval, Edwards, Evans, Fellom, Harper, Hays, Jones, Maloney, McCormack, McKinley, Mixer, Moran, Pedrotti, Schottky, Sharkey, Slater, Treacy, Tubbs, Wagy, Williams, and Young—28.

NOES—None.

Title read and approved.

Bill ordered transmitted to the Assembly.

Assembly Bill No. 1235—An act to amend section 3 of the Narcotic Rehabilitation Act, approved April 9, 1927, as amended, relating to the arrest and examination of alleged drug addicts.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Assembly Bill No. 1235 passed by the following vote:

AYES—Senators Baker, Breed, Christian, Cleveland, Clock, Crittenden, Deuel, Duval, Edwards, Evans, Fellom, Harper, Hays, Inman, Maloney, McCormack, McKin-

ley, Mixer, Moran, Schottky, Sharkey, Slater, Treacy, Tubbs, Wagy, Williams, and Young—27.

NOES—None.

Title read and approved.

Bill ordered transmitted to the Assembly.

Assembly Bill No. 349—An act to amend section 6 of chapter 358, Statutes of 1925, entitled "An act authorizing the establishment of municipal courts, prescribing their constitution, regulation, government, procedure and jurisdiction, and providing for the election and appointment of the judges, clerks and other attaches of such courts, their terms of office, qualification and compensation and for the selection of jurors therein," approved May 23, 1925, as amended.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Assembly Bill No. 349 passed by the following vote:

AYES—Senators Allen, Baker, Breed, Cleveland, Clock, Crittenden, Deuel, Duval, Edwards, Evans, Fellom, Harper, Hays, Inman, Jones, Maloney, McCormack, McKinley, Mixer, Moran, Rochester, Schottky, Sharkey, Slater, Treacy, Tubbs, Wagy, and Young—28.

NOES—None.

Title read and approved.

Bill ordered transmitted to the Assembly.

Assembly Bill No. 1887—An act authorizing the State of California to accept and receive title to certain real property to be used as the site of the erection of a hangar.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Assembly Bill No. 1887 passed by the following vote:

AYES—Senators Allen, Baker, Breed, Christian, Cleveland, Clock, Crittenden, Deuel, Duval, Edwards, Evans, Fellom, Harper, Hays, Inman, Maloney, McCormack, McKinley, Mixer, Moran, Rochester, Schottky, Sharkey, Slater, Treacy, Tubbs, Wagy, Williams, and Young—29.

NOES—None.

Title read and approved.

Bill ordered transmitted to the Assembly.

Assembly Bill No. 513—An act establishing standards, tests and requirements for certain refined petroleum products, providing for taking samples thereof, providing for sealing of certain containers, pumps and storage tanks connected thereto, providing for labeling of certain containers and pumps, and further, providing an annual license fee and fixing a penalty for the violation thereof of provisions contained therein.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Assembly Bill No. 513 passed by the following vote:

AYES—Senators Allen, Baker, Breed, Christian, Cleveland, Clock, Crittenden, Deuel, Duval, Edwards, Evans, Fellom, Harper, Inman, Jones, Maloney, McCormack, McKinley, Mixer, Moran, Rochester, Schottky, Sharkey, Slater, Treacy, Tubbs, Wagy, Williams, and Young—29.

NOES—None.

REPORTS OF STANDING COMMITTEES—(RESUMED).

The following report of standing committee was received and read:

ON ENGROSSMENT, ENROLLMENT AND PRINTING.

SENATE CHAMBER, SACRAMENTO, April 13, 1931.

MR. PRESIDENT: Your Committee on Engrossment, Enrollment and Printing has examined Senate Bill No. 945—An act to define building and loan associations and to regulate them and their organization, business, operation, consolidation and liquidation, and (without limiting the generality of the foregoing) also to do the following: To define and regulate the agents, salesmen and collectors of such associations, and to regulate their officers, directors and employees; to define, authorize, and regulate the issuance of, shares, stock and investment certificates of such associations, and to prescribe the rights, remedies and liabilities of holders thereof, and to make such investment certificates legal investments for certain purposes; to prescribe the rights, powers, remedies, duties and liabilities of such associations and the rights and remedies of their creditors; to regulate the investments, loans and borrowings of such associations, and their accounts, reports, audits, statements and advertising; to create and continue the Building and Loan Department and the office of Building and Loan Commissioner, provide for the salaries and expenses of such commissioner and his assistants and employees and define their rights, powers, remedies and duties; to provide penalties for offenses by such associations, their directors, officers, agents, salesmen, collectors and employees and by other persons and corporations; and to repeal title XVI of part IV of division I of the Civil Code, chapter 354 of the Statutes of 1911 and acts amendatory thereof and supplemental thereto; chapter 133 of the Statutes of 1927, and all other acts and parts of acts inconsistent herewith—and reports that the same has been correctly engrossed.

RILEY, Chairman.

CONSIDERATION OF DAILY FILE.

THIRD READING OF SENATE BILLS—(RESUMED).

Senate Bill No. 945—An act to define building and loan associations and to regulate them and their organization, business, operation, consolidation and liquidation, and (without limiting the generality of the foregoing) also to do the following: To define and regulate the agents, salesmen and collectors of such associations, and to regulate their officers, directors and employees; to define, authorize, and regulate the issuance of, shares, stock and investment certificates of such associations, and to prescribe the rights, remedies and liabilities of holders thereof, and to make such investment certificates legal investments for certain purposes; to prescribe the rights, powers, remedies, duties and liabilities of such associations and the rights and remedies of their creditors; to regulate the investments, loans and borrowings of such associations, and their accounts, reports, audits, statements and advertising; to create and continue the Building and Loan Department and the office of Building and Loan Commissioner, provide for the salaries and expenses of such commissioner and his assistants and employees and define their rights, powers, remedies and duties; to provide penalties for offenses by such association, their directors, officers, agents, salesmen, collectors and employees and by other persons and corporations; and to repeal title XVI of part IV of division I of the Civil Code, chapter 354 of the Statutes of 1911 and acts amendatory thereof and supplemental thereto; chapter 133 of the Statutes of 1927, and all other acts and parts of acts inconsistent herewith.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Senate Bill No. 945 passed by the following vote:

AYES—Senators Allen, Baker, Breed, Christian, Clock, Crittenden, Deuel, Duval, Edwards, Evans, Fellom, Harper, Hays, Ingels, Inman, Jones, Maloney, McCor-

mack, McKinley, Mixter, Riley, Rochester, Schottky, Sharkey, Slater, Treacy, Tubbs, Wag, Williams, and Young—30.

NOES—None.

AMENDMENT TO TITLE.

The following amendment to the title was offered, and its adoption moved by Senator Inman:

AMENDMENT NUMBER ONE.

In lines 18 and 19 of the title of the printed bill, strike out the following: "the salaries and expenses of such commissioner and his assistants and employees"; in line 20 of the title, strike out the word "their", and insert the word "the", and after the word "duties", insert the following: "of the commissioner and his assistants and employees".

Amendment adopted.

Title, as amended, read and approved.

Bill ordered to print and re-grossment, and transmitted to the Assembly.

Senate Bill No. 368—An act to amend section 3817 of the Political Code, relating to the redemption of property sold for taxes.

Bill read third time.

MOTION TO REFER TO SPECIAL COMMITTEE OF ONE.

During third reading of the bill, Senator Crittenden moved to refer Senate Bill No. 368 to Senator Moran, as a Special Committee of One, to amend as follows:

AMENDMENT NUMBER ONE.

On page 1 of the printed bill, as amended in the Senate April 9, 1931, commencing in line 5 thereof, strike out the comma following the word "code", and strike out the following: "and the period of redemption has not expired thereon".

AMENDMENT NUMBER TWO.

On page 1, line 10, of the printed bill, as amended in the Senate April 9, 1931, after the word "taxes", insert the following: "due on said property".

AMENDMENT NUMBER THREE.

On page 1 of the printed bill, as amended in the Senate April 9, 1931, commencing in line 14 thereof, strike out the following: "and before the period of redemption has expired", and insert in lieu thereof the following: "and prior to the sale at auction provided for in section 3771a of this code".

AMENDMENT NUMBER FOUR.

On page 2, line 1, of the printed bill, as amended in the Senate April 9, 1931, after the word "redeemed", insert the following: "and to postpone the date of sale by auction as provided by section 3771a of this code and the execution of the deed to the state as provided by section 3785 of this code".

AMENDMENT NUMBER FIVE.

On page 2, line 9, of the printed bill, as amended in the Senate April 9, 1931, after the word "on", insert the following: "the aggregate amount of".

AMENDMENT NUMBER SIX.

On page 2, line 16, of the printed bill, as amended in the Senate April 9, 1931, after the word "on", insert the words "the aggregate amount of".

AMENDMENT NUMBER SEVEN.

On page 2, line 16, of the printed bill, as amended in the Senate April 9, 1931, after the word "annum", strike out the period and insert in lieu thereof a semicolon and the following: "provided, however, that if any of the payments, as hereinabove in subdivisions (1) and (2) of this section provided, shall be made on or after the first day of July of any year and the state and county taxes on said property for the fiscal year next preceding such payment have not theretofore been paid, then such person must contemporaneously with the payments hereinabove provided also pay the said state and county taxes for the fiscal year next preceding such payment together with the penalties and costs due thereon".

AMENDMENT NUMBER EIGHT.

On page 2 of the printed bill, as amended in the Senate April 9, 1931, commencing in line 17 thereof, strike out the following: "to the county treasurer".

AMENDMENT NUMBER NINE.

On page 2, line 18, of the printed bill, as amended in the Senate April 9, 1931, after the word "certificate", insert the following: "in triplicate".

AMENDMENT NUMBER TEN.

On page 2 of the printed bill, as amended in the Senate April 9, 1931, commencing in line 19 thereof, strike out the comma following the word "provided", and strike out the following: "and upon payment thereof a receipt shall be given by the county treasurer to the person so paying said amounts", and insert in lieu thereof a period and the following: "One copy of said certificate shall be delivered to the person making such payment and upon payment being made a receipt shall be indorsed upon said certificate by the county treasurer".

AMENDMENT NUMBER ELEVEN.

On page 2, line 26, of the printed bill, as amended in the Senate April 9, 1931, after the period following the word "deposited", insert a new paragraph as follows: "The county auditor shall keep accurate records of all payments made hereunder in a book kept for that purpose, said records to show the name of the person making said payments, the amount or amounts paid, the certificate number, if any, and the year or years of delinquency together with a description of the property".

AMENDMENT NUMBER TWELVE.

On page 2, line 36, of the printed bill, as amended in the Senate April 9, 1931, after the word "redemption", insert the following: "and to postpone the sale provided for by section 3771a of this code and the execution of the deed provided for in section 3785 of this code".

AMENDMENT NUMBER THIRTEEN.

On page 2, line 38, of the printed bill, as amended in the Senate April 9, 1931, after the word "payments", insert the following: "to the date of redemption".

Motion carried.

REPORT OF SPECIAL COMMITTEE OF ONE.

SENATE CHAMBER, SACRAMENTO, April 13, 1931.

MR. PRESIDENT: Your Special Committee of One, to which was referred Senate Bill No. 368, with instructions to amend, respectfully reports the same back, amended as per instructions.

MORAN, Committee.

Report read, and on motion of Senator Crittenden adopted.

Bill ordered to print, and re-engrossment.

Senate Bill No. 711—An act to amend section 2322.8 of the Political Code, relating to the office of agricultural commissioner in counties of the eighth class.

Bill read third time.

MOTION TO REFER TO SPECIAL COMMITTEE OF ONE.

During third reading of the bill, Senator Crittenden moved to refer Senate Bill No. 711 to Senator Maloney, as a Special Committee of One, to amend as follows:

AMENDMENT NUMBER ONE.

On page 1, line 7, of the printed bill, strike out "this", and insert in lieu thereof the following: "the tenth".

Motion carried.

REPORT OF SPECIAL COMMITTEE OF ONE.

SENATE CHAMBER, SACRAMENTO, April 13, 1931.

MR. PRESIDENT: Your Special Committee of One, to which was referred Senate Bill No. 711 with instructions to amend, respectfully reports the same back, amended as per instructions.

MALONEY, Committee.

Report read, and on motion of Senator Crittenden adopted.

Bill ordered to print, and re-engrossment.

CONSIDERATION OF DAILY FILE.

THIRD READING OF ASSEMBLY BILLS—(RESUMED).

Assembly Bill No. 1865—An act to amend section 1918 of the Code of Civil Procedure, relating to the manner of proving official documents. Bill read third time.

MOTION TO REFER TO SPECIAL COMMITTEE OF ONE.

During third reading of the bill, Senator Rochester moved to refer Assembly Bill No. 1865 to Senator Christian, as a Special Committee of One, to amend as follows:

AMENDMENT NUMBER ONE.

On page 1, line 23, of the printed bill, as amended March 20, insert the words "county or", before the word "municipal".

AMENDMENT NUMBER TWO.

On page 1, line 26, of the printed bill, as amended March 20, before the word "corporation", insert the words "county or".

Motion carried.

REPORT OF SPECIAL COMMITTEE OF ONE.

SENATE CHAMBER, SACRAMENTO, April 13, 1931.

MR. PRESIDENT: Your Special Committee of One, to which was referred Assembly Bill No. 1865, with instructions to amend, respectfully reports the same back, amended as per instructions.

CHRISTIAN, Committee.

Report read, and on motion of Senator Rochester adopted.
Bill ordered to print.

CONSIDERATION OF DAILY FILE.

SECOND READING OF SENATE BILLS—(RESUMED).

Senate Bill No. 323—An act to amend section 607 of the Penal Code, relating to the destroying or injuring of reclamation or irrigation ditches.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Senate Bill No. 323 passed by the following vote:

AYES—Senators Allen, Baker, Breed, Christian, Cleveland, Crittenden, Deuel, Duval, Edwards, Evans, Fellom, Harper, Hays, Ingels, Inman, Maloney, McCormack, Mixer, Moran, Riley, Rochester, Schottky, Sharkey, Slater, Treacy, Tubbs, Wagyl, and Williams—28.

NOES—None.

Title read and approved.

Bill ordered transmitted to the Assembly.

Senate Bill No. 708—An act to add a new section to be numbered 9a8 to the act entitled "An act to provide for the establishment and maintenance of county free libraries in the State of California, and repealing 'An act entitled "An act to provide county library systems," approved April 12, 1909, and all acts and parts of acts in conflict with this act,' " approved February 25, 1911, as amended, relating to libraries in counties of the eighth class.

Bill read third time.

MOTION TO REFER TO SPECIAL COMMITTEE OF ONE.

During third reading of the bill, Senator Crittenden moved to refer Senate Bill No. 708 to Senator Maloney, as a Special Committee of One, to amend as follows:

AMENDMENT NUMBER ONE.

Strike out line 1 of the title of the printed bill, and insert in lieu thereof the following: "An act to amend section 9a10 of the act".

AMENDMENT NUMBER TWO.

On page 1 of the printed bill, strike out lines 1 and 2, and insert in lieu thereof the following:

"SECTION 1. Section 9a10 of the act cited in the title hereof, is amended to read as follows:"

Motion carried.

REPORT OF SPECIAL COMMITTEE OF ONE.

SENATE CHAMBER, SACRAMENTO, April 13, 1931.

MR. PRESIDENT: Your Special Committee of One, to which was referred Senate Bill No. 708, with instructions to amend, respectfully reports the same back, amended as per instructions.

MALONEY, Committee.

Report read, and on motion of Senator Crittenden adopted.
Bill ordered to print, and re-engrossment.

MESSAGE FROM THE ASSEMBLY.

The following message from the Assembly was received and read:

ASSEMBLY CHAMBER, SACRAMENTO, April 13, 1931.

MR. PRESIDENT: I am directed to inform your honorable body that the Assembly on this day adopted Assembly Concurrent Resolution No. 27—Relative to approving a certain amendment to the charter of the City and County of San Francisco, State of California, voted for and ratified by the electors of said City and County of San Francisco, such election held therein on the twenty-sixth day of March, 1931.

ARTHUR A. OHNIMUS, Chief Clerk.
By C. W. BOOTH, Assistant Clerk.

CONSIDERATION OF ASSEMBLY CONCURRENT RESOLUTION NUMBER
TWENTY-SEVEN.

Senator Maloney asked for, and was granted, unanimous consent for the consideration of Assembly Concurrent Resolution No. 27, without reference to committee, for purpose of adoption.

By Messrs. Cronin, Feigenbaum, Gilmore, Hawes, Hayes, Hornblower, Levey, Miller, James A. Morrison, Oliva, Parkman, Quigley, and Williamson: Assembly Concurrent Resolution No. 27—Relative to approving a certain amendment to the charter of the City and County of San Francisco, State of California, voted for and ratified by the electors of said City and County of San Francisco, such election held therein on the twenty-sixth day of March, 1931.

Resolution read.

The question being on the adoption of the resolution.

The roll was called, and Assembly Concurrent Resolution No. 27 adopted by the following vote:

AYES—Senators Allen, Baker, Breed, Christian, Cleveland, Crittenden, Evans, Fellom, Harper, Hays, Ingels, Inman, Jones, Maloney, McCormack, Mixer, Moran, Rich, Riley, Rochester, Schotky, Sharkey, Slater, Treacy, Tubbs, Wagy, and Williams—27.

NOES—None.

Assembly Concurrent Resolution No. 27 ordered transmitted to the Assembly.

MESSAGE FROM THE ASSEMBLY.

The following message from the Assembly was received and read:

ASSEMBLY CHAMBER, SACRAMENTO, April 13, 1931.

MR. PRESIDENT: I am directed to inform your honorable body that the Assembly on this day adopted Assembly Concurrent Resolution No. 26—Relative to approving the charter of the City and County of San Francisco, State of California, voted for and ratified by the electors of said City and County of San Francisco at a special election held therein on the twenty-sixth day of March, 1931.

ARTHUR A. OHNIMUS, Chief Clerk.

By C. W. BOOTH, Assistant Clerk.

CONSIDERATION OF ASSEMBLY CONCURRENT RESOLUTION NUMBER
TWENTY-SIX.

Senator Maloney asked for, and was granted, unanimous consent for the consideration of Assembly Concurrent Resolution No. 26, without reference to committee, for purpose of adoption.

By Messrs. Cronin, Feigenbaum, Gilmore, Hawes, Hayes, Hornblower, Levey, Miller, James A., Morrison, Oliva, Quigley, and Williamson: Assembly Concurrent Resolution No. 26—Approving the charter of the City and County of San Francisco, State of California, voted for and rectified by the electors of said City and County of San Francisco at a special election held therein on the twenty-sixth day of March, 1931.

Resolution read.

The question being on the adoption of the resolution.

The roll was called, and Assembly Concurrent Resolution No. 26 adopted by the following vote:

AYES—Senators Allen, Baker, Breed, Christian, Cleveland, Crittenden, Deuel, Edwards, Evans, Fellom, Harper, Hays, Ingels, Inman, Maloney, McCormack, Mixer, Moran, Rich, Riley, Schottky, Sharkey, Slater, Treacy, Tubbs, Waggy, and Williams—27.

NOES—None.

Assembly Concurrent Resolution No. 26 ordered transmitted to the Assembly.

MESSAGE FROM THE ASSEMBLY.

The following message from the Assembly was received and read:

ASSEMBLY CHAMBER, SACRAMENTO, April 10, 1931.

MR. PRESIDENT: I am directed to inform your honorable body that the Assembly amended, and on this day passed as amended, Senate Bill No. 806—An act to amend sections 1195*b*, 1205, 1210, 1229 and 1261, of the Political Code, relating to registration of electors and conduct of elections, and to repeal section 1262 of the Political Code, relating to tally lists and respectfully requests your honorable body to concur in said amendments.

ARTHUR A. OHNIMUS, Chief Clerk.

By FRED J. DESCH, Assistant Clerk.

CONSIDERATION OF ASSEMBLY AMENDMENTS.

The Senate took up for consideration Assembly amendments to Senate Bill No. 806—An act to amend sections 1195*b*, 1205, 1210, 1229 and 1261 of the Political Code, relating to registration of electors and conduct of elections, and to repeal section 1262 of the Political Code, relating to tally lists.

ASSEMBLY AMENDMENTS TO SENATE BILL NUMBER EIGHT HUNDRED SIX.

AMENDMENT NUMBER ONE.

In line 1 of the title of the printed bill, strike out the following: "1229".

AMENDMENT NUMBER TWO.

On page 2, line 38, of the printed bill, after the comma, insert the following: "and".

AMENDMENT NUMBER THREE.

On page 3, line 22, of the printed bill, strike out "5", and insert in lieu thereof "4".

AMENDMENT NUMBER FOUR.

On page 4, line 6, of the printed bill, strike out "SEC. 6", and insert in lieu thereof the following: "SEC. 5".

The question being: Shall the Senate concur in Assembly amendments to Senate Bill No. 806?

The roll was called, and Assembly amendments to Senate Bill No. 806 concurred in by the following vote:

AYES—Senators Allen, Baker, Breed, Bush, Christian, Clock, Crittenden, Deuel, Duval, Edwards, Evans, Fellom, Harper, Hays, Ingels, Inman, Maloney, McCormack, Mixter, Moran, Nelson, Rich, Riley, Sharkey, Slater, Treacy, Wagy, and Williams—28.

NOES—None.

Senate Bill No. 806 ordered to print and enrollment.

MESSAGE FROM THE ASSEMBLY.

The following message from the Assembly was received and read:

ASSEMBLY CHAMBER, SACRAMENTO, April 7, 1931.

MR. PRESIDENT: I am directed to inform your honorable body that the Assembly amended, and on this day passed as amended, Senate Bill No. 195—An act to amend section 16a of the Narcotic Rehabilitation Act, approved April 9, 1927, as amended, relating to escapes from a State narcotic hospital—and respectfully requests your honorable body to concur in said amendment.

ARTHUR A. OHNIMUS, Chief Clerk.

By FRED J. DESCH, Assistant Clerk.

CONSIDERATION OF ASSEMBLY AMENDMENT.

The Senate took up for consideration Assembly amendment to Senate Bill No. 195—An act to amend section 16a of the Narcotic Rehabilitation Act, approved April 9, 1927, as amended, relating to escapes from a State narcotic hospital.

ASSEMBLY AMENDMENT TO SENATE BILL NUMBER ONE HUNDRED
NINETY-FIVE.

AMENDMENT NUMBER ONE.

On page 1 of the printed bill, strike out lines 6 to 9, inclusive, and insert in lieu thereof the following: "provided, that every such inmate who escapes from said hospital and who has been convicted of a felony within five years next preceding his escape is punishable by imprisonment in the state prison for not less than eighteen months."

The question being: Shall the Senate concur in Assembly amendment to Senate Bill No. 195?

The roll was called, and Assembly amendment to Senate Bill No. 195 concurred in by the following vote:

AYES—Senators Allen, Baker, Breed, Christian, Cleveland, Clock, Crittenden, Deuel, Duval, Edwards, Fellom, Harper, Hays, Ingels, Inman, Maloney, McCormack, McKinley, Mixter, Moran, Pedrotti, Rich, Sharkey, Slater, Treacy, Wagy, and Williams—27.

NOES—None.

Senate Bill No. 195 ordered to print, and enrollment.

CONSIDERATION OF DAILY FILE.

THIRD READING OF SENATE BILLS—(RESUMED).

Senate Bill No. 902—An act to amend the Workmen's Compensation, Insurance and Safety Act of 1917.

Bill read third time.

MOTION TO REFER TO SPECIAL COMMITTEE OF ONE.

During third reading of the bill, Senator Sharkey moved to refer Senate Bill No. 902 to Senator Fellom, as a Special Committee of One, to amend as follows:

AMENDMENT NUMBER ONE.

On page 2, line 15, of the printed bill, strike out "824", and insert in lieu thereof "834".

AMENDMENT NUMBER TWO.

On page 3 of the printed bill, strike out all of lines 20 and 21.

Motion carried.

REPORT OF SPECIAL COMMITTEE OF ONE.

SENATE CHAMBER, SACRAMENTO, April 13, 1931.

MR. PRESIDENT: Your Special Committee of One, to which was referred Senate Bill No. 902, with instructions to amend, respectfully reports the same back, amended as per instructions.

FELLOM, Committee.

Report read, and on motion of Senator Sharkey adopted.

Bill ordered to print and re-engrossment.

Senate Bill No. 578—An act to amend section 6 of chapter 52, Statutes of 1917, entitled "An act providing for the creation, organization, and government of joint highway districts composed of two or more counties of the State of California," approved April 5, 1917, as amended, relating to estimates and surveys.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Senate Bill No. 578 passed by the following vote:

AYES—Senators Allen, Baker, Breed, Christian, Cleveland, Clock, Crittenden, Deuel, Duval, Edwards, Evans, Fellom, Harper, Hays, Ingels, Inman, Maloney, McCormack, McKinley, Mixter, Moran, Pedrotti, Rich, Riley, Rochester, Sharkey, Slater, Treacy, Waggy, and Williams—30.

NOES—None.

Title read and approved.

Bill ordered transmitted to the Assembly.

NOTICE OF MOTION TO RECONSIDER.

Senator Moran gave notice that on the next legislative day he would move to reconsider the vote by which Assembly Bill No. 513 was passed.

REPORTS OF STANDING COMMITTEES—(RESUMED).

The following report of standing committee was received and read:

ON RULES.

SENATE CHAMBER, SACRAMENTO, April 13, 1931.

MR. PRESIDENT: Your Committee on Rules, to which was referred the request of Senator Hays to introduce a bill entitled—An act to amend section 141½ of the California Vehicle Act, approved May 30, 1923, relating to liability of an owner or driver or person responsible for the operation of a vehicle, for the injury or death of a guest—has had the same under consideration, and respectfully reports the same back, and recommends that said request be granted.

Committee membership—5; committee vote: Ayes—4; absent—1.

BREED, Chairman.

The question being on the adoption of the report.

The roll was called in accordance with the provisions of section 2 of article IV of the constitution, and the report adopted by the following vote:

AYES—Senators Allen, Baker, Breed, Christian, Cleveland, Clock, Crittenden, Denel, Duval, Edwards, Evans, Fellom, Harper, Hays, Ingels, Inman, Maloney, McCormack, McKinley, Mixter, Moran, Pedrotti, Rich, Riley, Rochester, Sharkey, Slater, Treacy, Tubbs, Waggy, and Williams—31.

NOES—None.

INTRODUCTION, FIRST READING, AND REFERENCE OF BILLS—(RESUMED).

The following bills were introduced:

By Senator Hays: Senate Bill No. 946—An act to amend section 141½ of the California Vehicle Act, approved May 30, 1923, relating to liability of an owner or driver or person responsible for the operation of a vehicle, for the injury or death of a guest.

Senate Bill No. 946 read first time, and referred to Committee on Motor Vehicles.

By Senator Jones: Senate Constitutional Amendment No. 28—A resolution to propose to the people of the State of California an amendment to the constitution of the State by amending section 3 of article IX thereof, relating to the Superintendent of Public Instruction.

Referred to Committee on Constitutional Amendments.

CONSIDERATION OF DAILY FILE.

THIRD READING OF ASSEMBLY BILLS—(RESUMED).

Assembly Bill No. 803—An act to amend section 4 of chapter 7, Statutes of 1919, entitled "An act authorizing the State Board of Control to purchase warrants of the Sacramento and San Joaquin Drainage District issued in payment for the expense of continuing construction of the east levee of the Sutter By-pass; appropriating money therefor, and providing for reimbursement to the State of such appropriation," approved January 30, 1919, relating to warrants.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Assembly Bill No. 803 passed by the following vote:

AYES—Senators Allen, Baker, Breed, Christian, Cleveland, Clock, Crittenden, Denel, Duval, Evans, Fellom, Harper, Hays, Ingels, Inman, Maloney, McKinley, Mixter, Moran, Pedrotti, Rich, Riley, Rochester, Sharkey, Slater, Treacy, Tubbs, Waggy, and Williams—29.

NOES—None.

Title read and approved.

Bill ordered transmitted to the Assembly.

RE-REFERENCE OF ASSEMBLY BILL.

Senator Crittenden moved that Assembly Bill No. 141 be withdrawn from Committee on Governmental Efficiency, and re-referred to Committee on Agriculture and Live Stock.

Motion carried, and such was the order.

APPROVAL OF JOURNALS.

The Senate Journals of Tuesday, February 24th; Wednesday, February 25th; Thursday, February 26th; Friday, February 27th; Monday, March 2d; Tuesday, March 3d; Wednesday, March 4th; Thursday,

March 5th; Friday, March 6th; Monday, March 9th; Tuesday, March 10th; Wednesday, March 11th; Thursday, March 12th, were, on motion of Senator Breed, approved as corrected by the Minute Clerk.

REPORTS OF STANDING COMMITTEES—(RESUMED).

The following reports of standing committees were received and read:

ON GOVERNMENTAL EFFICIENCY.

SENATE CHAMBER, SACRAMENTO, April 13, 1931.

MR. PRESIDENT: Your Committee on Governmental Efficiency, to which was referred Senate Bill No. 679—An act to provide for the sanitary inspection of slaughterhouses, the inspection of animals or meats intended for human consumption, to provide rules and regulations therefor, to provide penalties for the violation hereof and to repeal the California Meat Inspection Law, approved June 3, 1921—has had the same under consideration, and respectfully reports the same back with amendments, and recommends that the amendments be adopted, and be re-referred to this committee.

Committee membership—11; committee vote: Ayes—11.

CRITTENDEN, Chairman.

CONSIDERATION OF COMMITTEE AMENDMENTS.

Pursuant to the report of the Committee on Governmental Efficiency, the following amendments to Senate Bill No. 679 were read and adopted:

AMENDMENT NUMBER ONE.

On page 3, line 22, of the printed bill, as amended, strike out the word "board", and insert in lieu thereof the word "department".

AMENDMENT NUMBER TWO.

On page 6, line 21, of the printed bill, as amended, following the word "agriculture", strike out the word "of", and insert in lieu thereof the word "or".

AMENDMENT NUMBER THREE.

On page 6, lines 45 and 46, of the printed bill, as amended, strike out the words "withdraw approval in any establishment having".

AMENDMENT NUMBER FOUR.

On page 3, line 23, of the printed bill, as amended, strike out the words "January 1, 1932", and insert in lieu thereof the following: "April 1, 1932".

Bill ordered to print, and re-referred to Committee on Governmental Efficiency.

ON DRAINAGE, SWAMP AND OVERFLOWED LANDS.

SENATE CHAMBER, SACRAMENTO, April 13, 1931.

MR. PRESIDENT: Your Committee on Drainage, Swamp and Overflowed Lands, to which was referred Senate Bill No. 311—An act to provide for the impounding and utilization of the waters of the American River for flood control, river flow control and equitation, domestic use, irrigation, reclamation, power development, or any one or more of such or other public uses; authorizing the State Department of Finance to acquire for the State property useful in connection therewith; defining the powers and duties of State officers and departments and of public and private agencies in relation thereto; authorizing the leasing of property of the State for any one or more of such uses and specifying certain terms and conditions to which said lease shall be subject—has had the same under consideration, and respectfully reports the same back with amendments, and recommends that the amendments be adopted, and that it do pass as amended.

Committee membership—5.

(Signed out)

McCORMACK, Chairman.
CRITTENDEN.
EVANS.
MORAN.

Senate Bill No. 311 ordered on file for second reading.

ADJOURNMENT.

At four o'clock and twenty-seven minutes p.m., on motion of Senator Breed, the President declared the Senate adjourned until eleven o'clock a.m., Tuesday, April 14, 1931.

HAROLD J. POWERS, Minute Clerk.

IN SENATE.

SENATE CHAMBER.

SACRAMENTO, Tuesday, April 14, 1931.

The Senate met at eleven o'clock a.m.

Lieutenant Governor Frank F. Merriam, President of the Senate, in the chair.

Secretary Joseph A. Beek at the desk.

ROLL CALL.

The roll was called, and the following answered to their names:

Senators Allen, Baker, Breed, Bush, Carter, Cassidy, Christian, Cleveland, Clock, Crittenden, Deuel, Duval, Edwards, Evans, Fellom, Harper, Hays, Ingels, Inman, Jones, Maloney, McCormack, McKinley, Mixter, Moran, Nelson, Padrotti, Rich, Riley, Rochester, Schottky, Sharkey, Slater, Treacy, Tubbs, Waggy, Williams, and Young—38.

Quorum present.

PRAYER.

Prayer was offered by the Chaplain, Rev. Sherman L. Divine.

READING OF THE JOURNAL.

During the reading of the Journal of Monday, April 13, 1931, the further reading was dispensed with, on motion of Senator Slater.

PRIVILEGE OF FLOOR OF SENATE EXTENDED.

On request of Senator Rich, the privilege of the floor of the Senate Chamber for this day was unanimously extended to Marysville Union High School social science classes, Mr. Knappen in charge: Alan Plantz, John Roberts, Harvey Beard, Claude Thomas, Frank Hamon, Levi Morris, Dwight Williams, Joe Nakamura, Don Aaronson, Robert McQuaid, Jane Bowers, Edith Cooper, Hazelle Wise, Edith Rutter, Violet Yee, Mary Uyeno, Tom Kim, Bob Bolden, George Nakagawa, James Nakagawa, Albert Powell, Myron Pauly, Gerard Stuart, Gifford Rogers, Forrest Boles, Louise Zbinden, Harvey Le Page, Lawrence Royat, Stanley Parsons, John Manwell, Louis McIntyre, Harold McDowell, Francis Bartlett, Kenneth Gibson, Edward Manwell, Fred Hoesle, Robert Barnes, Hilder Burklund, Esther LeRoy, Eleanor Hansen, Esther Burklund, Leonard Royat, Lloyd Erickson, Walker Bowman, Horace Hansen, Henry Hansen, Arthur Gorwood, Mae Johnson, Georgie McIntosh, Ann Sperbeck, Lucille Huckins, Agnes Holmes, Cynthia Austin, Pansy Schunover, Mary Kemp, Marian Benjamin, Rosalie Rensser, and Melba Fitzgerald.

On request of Senator Treacy, the privilege of the floor of the Senate Chamber for this day was unanimously extended to Mrs. Martin Flatland of San Diego, and Mrs. Harold Treacy of San Francisco.

On request of Senator Sharkey, the privilege of the floor of the Senate Chamber for this day was unanimously extended to Mr. and Mrs. H. M. Bush of Martinez, parents of Senator Bush, Miss Ellen Fraser and Mrs. J. M. Reid, Jr., of Martinez.

On request of Senator Young, the privilege of the floor of the Senate Chamber for this day was unanimously extended to Mr. and Mrs. B. B. Bailey of Los Gatos, California.

On request of Senator Crittenden, the privilege of the floor of the Senate Chamber for this day was unanimously extended to Mrs. Sophie

Belleville Porter of Stockton, and Mrs. Frank C. Vincent of Sacramento, California.

On request of Senator McKinley, the privilege of the floor of the Senate Chamber for this day was unanimously extended to Miss Burke's School, Miss Barbara Burke, Mrs. A. Drayear and Miss M. A. Halversen, teachers, and pupils as follows: Betsy Ross Baker, Jane Bryan, Dorothy Cahill, Berenice Chipman, Alverus Clark, Katherine Cotton, Mariam Cutter, Elma Louise Day, Willis Evans, Margaret Field, Adela Gantner, Marie Horton, Dickie Kahn, Frances Kaetzel, Jeane Kinzie, Frances Lawrence, Elizabeth Lilienthal, Virginia Miller, Anita Nichols, Marie Louise Raisch, Margaret Shaw, Sally Sperry, Jane Starkweather, Dorothy Tuck, Dorothy Walker and Susannah Ward.

On request of Senator Duval, the privilege of the floor of the Senate Chamber for this day was unanimously extended to Mrs. Leslie Wilde Ganyard, executive secretary, San Francisco Center, California League of Women Voters; and Mrs. A. L. Brown, director, San Francisco Center.

On request of Senator Crittenden, the privilege of the floor of the Senate Chamber for this day was unanimously extended to Mr. Geo. E. Cutts, foreman San Joaquin County grand jury.

On request of Senator Crittenden, the privilege of the floor of the Senate Chamber for this day was unanimously extended to Ripon Union Junior-Senior High School, Leonard McKaig, instructor, and pupils as follows: Leo Bonfantine, Stanley Cedergren, Peter DeJong, Harold Hill, Raymond Hutchinson, Dorothy Nelson, Jean Stinehart, Eugene Stevens, Albert Thoma, Glenn Dalman, Avel Thomason, Bernice Tornell, Doris Tulin, Sam Van Dyken, Kathryn Williams, Sadie Van Dyken, Lois Luce, Hazel Fugett, Neil Cedergren, Mattie Olvera, Inez Fisher, Cary Brown, Tyneka Shibusawa, Merle Evinger, Esther Larson, Coval Johnson and Wilbur Ruess.

MESSAGES FROM THE ASSEMBLY.

The following messages from the Assembly were received and read:

ASSEMBLY CHAMBER, SACRAMENTO, April 13, 1931.

MR. PRESIDENT: I am directed to inform your honorable body that the Assembly on April 10, 1931, passed Assembly Bill No. 1020—An act to amend sections 1 to 7, inclusive, of "An act to provide for the filing of names, marks or other devices used to indicate ownership, providing for certain benefits therefrom, and prescribing penalties for violating the provisions hereof: repealing an act (approved March 21, 1911) entitled 'An act to protect the owners of bottles, boxes, siphons and kegs used in the sale of olives, olive oil, salad oil, soda waters, mineral or aerated water, porter, ale, cider, ginger ale, milk, cream, small beer, lager beer, weiss beer, white beer or other beverages, repealing "An act to protect the owners of bottles, boxes, siphons, and kegs used in the sale of soda waters, mineral or aerated waters, porter, ale, cider, ginger ale, milk, cream, small beer, lager beer, weiss beer, beer, white beer or other beverages," approved March 31, 1891, also repealing an act to amend an act entitled "An act to protect the owners of bottles, boxes, siphons, and kegs, used in the sale of soda waters, mineral and aerated waters, porter, ale, cider, ginger ale, milk, cream, small beer, lager beer, weiss beer, beer, white beer or other beverages (approved March 31, 1891) by adding thereto a new section after section 4 thereof, relating to deposits, to be numbered as section 5 of said act, by renumbering section 5 of said act as section 6 thereof, and amending the same, relating to assignments, and by renumbering section 6 of said act as section 7 thereof," approved March 5, 1903," approved May 26, 1921, relating to containers.

ARTHUR A. OHNIMUS, Chief Clerk.
By A. W. ENGELKE, Assistant Clerk.

Assembly Bill No. 1020 read first time, and referred to Committee on Public Health and Quarantine.

Also:

ASSEMBLY CHAMBER, SACRAMENTO, April 13, 1931.

MR. PRESIDENT: I am directed to inform your honorable body that the Assembly on this day passed Assembly Constitutional Amendment No. 2—Proposed amendment to article IV of the constitution, relative to the release of lien for taxes in certain cases;

Also: Assembly Constitutional Amendment No. 25—Proposed amendment to article IV of the constitution, relative to the election and term of office of members of the Assembly;

Also: Assembly Constitutional Amendment No. 33—Proposed amendment to article XI of the constitution, relative to the deposit of public moneys in banks.

ARTHUR A. OHNIMUS, Chief Clerk.

By A. W. ENGELKE, Assistant Clerk.

Assembly Constitutional Amendments Nos. 2, 25 and 33 read, and referred to Committee on Constitutional Amendments.

Also:

ASSEMBLY CHAMBER, SACRAMENTO, April 13, 1931.

MR. PRESIDENT: I am directed to inform your honorable body that the Assembly on this day passed Assembly Bill No. 1886—An act to amend section 3673 of the Political Code, relating to the powers of a county board of equalization;

Also: Assembly Bill No. 31—An act to amend section 1861a of the Civil Code, relating to liens of keepers of furnished apartment houses and furnished bungalow courts;

Also: Assembly Bill No. 1095—An act to amend section 2 of the Pure Milk Law of California, approved June 3, 1927;

Also: Assembly Bill No. 629—An act to amend section 7b of chapter 584, Statutes of 1915, entitled "An act to provide for the formation, government, operation and dissolution of mosquito abatement districts in any part of the State, to facilitate the extermination of mosquitoes, flies, and other insects; and to provide for the assessment, levy, collection and disbursement of taxes therein," approved May 29, 1915, as amended, relating to mosquito abatement district tax levies;

Also: Assembly Bill No. 628—An act relating to the extermination of rats by mosquito abatement districts;

Also: Assembly Bill No. 574—An act to amend section 4316 of the Political Code, relating to county officers and their deputies.

ARTHUR A. OHNIMUS, Chief Clerk.

By A. W. ENGELKE, Assistant Clerk.

Assembly Bill No. 1886 read first time, and referred to Committee on Revenue and Taxation.

Assembly Bill No. 31 read first time, and referred to Committee on Judiciary.

Assembly Bills Nos. 1095, 629 and 628 read first time, and referred to Committee on Public Health and Quarantine.

Assembly Bill No. 574 read first time, and referred to Committee on County Government.

Also:

ASSEMBLY CHAMBER, SACRAMENTO, April 13, 1931.

MR. PRESIDENT: I am directed to inform your honorable body that the Assembly on April 10, 1931, passed Senate Bill No. 66—An act to amend section 4041.10 of the Political Code, relating to the changing of boundaries of election precincts;

Also: Senate Bill No. 408—An act to amend section 347½ of the Penal Code, relating to the sale and use of drugs.

ARTHUR A. OHNIMUS, Chief Clerk.

By A. W. ENGELKE, Assistant Clerk.

Senate Bills Nos. 66 and 408 ordered to enrollment.

REPORTS OF STANDING COMMITTEES.

The following reports of standing committees were received and read:

ON PUBLIC HEALTH AND QUARANTINE.

SENATE CHAMBER, SACRAMENTO, April 14, 1931.

MR. PRESIDENT: Your Committee on Public Health and Quarantine, to which was referred Assembly Bill No. 130—An act to add a new section to be numbered 383b to the Penal Code, relating to the sale of kosher meats and meat preparations, and

kosher food, defining the word "kosher" and providing penalties for the violation thereof;

Also: Assembly Bill No. 896—An act to provide for the adoption and use of a uniform fire alarm code signal in all public, private or parochial schools hospitals and other public institutions hospitals and other public institutions;

Has had the same under consideration, and respectfully reports the same back, and recommends that they do pass.

Committee membership—7; committee vote: Ayes—5; noes—1.

WILLIAMS, Chairman.

Assembly Bills Nos. 130 and 896 ordered on file for second reading.

Also:

MR. PRESIDENT: Your Committee on Public Health and Quarantine, to which was referred Senate Bill No. 108—An act regarding certificates of registration as "registered sanitarians" for persons performing the duties of sanitary inspectors or sanitary officers, prescribing terms and conditions under which such inspectors or officers may be employed, and providing penalties for the violation of the provisions hereof;

Also: Senate Bill No. 159—An act relating to certificates of registration of inspectors and sanitary officers as "registered sanitarians"; empowering the State Board of Public Health to certify approved schools, conduct examinations, and to issue or deny "registered sanitarian" certificates; and providing penalties for violation of this act;

Also: Senate Bill No. 943—An act to amend section 2979a of the Political Code, relating to health officers;

Has had the same under consideration, and respectfully reports the same back, and recommends that they do pass.

Committee membership—7; committee vote: Ayes—6.

WILLIAMS, Chairman.

Senate Bills Nos. 108, 159 and 943 ordered on file for second reading.

ON MOTOR VEHICLES.

SENATE CHAMBER, SACRAMENTO, April 14, 1931.

MR. PRESIDENT: Your Committee on Motor Vehicles, to which was referred Senate Bill No. 283—An act to amend section 44 of the California Vehicle Act, relating to the registration of vehicles—has had the same under consideration, and respectfully reports the same back, and recommends that it do pass.

Committee membership—17; committee vote: Ayes—11; absent—6.

BAKER, Chairman.

Senate Bill No. 283 ordered on file for second reading.

Also:

MR. PRESIDENT: Your Committee on Motor Vehicles, to which was referred Assembly Bill No. 1689—An act to amend sections 69 and 154 of the California Vehicle Act, approved May 30, 1923, relating to vehicles—has had the same under consideration, and respectfully reports the same back, and recommends that it do pass.

Committee membership—17; committee vote: Ayes—12; absent—5.

BAKER, Chairman.

Assembly Bill No. 1689 ordered on file for second reading.

ON ENGROSSMENT, ENROLLMENT AND PRINTING.

SENATE CHAMBER, SACRAMENTO, April 14, 1931.

MR. PRESIDENT: Your Committee on Engrossment, Enrollment and Printing has examined Senate Bill No. 292—An act to amend sections 4.1001, 4.1022, 4.1024, 4.1026, 4.1091, 4.1113, 4.1118, 4.1211, 4.1233, 4.1238, 4.1301, 4.1323 and 4.1325 of the School Code, relating to bonds of school districts;

Also: Senate Bill No. 419—An act to add a new section to be numbered 10 to chapter 326, Statutes of 1925, entitled "An act to authorize and empower the State Director of Education, with the approval of the State Board of Control, to sell and convey the lands and buildings of the San Diego State Teachers College, and from the proceeds of such sale to purchase and improve a new and suitable site for said school, to erect and construct upon the site so purchased buildings and other structures and improvements necessary and proper for said school, to purchase furniture, fixtures, apparatus, and other things necessary for said school, and to rent such temporary buildings and grounds as may be necessary for the use of said school until the completion of the new school buildings," providing for a readjustment of the western boundary of the site of the San Diego State Teachers College;

Also: Senate Bill No. 547—An act to amend section 159 of the California Vehicle Act, relating to the Motor Vehicle Fund;

Also: Senate Bill No. 689—An act to add a new section to the Political Code to be numbered 3480c, providing, under the supervision of the State Reclamation Board for the formulation and carrying out of the plans to reorganize, refund and adjust the finances and obligations of reclamation districts;

Also: Senate Bill No. 941—An act to amend section 5.812 of the School Code, relating to the retirement of teachers;

Also: Senate Concurrent Resolution No. 32—Relative to leaves of absence of the Governor, Lieutenant Governor and the members of the Senate and Assembly of the forty-ninth session of the Legislature of the State of California;
And reports that the same have been correctly engrossed.

RILEY, Chairman.

Also:

MR. PRESIDENT: Your Committee on Engrossment, Enrollment and Printing has examined Senate Bill No. 157—An act to validate bonds, including refunding bonds, of irrigation districts and all proceedings relative thereto, and to provide for the levy and collection of taxes to pay the principal and interest on such bonds;

Also: Senate Bill No. 194—An act to amend section 6 of the Narcotic Rehabilitation Act, approved April 9, 1927, as amended, prescribing a penalty for violation of parole;

Also: Senate Bill No. 196—An act to add new sections numbered 5b and 5c to, and to amend section 10 of, the Narcotic Rehabilitation Act, relating to commitment, transfer, discharge or return of patients to or from the State Narcotic Hospital;

Also: Senate Bill No. 318—An act to amend sections 6a, 6b and 16 and to repeal sections 7, 8, 13 and 14 of the Narcotic Rehabilitation Act, relating to government of the State Narcotic Hospital, commitments, discharge and parole of inmates; prohibiting escapes and prescribing penalties;

And reports that the same have been correctly enrolled and presented to the Governor on the thirteenth day of April, at five o'clock p.m.

RILEY, Chairman.

Also:

MR. PRESIDENT: Your Committee on Engrossment, Enrollment and Printing has examined Senate Concurrent Resolution No. 7—Relative to establishment of a State prison in one of the southern counties of the State of California;

Also: Senate Concurrent Resolution No. 27—Approving certain amendments to the charter of the city of Bakersfield, county of Kern, State of California, voted for and ratified by the electors of said city of Bakersfield at a special election held therein on the twenty-fourth day of March, 1931;

Also: Senate Joint Resolution No. 15—Relating to an immediate survey of forest insect conditions and for the control of forest insects;

And reports that the same have been correctly enrolled and presented to the Governor on the thirteenth day of April, at five o'clock p.m.

RILEY, Chairman.

ON COUNTY GOVERNMENT.

SENATE CHAMBER, SACRAMENTO, April 14, 1931.

MR. PRESIDENT: Your Committee on County Government, to which was referred Assembly Bill No. 203—An act to amend section 4247 of the Political Code, relating to salaries and fees of officers in counties of the sixteenth class—has had the same under consideration, and respectfully reports the same back with amendments, and recommends that the amendments be adopted, and that it do pass as amended.

Committee membership—9; committee vote: Ayes—7; absent—2.

WAGY, Chairman.

Assembly Bill No. 203 ordered on file for second reading.

ON CONSERVATION.

SENATE CHAMBER, SACRAMENTO, April 13, 1931.

MR. PRESIDENT: Your Committee on Conservation, to which was referred Senate Bill No. 475—An act providing for the organization, operation, maintenance, government and dissolution of resort districts and the inclusion of lands therein and exclusion of lands therefrom, and for the acquisition of lands or rights therein and the acquisition, construction, operation and maintenance of public improvements and works to carry into effect the provisions of this act; for the issuance, sale and payment of bonds of such districts to meet the cost of such improvements and works and for the acquisition or construction of such lands or rights therein or improvements and works; and conferring upon the State Engineer certain additional duties and powers in connection with carrying out the purposes of this act—has had the same under consideration, and respectfully reports the same back with

amendments, and recommends that the amendments be adopted, and that it do pass as amended.

Committee membership—7; committee vote: Ayes—4; absent—3.

EVANS, Chairman.

Senate Bill No. 475 ordered on file for second reading.

CONSIDERATION OF DAILY FILE.

SECOND READING OF SENATE BILLS.

Senate Bill No. 884—An act to amend section 19x38 of the Juvenile Court Law, relating to probation officers in counties of the thirty-eighth class.

COMMITTEE AMENDMENTS.

During the second reading of the bill, the following committee amendments were offered:

AMENDMENT NUMBER ONE.

In line 1 of the title of the printed bill, strike out "19x38", and insert in lieu thereof the following: "19x42".

Amendment adopted.

AMENDMENT NUMBER TWO.

In line 2 of the title of the printed bill, strike out "thirty-eighth", and insert in lieu thereof the following: "forty-second".

Amendment adopted.

AMENDMENT NUMBER THREE.

On page 1, line 1, of the printed bill, strike out "19x38", and insert in lieu thereof the following: "19x42".

Amendment adopted.

AMENDMENT NUMBER FOUR.

On page 1 of the printed bill, strike out lines 3 to 6, inclusive, and insert in lieu thereof the following:

"Sec. 19x42. In counties of the forty-second class there shall be one probation officer whose salary shall be one hundred fifty dollars per month. Said probation officer shall be ex officio the school attendance officer."

Amendment adopted.

Bill read second time, ordered to print, engrossment, and on file for third reading.

Senate Bill No. 885—An act to amend section 2322x38 of the Political Code, relating to the office of agricultural commissioner in counties of the thirty-eighth class.

COMMITTEE AMENDMENTS.

During the second reading of the bill, the following committee amendments were offered:

AMENDMENT NUMBER ONE.

In line 1 of the title of the printed bill, strike out "2322x38", and insert in lieu thereof the following: "2322x42".

Amendment adopted.

AMENDMENT NUMBER TWO.

In line 3 of the title of the printed bill, strike out "thirty-eighth", and insert in lieu thereof the following: "forty-second".

Amendment adopted.

AMENDMENT NUMBER THREE.

On page 1, line 1, of the printed bill, strike out "2322x38", and insert in lieu thereof the following: "2322x42".

Amendment adopted.

AMENDMENT NUMBER FOUR.

On page 1 of the printed bill, strike out lines 3 to 6, inclusive, and insert in lieu thereof the following:

"2322x42. In counties of the forty-second class, the commissioner shall receive a salary of two thousand four hundred dollars per annum; *provided*, that in counties of this class, there shall be and there is hereby allowed to the commissioner the following deputies, inspectors and clerks to be appointed by said commissioner, which positions are hereby created, and the salaries are hereby fixed as follows, to wit:

(a) One deputy county agricultural commissioner at a salary of one thousand eight hundred dollars per annum.

(b) The commissioner is also authorized and empowered to appoint not to exceed one inspector at a monthly salary of one hundred twenty dollars, during the time actually employed, and three inspectors at a compensation of four dollars per diem each, during the time actually employed, but the aggregate amount which may be expended in any year for all such inspectors shall not exceed five thousand forty dollars.

(c) The commissioner is also authorized and empowered to appoint not to exceed one clerk, at a salary of three dollars per diem, during the time actually employed, but the aggregate amount which may be expended in any year for such clerk shall not exceed nine hundred dollars.

Amendment adopted.

Bill read second time, ordered to print, engrossment, and on file for third reading.

Senate Bill No. 886—An act to amend section 16x38 of the Weights and Measures Act, relating to sealers of weights and measures in counties of the thirty-eighth class.

COMMITTEE AMENDMENTS.

During the second reading of the bill, the following committee amendments were offered:

AMENDMENT NUMBER ONE.

In line 1 of the title of the printed bill, strike out "16x38", and insert in lieu thereof the following: "16x42".

Amendment adopted.

AMENDMENT NUMBER TWO.

In line 3 of the title of the printed bill, strike out "thirty-eighth", and insert in lieu thereof the following: "forty-second".

Amendment adopted.

AMENDMENT NUMBER THREE.

On page 1, line 1, of the printed bill, strike out "16x38", and insert in lieu thereof the following: "16x42".

Amendment adopted.

AMENDMENT NUMBER FOUR.

On page 1 of the printed bill, strike out lines 3 to 6, inclusive, and insert in lieu thereof the following:

"Sec. 16x42. In counties of the forty-second class, deputy superintendents of weights and measures shall receive six dollars per day for each day actually employed in the county."

Amendment adopted.

Bill read second time, ordered to print, engrossment, and on file for third reading.

Senate Bill No. 887—An act to amend section 4267 of the Political Code, relating to compensation of county and township officers in counties of the thirty-eighth class.

COMMITTEE AMENDMENTS.

During the second reading of the bill, the following committee amendments were offered:

AMENDMENT NUMBER ONE.

In line 1 of the title of the printed bill, strike out "4267", and insert in lieu thereof the following: "4271 and to repeal section 4267a".

Amendment adopted.

AMENDMENT NUMBER TWO.

In line 3 of the title of the printed bill, strike out "thirty-eighth", and insert in lieu thereof the following: "forty-second".

Amendment adopted.

AMENDMENT NUMBER THREE.

On page 1, line 1, of the printed bill, strike out "4267", and insert in lieu thereof the following: "4271".

Amendment adopted.

AMENDMENT NUMBER FOUR.

On page 1 of the printed bill, strike out lines 3 to 6, inclusive, and insert in lieu thereof the following:

"4271. In counties of the forty-second class the county officers and their deputies herein provided for, the township officers and grand jurors and trial jurors shall receive as compensation for the services required of them by law, or by virtue of their office, the following salaries, per diem and mileage, to wit:

1. The county clerk, two thousand seven hundred dollars per annum; *provided*, (a) that in counties of this class there shall be and there is hereby allowed to the county clerk one deputy who shall receive a salary of one thousand eight hundred dollars per annum, and one deputy who shall receive a salary of one thousand five hundred dollars per annum; the deputies herein provided for shall be appointed by the county clerk, and their salaries shall be paid by the said county in equal monthly installments at the same time in the same manner and out of the same funds as the salary of the county clerk is paid.

2. The sheriff, five thousand dollars per annum, and also his actual and necessary traveling expenses in the execution of a warrant outside of his county issued by a court magistrate of his county; *provided*, that in counties of this class the sheriff is hereby allowed one deputy who shall receive a salary of one thousand eight hundred dollars per annum; and further *provided*, that the sheriff shall pay into the county treasury, for use of the county, all fees, commissions or mileage for the service of all papers issued by any court of the state outside of his county.

3. The recorder, two thousand seven hundred fifty dollars per annum; *provided*, that in counties of this class the recorder is hereby allowed one deputy who shall receive a salary of one thousand eight hundred dollars per annum, and one deputy who shall receive a salary of one thousand five hundred dollars per annum.

4. The auditor, two thousand seven hundred fifty dollars per annum; *provided*, that in counties of this class the auditor is hereby allowed one deputy who shall receive a salary of one thousand eight hundred dollars per annum; and one deputy who shall receive a salary of one thousand five hundred dollars per annum; *provided*, that the auditor shall prepare for publication, without expense to the county, an annual statistical report.

5. The treasurer, three thousand dollars per annum; *provided*, that in counties of this class the treasurer is hereby allowed one deputy who shall receive a salary of one thousand five hundred dollars per annum; *provided*, that all commissions and fees authorized by any law to be collected by the treasurer shall be paid to the county.

6. The tax collector, two thousand four hundred dollars per annum; *provided*, (a) that in counties of this class the tax collector is hereby allowed one deputy for a period of eight months during each year who shall receive a salary of one hundred fifty dollars per month.

7. The assessor, four thousand dollars per annum; *provided*, that the assessor shall receive and retain for his own use four per cent only on personal property tax collections made by him as authorized by section 3820 of the Political Code.

8. The district attorney, two thousand four hundred dollars per annum; *provided*, that in counties of this class there shall be and is hereby allowed to the district attorney a stenographer or clerk which person shall receive the sum of one hundred dollars per month, said sum to be paid in monthly warrants at the same time, in the same manner and out of the same funds as the salary of the district attorney is paid.

9. The coroner, such fees as are now or may hereafter be allowed by law.

10. The public administrator, such fees as are now or may be hereafter allowed by law.

11. The superintendent of schools, three thousand two hundred dollars per annum and traveling expenses while visiting and examining schools and school properties of the county and in performing such other duties as are incident to the full discharge of the requirements of the office of the superintendent of schools, and who shall serve as secretary of the county board of education without compensation; *provided, (a)* that in counties of this class the superintendent of schools is hereby allowed one deputy who shall receive a salary of one thousand five hundred dollars per annum.

12. The surveyor, such fees as are now or may be hereafter allowed by law. The county surveyor shall receive a salary of two thousand seven hundred dollars per annum, for all work performed for the county, and in addition thereto he shall receive his actual traveling and other necessary expenses incurred by him while engaged in work in the field for the county; said salary shall be paid in the manner and out of the same funds as the salaries of county officers are paid.

13. Justices of the peace shall receive the following monthly salaries, to be paid each month, and in the same manner and out of the same funds as county officers are paid, which shall be in full for all services rendered by them in criminal cases: In townships having a population of more than nine hundred, seventy-five dollars per month; in townships having a population less than nine hundred and more than five hundred, fifty dollars per month; in townships having a population less than five hundred, twenty dollars per month.

14. Constables shall receive the following monthly salaries to be paid each month and in the same manner and out of the same fund as county officers are paid, which shall be in full for all services rendered by them in criminal cases: In townships having a population of more than nine hundred, seventy-five dollars per month; in townships having a population of less than nine hundred and more than five hundred, fifty dollars per month; in townships having a population of less than five hundred, twenty dollars per month; *provided*, that each constable shall receive his actual and necessary expenses, incurred in conveying prisoners to the county jail. In addition to the compensation received in criminal cases each constable shall receive and retain for his own use such fees as are now or may be hereafter allowed by law for all services performed by him in civil actions.

15. Supervisors, the sum of one hundred twenty-five dollars per month each; mileage at the rate of twenty cents per mile for each mile actually traveled by them in the discharge of their duties either as road commissioner or supervisor, not exceeding in the aggregate six hundred dollars per annum. Supervisors shall also receive their necessary expenses when the performance of duty as supervisor or road commissioner takes them out of the county.

16. The official reporters, same as now provided by law.

17. In counties of this class grand jurors and trial jurors in the superior court shall receive for each day's attendance the sum of three dollars, and for each mile actually and necessarily traveled from their residence to the county seat, the sum of fifteen cents; such mileage to be allowed but once during each session such jurors are required to attend.

18. The county librarian shall receive a salary of one thousand eight hundred dollars per annum, and the actual and necessary traveling expenses incurred on business of the office.

19. The deputies, stenographers, clerks and assistants herein provided for shall be appointed by the officers to whom the same are allowed, and shall be paid by the county, in equal monthly installments, at the same time, in the same manner and out of the same funds that said officers are paid."

Amendment adopted.

Bill read second time, ordered to print, engrossment, and on file for third reading.

Senate Bill No. 919—An act to amend section 4233 of the Political Code, relating to the salaries, fees and expenses of officers in counties of the fourth class.

COMMITTEE AMENDMENTS.

During the second reading of the bill, the following committee amendments were offered:

AMENDMENT NUMBER ONE.

In line 1 of the title of the printed bill, after "4233", insert the following: "and to repeal section 4233a".

Amendment adopted.

AMENDMENT NUMBER TWO.

On page 5, line 32, of the printed bill, strike out "two hundred sixty dol-", and insert in lieu thereof the following: "eight hundred dol-".

Amendment adopted.

AMENDMENT NUMBER THREE.

On page 5 of the printed bill, strike out lines 41 to 45, inclusive, and insert in lieu thereof the following: "attorney who shall receive a salary of three thousand dollars per annum; one deputy district attorney who shall receive a salary of two thousand nine hundred forty dollars per annum; two deputy district attorneys who shall receive salaries of two thousand six hundred forty dollars per".

Amendment adopted.

AMENDMENT NUMBER FOUR.

On page 5, line 49, of the printed bill, after the semicolon in said line, insert the following: "two investigators who shall receive salaries of one thousand eight hundred dollars each, per annum;".

Amendment adopted.

AMENDMENT NUMBER FIVE.

On page 5, line 51, of the printed bill, strike out "man".

Amendment adopted.

AMENDMENT NUMBER SIX.

On page 6, line 2, of the printed bill, strike out "typist", and insert in lieu thereof the following: "stenographer".

Amendment adopted.

AMENDMENT NUMBER SEVEN.

On page 6, line 14, of the printed bill, strike out "detectives", and insert in lieu thereof the following: "investigators".

Amendment adopted.

AMENDMENT NUMBER EIGHT.

On page 6, lines 17 and 18, of the printed bill, strike out "detectives, clerk", and insert in lieu thereof the following: "investigators, clerks".

Amendment adopted.

AMENDMENT NUMBER NINE.

On page 7, line 7, of the printed bill, after the semicolon in said line, strike out "one deputy", and insert in lieu thereof the following: "two deputies".

Amendment adopted.

AMENDMENT NUMBER TEN.

On page 7, line 8, of the printed bill, after the word "dollars", insert the following: "each".

Amendment adopted.

AMENDMENT NUMBER ELEVEN.

On page 7 of the printed bill, strike out lines 47 to 49, inclusive, and insert in lieu thereof the following: "conveyance in the performance of his official duties."

Amendment adopted.

AMENDMENT NUMBER TWELVE.

On page 8 of the printed bill, strike out lines 4 to 6, inclusive, and insert in lieu thereof the following: "two deputy coroners who shall receive a salary of two thousand one hundred dollars each per annum, and in addition thereto the board of supervisors shall allow each deputy coroner his actual".

Amendment adopted.

AMENDMENT NUMBER THIRTEEN.

On page 8 of the printed bill, strike out lines 27 and 28, and insert in lieu thereof the following: "dollars per annum; and such chainmen and rodmen as may

be necessary in the field, who shall receive a compensation of five dollars per diem each."

Amendment adopted.

AMENDMENT NUMBER FOURTEEN.

On page 9, line 12, of the printed bill, strike out "serve", and insert in lieu thereof the following: "be known and designated".

Amendment adopted.

AMENDMENT NUMBER FIFTEEN.

On page 9 of the printed bill, after line 25, insert as a new paragraph the following:

"In townships of the second class, one thousand eight hundred dollars per annum."

Amendment adopted.

AMENDMENT NUMBER SIXTEEN.

On page 9, line 26, of the printed bill, strike out "second", and insert in lieu thereof the following: "third".

Amendment adopted.

AMENDMENT NUMBER SEVENTEEN.

On page 9, line 33, of the printed bill, after "second", insert the following: "and third".

Amendment adopted.

AMENDMENT NUMBER EIGHTEEN.

On page 9, line 35, of the printed bill, after "second", insert the following: "and third".

Amendment adopted.

AMENDMENT NUMBER NINETEEN.

On page 9 of the printed bill, strike out lines 44 to 46, inclusive, and insert in lieu thereof the following: "shall be allowed one deputy central clerk at a monthly salary of one hundred seventy-five dollars, and one deputy central clerk at a monthly salary of one hundred sixty-five dollars, and four deputy court clerks at monthly salaries of one hundred sixty-five dollars each,".

Amendment adopted.

AMENDMENT NUMBER TWENTY.

On page 10, line 2, of the printed bill, after the word "central", strike out the word "clerks", and insert in lieu thereof the following: "clerk".

Amendment adopted.

AMENDMENT NUMBER TWENTY-ONE.

On page 10, line 4, of the printed bill, strike out "deputy central clerks", and insert in lieu thereof the following: "deputy central clerk".

Amendment adopted.

AMENDMENT NUMBER TWENTY-TWO.

On page 10, line 22, of the printed bill, strike out "of", and insert in lieu thereof the following: "or".

Amendment adopted.

AMENDMENT NUMBER TWENTY-THREE.

On page 10, line 47, of the printed bill, strike out "court", and insert in lieu thereof the following: "courts".

Amendment adopted.

AMENDMENT NUMBER TWENTY-FOUR.

On page 10 of the printed bill, after line 49, insert as a new paragraph the following:

"In townships of the second class in counties of this class, there shall be allowed a clerk in each of said justices' courts who shall receive a salary of nine hundred dollars per annum."

In counties of this class, townships shall be classified as follows:

Townships having a population of over thirty thousand shall be designated as townships of the first class; townships having a population of more than fifteen thousand and under thirty thousand shall be designated as townships of the second class; townships having a population under fifteen thousand shall be designated as townships of the third class."

Amendment adopted.

AMENDMENT NUMBER TWENTY-FIVE.

On page 13 of the printed bill, strike out lines 1 to 7, inclusive, and insert in lieu thereof the following:

"SEC. 2. Section 4233a of the Political Code is hereby repealed."

Amendment adopted.

Bill read second time, ordered to print, engrossment, and on file for third reading.

Senate Bill No. 311—An act to provide for the impounding and utilization of the waters of the American River for flood control, river flow control and equitation, domestic use, irrigation, reclamation, power development, or any one or more of such or other public uses; authorizing the State Department of Finance to acquire for the State property useful in connection therewith; defining the powers and duties of State officers and departments and of public and private agencies in relation thereto; authorizing the leasing of property of the State for any one or more of such uses and specifying certain terms and conditions to which said lease shall be subject.

COMMITTEE AMENDMENT.

During the second reading of the bill, the following committee amendment was offered:

AMENDMENT NUMBER ONE.

On page 3 of the printed bill, beginning with line 31, strike out all of the remainder of the bill.

Amendment adopted.

Bill read second time, ordered to print, engrossment, and on file for third reading.

CONSIDERATION OF DAILY FILE.

SECOND READING OF ASSEMBLY BILLS.

Assembly Bill No. 612—An act to amend section 239 of the Political Code, relating to organization of the Assembly.

Bill read second time, and ordered on file for third reading.

Assembly Bill No. 1286—An act to amend section 16x18 of the Weights and Measures Act, relating to sealers of weights and measures in counties of the eighteenth class.

COMMITTEE AMENDMENTS.

During the second reading of the bill, the following committee amendments were offered:

AMENDMENT NUMBER ONE.

In line 1 of the title of the printed bill, as amended in Assembly March 5, 1931, strike out "16x18", and insert in lieu thereof: "16x16".

Amendment adopted.

AMENDMENT NUMBER TWO.

On page 1, line 1, of the printed bill, as amended in Assembly March 5, 1931, strike out "16x18", and insert in lieu thereof: "16x16".

Amendment adopted.

Bill read second time, ordered to print, and on file for third reading.

Assembly Bill No. 201—An act to amend section 19~~x~~18 of the Juvenile Court Law, relating to salaries and expenses of probation officers and their assistants.

COMMITTEE AMENDMENTS.

During the second reading of the bill, the following committee amendments were offered:

AMENDMENT NUMBER ONE.

In line 1 of the title of the printed bill, as amended in Assembly March 5, 1931, strike out "19~~x~~18", and insert in lieu thereof: "19~~x~~16".

Amendment adopted.

AMENDMENT NUMBER TWO.

On page 1, line 1, of the printed bill, as amended in Assembly March 5, 1931, strike out "19~~x~~18", and insert in lieu thereof: "19~~x~~16".

Amendment adopted.

Bill read second time, ordered to print, and on file for third reading.

Assembly Bill No. 204—An act to amend section 2322~~x~~18 of the Political Code, relating to the salary of the county agricultural commissioner, his deputies and inspectors, in counties of the eighteenth class.

COMMITTEE AMENDMENTS.

During the second reading of the bill, the following committee amendments were offered:

AMENDMENT NUMBER ONE.

In line 1 of the title of the printed bill, as amended in Assembly March 5, 1931, strike out "2322~~x~~18", and insert in lieu thereof: "2322~~x~~16".

Amendment adopted.

AMENDMENT NUMBER TWO.

On page 1, line 1, of the printed bill, as amended in Assembly March 5, 1931, strike out "2322~~x~~18", and insert in lieu thereof: "2322~~x~~16".

Amendment adopted.

Bill read second time, ordered to print, and on file for third reading.

Assembly Bill No. 982—An act to amend section 4260 of the Political Code, relating to compensation of county and township officers in counties of the thirty-first class.

COMMITTEE AMENDMENTS.

During the second reading of the bill, the following committee amendments were offered:

AMENDMENT NUMBER ONE.

On page 3 of the printed bill, strike out lines 4 to 17, inclusive, and insert in lieu thereof the following: "deputies and special deputy are hereby created. Said special deputy shall receive as full compensation for all services performed, and all expenses incurred, the sum of one thousand two hundred dollars per annum; said field deputies shall each receive as full compensation for all services performed, and all expenses incurred, the sum of six dollars per diem for each day actually and necessarily employed as such, to be paid out of the county treasury at the same time, in the same manner, and out of the same fund as the salaries of other county officers are paid; *provided, however,* that the total compensation paid to all such field deputy assessors shall not exceed the sum of six hundred dollars during any one calendar year; *provided, also,* that every field".

Amendment adopted.

AMENDMENT NUMBER TWO.

On page 5 of the printed bill, strike out lines 26 to 30, inclusive, and insert in lieu thereof the following: "both as supervisor and road commissioner. Each supervisor shall be allowed twenty cents per mile for each mile actually and necessarily traveled to and from meetings of the board of supervisors."

Amendment adopted.

Bill read second time, ordered to print, and on file for third reading.

Assembly Bill No. 1601—An act to amend section 4280 of the Political Code, relating to compensation of county and township officers in counties of the fifty-first class.

COMMITTEE AMENDMENT.

During the second reading of the bill, the following committee amendment was offered:

AMENDMENT NUMBER ONE.

On page 3, line 2, of the printed bill, after the period, insert the following: "The salaries of said deputies and assistants shall be paid at the same time and in the same manner and out of the same fund as the salary of the tax collector is paid."

Amendment adopted.

Bill read second time, ordered to print, and on file for third reading.

Assembly Bill No. 1417—An act to amend section 19r19 of the Juvenile Court Law, as relating to salaries of probation officers in counties of the twenty-fourth class.

COMMITTEE AMENDMENTS.

During the second reading of the bill, the following committee amendments were offered:

AMENDMENT NUMBER ONE.

On page 2, line 1, of the printed bill, as amended in Assembly March 20, 1931, strike out the words "who shall act as stenographer and".

Amendment adopted.

AMENDMENT NUMBER TWO.

On page 2, line 2, of the printed bill, as amended in Assembly March 20, 1931, strike out the words "clerk, and".

Amendment adopted.

Bill read second time, ordered to print, and on file for third reading.

Assembly Bill No. 1713—An act to amend section 19r44 of the Juvenile Court Law, relating to probation officers in counties of the forty-fourth class.

Bill read second time, and ordered on file for third reading.

Assembly Bill No. 1714—An act to amend section 2322r44 of the Political Code, relating to the office of agricultural commissioner in counties of the forty-fourth class.

Bill read second time, and ordered on file for third reading.

Assembly Bill No. 1716—An act to amend section 16r44 of the Weights and Measures Act, relating to sealers of weights and measures in counties of the forty-fourth class.

Bill read second time, and ordered on file for third reading.

Assembly Bill No. 1718—An act to amend section 19x50 of the Juvenile Court Law, relating to probation officers in counties of the fiftieth class.

Bill read second time, and ordered on file for third reading.

Assembly Bill No. 1074—An act to amend section 4249 of the Political Code, relating to compensation of county and township officers in counties of the twentieth class.

Bill read second time, and ordered on file for third reading.

Assembly Bill No. 1530—An act to amend section 16x20 of the Weights and Measures Act, relating to sealers of weights and measures in counties of the twentieth class.

Bill read second time, and ordered on file for third reading.

Assembly Bill No. 1535—An act to amend section 2322x23 of the Political Code, relating to the salary of the horticultural commissioner, his deputies and inspectors in counties of the twentieth class.

Bill read second time, and ordered on file for third reading.

Assembly Bill No. 1536—An act to amend section 19x23 of the Juvenile Court Law, relating to the compensation of probation officers in counties of the twentieth class.

Bill read second time, and ordered on file for third reading.

Assembly Bill No. 1162—An act relating to the supervision, investigation, and rehabilitation of wards of the juvenile court, committed to the care of any association, society, or corporation, embracing within its objects the purpose of caring for or obtaining homes for such persons.

Bill read second time, and ordered on file for third reading.

Assembly Bill No. 1600—An act to add a new section, to be numbered 9a51, to an act entitled "An act to provide for the establishment and maintenance of county free libraries in the State of California, and repealing 'An act entitled "An act to provide county library systems," approved April 12, 1909, and all acts and parts of acts in conflict with this act," approved February 25, 1911, as amended, relating to libraries in counties of the fifty-first class.

Bill read second time, and ordered on file for third reading.

Assembly Bill No. 1602—An act to amend section 16x51, Weights and Measures Act, relating to sealers of weights and measures in counties of the fifty-first class.

Bill read second time, and ordered on file for third reading.

Assembly Bill No. 1603—An act to amend section 2322x51 of the Political Code, relating to the office of agricultural commissioner in counties of the fifty-first class.

Bill read second time, and ordered on file for third reading.

Assembly Bill No. 1604—An act to add a new section, to be numbered 9a28, to the act entitled "An act to provide for the establishment and maintenance of county free libraries in the State of California, and repealing 'An act entitled "An act to provide county library systems," approved April 12, 1909, and all acts and parts of acts in conflict with

this act,''' approved February 25, 1911, as amended, relating to libraries in counties of the twenty-eighth class.

Bill read second time, and ordered on file for third reading.

Assembly Bill No. 1605—An act to amend section 4257 of the Political Code, relating to compensation of county and township officers in counties of the twenty-eighth class.

Bill read second time, and ordered on file for third reading.

Assembly Bill No. 1606—An act to amend section 16r28, Weights and Measures Act, relating to sealers of weights and measures in counties of the twenty-eighth class.

Bill read second time, and ordered on file for third reading.

Assembly Bill No. 1705—An act to amend section 19r32 of the Juvenile Court Law, relating to probation officers in counties of the thirty-second class.

Bill read second time, and ordered on file for third reading.

Assembly Bill No. 1706—An act to amend section 16r32, Weights and Measures Act, relating to sealers of weights and measures in counties of the thirty-second class.

Bill read second time, and ordered on file for third reading.

Assembly Bill No. 1707—An act to add a new section, to be numbered 9a32, to the act entitled "An act to provide for the establishment and maintenance of county free libraries in the State of California, and repealing 'An act entitled "An act to provide county library systems," approved April 12, 1909, and all acts and parts of acts in conflict with this act,''' approved February 25, 1911, as amended, relating to libraries in counties of the thirty-second class.

Bill read second time, and ordered on file for third reading.

Assembly Bill No. 1709—An act to amend section 2322r39 of the Political Code, relating to the office of agricultural commissioner in counties of the thirty-ninth class.

Bill read second time, and ordered on file for third reading.

Assembly Bill No. 1710—An act to amend section 16r39 of the Weights and Measures Act, relating to sealers of weights and measures in counties of the thirty-ninth class.

Bill read second time, and ordered on file for third reading.

Assembly Bill No. 1711—An act to amend section 16r50 of the Weights and Measures Act, relating to sealers of weights and measures in counties of the fiftieth class.

Bill read second time, and ordered on file for third reading.

Assembly Bill No. 1712—An act to amend section 2322r50 of the Political Code, relating to the office of agricultural commissioner in counties of the fiftieth class.

Bill read second time, and ordered on file for third reading.

Assembly Bill No. 208—An act to amend section 4285 of the Political Code, relating to the salaries, fees and expenses of officers in counties of the fifty-sixth class.

Bill read second time, and ordered on file for third reading.

Assembly Bill No. 210—An act to amend section 4279 of the Political Code, relating to officers in counties of the fiftieth class and the salaries, fees and expenses thereof.

Bill read second time, and ordered on file for third reading.

Assembly Bill No. 413—An act to amend section 4273 of the Political Code, relating to fees and salaries of officers in counties of the forty-fourth class.

Bill read second time, and ordered on file for third reading.

Assembly Bill No. 1296—An act to amend section 1939 of the Juvenile Court Law, relating to salary of the probation officer in counties of the thirty-ninth class.

Bill read second time, and ordered on file for third reading.

Assembly Bill No. 1297—An act to amend section 4268 of the Political Code, relating to the salaries, fees and expenses of officers, and the fees and mileage of jurors in counties of the thirty-ninth class.

Bill read second time, and ordered on file for third reading.

Assembly Bill No. 1701—An act to add a new section to be numbered 9a39, to the act entitled "An act to provide for the establishment and maintenance of county free libraries in the State of California, and repealing 'An act entitled 'An act to provide county library systems,' approved April 12, 1909, and all acts and parts of acts in conflict with this act,' " approved February 25, 1911, as amended, relating to libraries in counties of the thirty-ninth class.

Bill read second time, and ordered on file for third reading.

Assembly Bill No. 1704—An act to amend section 232232 of the Political Code, relating to the office of agricultural commissioner in counties of the thirty-second class.

Bill read second time, and ordered on file for third reading.

USE OF SENATE CHAMBER GRANTED.

Senator Allen asked for, and was granted, unanimous consent for the use of the Senate Chamber for Wednesday evening, April 15, 1931, by the Committee on Constitutional Amendments.

CONSIDERATION OF DAILY FILE.

THIRD READING OF SENATE BILLS.

Senate Bill No. 760—An act to amend chapter 586 of the Statutes of 1913, known as the "Water Commission Act," approved June 16, 1913, as amended, by amending section 36f thereof, relating to the adjudication of appropriative water rights and by adding thereto a new section to be numbered 36g, relating to modification of court decrees as to quantities of water awarded.

Bill read third time.

MOTION TO REFER TO SPECIAL COMMITTEE OF ONE.

During third reading of the bill, Senator Bush moved to refer Senate Bill No. 760 to Senator Allen, as a Special Committee of One, to amend as follows:

AMENDMENT NUMBER ONE.

On page 2, line 38, of the printed bill, as amended in the Senate March 20, 1931, after the word "completion", insert a comma and the following: "after entry of decree as provided in section 36b or 36c of this act,".

AMENDMENT NUMBER TWO.

On page 2, line 40, of the printed bill, as amended in the Senate March 20, 1931, after the word "failure", insert a comma and the following: "after entry of decree as provided in section 36b or 36c of this act,".

Motion carried.

REPORT OF SPECIAL COMMITTEE OF ONE.

SENATE CHAMBER, SACRAMENTO, April 14, 1931.

MR. PRESIDENT: Your Special Committee of One, to which was referred Senate Bill No. 760, with instructions to amend, respectfully reports the same back, amended as per instructions.

ALLEN, Committee.

Report read, and on motion of Senator Bush adopted.

Bill ordered to print and re-engrossment.

Senate Bill No. 477—An act to repeal chapter 393, Statutes of 1909, entitled "An act to fix the salaries of the State Forester, deputy forester and assistant forester," approved March 22, 1909, as amended.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Senate Bill No. 477 passed by the following vote:

AYES—Senators Allen, Baker, Bush, Cassidy, Christian, Cleveland, Clock, Crittenden, Deuel, Duval, Edwards, Evans, Fellom, Hays, Jones, Maloney, McCormack, McKinley, Mixer, Moran, Pedrotti, Rich, Riley, Rochester, Schottky, Sharkey, Slater, Treacy, Waggy, Williams, and Young—31.

NOES—None.

Title read and approved.

Bill ordered transmitted to the Assembly.

Senate Bill No. 941—An act to amend section 5.812 of the School Code, relating to the retirement of teachers.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Senate Bill No. 941 passed by the following vote:

AYES—Senators Baker, Bush, Carter, Cassidy, Christian, Cleveland, Clock, Crittenden, Deuel, Duval, Edwards, Evans, Fellom, Hays, Ingels, Jones, Maloney, McCormack, McKinley, Mixer, Moran, Nelson, Pedrotti, Rich, Riley, Rochester, Schottky, Sharkey, Slater, Treacy, Waggy, Williams, and Young—33.

NOES—None.

Title read and approved.

Bill ordered transmitted to the Assembly.

Senate Bill No. 83—An act to prohibit the employment of aliens by contractors and subcontractors on all public work, except in certain cases of extraordinary emergency, providing for the reporting of such cases of extraordinary emergency and the keeping of records of the citizenship of workers employed upon public work and the inspection of such records by the proper officials, providing for a forfeiture for each calendar day or portion thereof any alien is permitted to work on public work and for a stipulation to this effect in the contract, and providing other penalties for violation of the provisions thereof.

Bill read third time.

MOTION TO REFER TO SPECIAL COMMITTEE OF ONE.

During third reading of the bill, Senator Maloney moved to refer Senate Bill No. 83 to Senator Fellom, as a Special Committee of One, to amend as follows:

AMENDMENT NUMBER ONE.

In line 8 of the title of the printed bill, before the word "permitted", insert the following: "knowingly".

AMENDMENT NUMBER TWO.

On page 1, line 7, of the printed bill, before the word "employ", insert the word "knowingly".

AMENDMENT NUMBER THREE.

On page 2, line 18, of the printed bill, before the word "employed", insert the word "knowingly".

AMENDMENT NUMBER FOUR.

On page 2, line 46, of the printed bill, before the word "district", strike out the word "of", and insert in lieu thereof "or".

Motion carried.

REPORT OF SPECIAL COMMITTEE OF ONE.

SENATE CHAMBER, SACRAMENTO, April 14, 1931.

MR. PRESIDENT: Your Special Committee of One, to which was referred Senate Bill No. 83, with instructions to amend, respectfully reports the same back, amended as per instructions.

FELLOM, Committee.

Report read, and on motion of Senator Maloney adopted.

Bill ordered to print.

CONSIDERATION OF DAILY FILE.

THIRD READING OF ASSEMBLY BILLS.

Assembly Bill No. 126—An act authorizing certain improvements upon the grounds of the California Schools for the Deaf and Blind at Berkeley, California.

On motion of Senator Mixer, Assembly Bill No. 126 was ordered re-referred to Committee on Education.

Assembly Bill No. 57—An act to amend section 4255, to repeal sections 4256*a* and 4256*b*, and to add section 4255*a* to the Political Code, relating to the salaries and fees of county officers in counties of the twenty-sixth class.

Bill read third time.

MOTION TO REFER TO SPECIAL COMMITTEE OF ONE.

During third reading of the bill, Senator Schottky moved to refer Assembly Bill No. 57 to Senator Waggy, as a Special Committee of One, to amend as follows:

AMENDMENT NUMBER ONE.

On page 3, line 45, of the printed bill, strike out the words "six thousand fifty", and insert in lieu thereof the words, "six thousand nine hundred twenty-five".

AMENDMENT NUMBER TWO.

On page 3, line 52, of the printed bill, strike out the words "all fees", and insert in lieu thereof the words "all fees and commissions".

Motion carried.

REPORT OF SPECIAL COMMITTEE OF ONE.

SENATE CHAMBER, SACRAMENTO, April 14, 1931.

MR. PRESIDENT: Your Special Committee of One, to which was referred Assembly Bill No. 57, with instructions to amend, respectfully reports the same back, amended as per instructions.

WAGY, Committee.

Report read, and on motion of Senator Schottky adopted.

Bill ordered to print.

Assembly Bill No. 459—An act to amend section 18 of chapter 358, Statutes of 1925, entitled "An act authorizing the establishment of municipal courts, prescribing their constitution, regulation, government, procedure and jurisdiction, and providing for the election and appointment of the judges, clerks, and other attaches of such courts, their terms of office, qualification and compensation and for the selection of jurors therein," approved May 23, 1925, as amended, relating to the appointment and duties of clerks, deputy clerks, marshals, deputy marshals, and the filling of vacancies in said offices.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Assembly Bill No. 459 passed by the following vote:

AYES—Senators Allen, Baker, Breed, Carter, Cassidy, Christian, Cleveland, Crittenden, Duval, Edwards, Evans, Fellom, Hays, Ingels, Jones, Maloney, McCormack, McKinley, Mixter, Moran, Pedrotti, Rich, Riley, Schottky, Slater, Treacy, Wagy, and Williams—29.

NOES—None.

Title read and approved.

Bill ordered transmitted to the Assembly.

Assembly Bill No. 487—An act to amend sections 3 and 8 of an act entitled "An act to regulate the practice of architecture," approved March 23, 1901, as amended, relating to the State Board of Architectural Examiners.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Assembly Bill No. 487 passed by the following vote:

AYES—Senators Allen, Baker, Breed, Bush, Carter, Cassidy, Christian, Cleveland, Clock, Crittenden, Duval, Edwards, Evans, Fellom, Harper, Hays, Inman, Jones, Maloney, McKinley, Mixter, Moran, Pedrotti, Rich, Riley, Slater, Treacy, and Williams—29.

NOES—None.

Title read and approved.

Bill ordered transmitted to the Assembly.

ASSEMBLY JOINT RESOLUTION No. 16.

Relative to memorializing United States Secretary of Agriculture Arthur M. Hyde, to rescind his order of December 26, 1930, with regard to the labeling of food products containing corn sugar.

WHEREAS, On December 26, 1930, United States Secretary of Agriculture Arthur M. Hyde issued the following order:

"Corn sugar (dextrose) when sold in packages, must be labeled as such; when sold in bulk must be declared as such; but the use of pure refined corn sugar as an ingredient in the packing, preparation or processing of any article of food in which sugar is a recognized element need not be declared upon the label of any such product.

"Nothing in this ruling shall be construed to permit the adulteration or imitation of any natural product such as honey by the addition of any sugar or other ingredient whatever"; and

WHEREAS, Research by the laboratories of the California State Board of Health and elsewhere indicate that corn sugar has entirely different properties from cane or beet sugar (chemically known as sucrose), and also has materially less sweetening power; and

WHEREAS, Cane or beet sugar have been used for generations in the home, and commercially as the natural sweetening for foods and that the consumer expects this sugar to be used in these products; and

WHEREAS, In view of the above facts, Secretary Hyde's order will mislead the consuming public as to the contents of manufactured food products; and

WHEREAS, Secretary Hyde's ruling thereby disregards one of the fundamental principles of the Federal Food Law, which is that the public shall not be deceived or misled as to the contents of any package of food; now, therefore, be it

Resolved by the Assembly and Senate of the State of California, jointly. That the United States Secretary of Agriculture, Arthur M. Hyde, be hereby memorialized and earnestly urged to rescind said order; and be it further

Resolved, That the Chief Clerk of the Assembly be hereby directed forthwith to transmit this resolution to Secretary Hyde, to the President of the United States, and to the members of Congress.

Resolution read.

The question being on the adoption of the resolution.

The roll was called, and Assembly Joint Resolution No. 16 adopted by the following vote:

AYES—Senators Allen, Baker, Breed, Bush, Carter, Cassidy, Christian, Cleveland, Crittenden, Deuel, Duval, Edwards, Evans, Fellom, Harper, Hays, Inman, Jones, Maloney, McCormack, McKinley, Mixer, Moran, Pedrotti, Rich, Riley, Schottky, Sharkey, Slater, Treacy, Williams, and Young—32.

NOES—None.

Assembly Joint Resolution No. 16 ordered transmitted to the Assembly.

Assembly Bill No. 615—An act to amend chapter 801, Statutes of 1929, entitled "An act regulating the practice of civil engineering," approved June 14, 1929, by adding a new section to said act known as section 1b limiting the use of the title "structural engineer" and providing a method whereby civil engineers must qualify before using the title of structural engineer.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Assembly Bill No. 615 passed by the following vote:

AYES—Senators Allen, Baker, Breed, Bush, Carter, Cassidy, Christian, Cleveland, Clock, Duval, Edwards, Evans, Fellom, Hays, Ingels, Inman, Jones, Maloney, McCormack, Mixer, Moran, Pedrotti, Riley, Schottky, Sharkey, Slater, Treacy, Williams, and Young—29.

NOES—None.

Title read and approved.

Bill ordered transmitted to the Assembly.

CONSIDERATION OF DAILY FILE.

THIRD READING OF SENATE BILLS—(RESUMED).

Senate Bill No. 449—An act to amend sections 6.470, 6.470-1, 6.470-2, 6.472, 6.473, 6.476 and 6.477 of the School Code, relating to the purchase of standard school supplies by the county superintendent of schools.

Bill read third time.

MOTION TO REFER TO SPECIAL COMMITTEE OF ONE.

During third reading of the bill, Senator Sharkey moved to refer Senate Bill No. 449 to Senator Swing, as a Special Committee of One, to amend as follows:

AMENDMENT NUMBER ONE.

In line 1 of the title of the printed bill, strike out the following: "6.470-1, 6.470-2,".

AMENDMENT NUMBER TWO.

In line 2 of the title of the printed bill, insert after the word "of", the following: ", and to add sections 6.470-1 and 6.470-2 to,".

AMENDMENT NUMBER THREE.

In line 2 of the title of the printed bill, insert before the word "relating", the following: "and to repeal chapter 582, statutes of 1929, entitled "An act to provide for the purchase of school supplies for school districts and defining the powers and duties of superintendents of schools of county and other officers in relation thereto" approved May 31, 1929, all".

AMENDMENT NUMBER FOUR.

On page 1 of the printed bill, strike out lines 14 to 16, inclusive, and insert in lieu thereof the following:

"Sec. 2. A new section to be numbered 6.470-1 is hereby added to the School Code to read as follows:".

AMENDMENT NUMBER FIVE.

On page 2 of the printed bill, strike out lines 4 to 6, inclusive, and insert in lieu thereof the following:

"Sec. 3. A new section to be numbered 6.470-2 is hereby added to the School Code to read as follows:".

AMENDMENT NUMBER SIX.

On page 3 of the printed bill, add after line 16, the following:

"Sec. 8. Chapter 582, statutes of 1929, entitled "An act to provide for the purchase of school supplies for school districts and defining the powers and duties of superintendents of schools of county and other officers in relation thereto", approved May 31, 1929, is hereby repealed."

Motion carried.

REPORT OF SPECIAL COMMITTEE OF ONE.

SENATE CHAMBER, SACRAMENTO, April 9, 1931.

MR. PRESIDENT: Your Special Committee of One, to which was referred Senate Bill No. 449, with instructions to amend, respectfully reports the same back, amended as per instructions.

SWING, Committee.

Report read, and on motion of Senator Sharkey adopted.

Bill ordered to print and re-engrossment.

MOTION TO RECONSIDER.

Pursuant to his notice given on a previous day, Senator Moran moved to reconsider the vote whereby Assembly Bill No. 513 was passed.

POSTPONEMENT OF RECONSIDERATION

On motion of Senator Moran, the further consideration of the motion to reconsider the vote whereby Assembly Bill No. 513 was passed, was continued until the next legislative day.

RESOLUTION.

The following resolution was offered:

By Senator Jones:

WHEREAS, The California Vehicle Act requires the Division of Motor Vehicles, upon the registration of a motor vehicle, to issue a license plate; and

WHEREAS, Said Vehicle Act makes no provision for any special distinguishing mark or symbol with respect to license plates issued for motor vehicles owned and operated by members of the Legislature or any State official; and

WHEREAS, The State Division of Motor Vehicles, without express authority of law, has issued numerous license plates for vehicles owned and operated by members of the Legislature and by others, said license plates bearing distinguishing symbols or colors; and

WHEREAS, Said practice is deemed detrimental and not in the public interest; now, therefore,

It is hereby resolved, That the Senate of the State of California hereby expresses its disapproval of said practice of the Division of Motor Vehicles and requests that

the Division of Motor Vehicles in the future refrain from issuing license plates bearing distinguishing colors or symbols to indicate the ownership or operation of a motor vehicle by a member of the Legislature or by any other official or by any private person.

MOTION TO REFER RESOLUTION.

Senator Sharkey moved, seconded by Senator Fellom, that Senator Jones' resolution be referred to Committee on Motor Vehicles.

POINT OF ORDER.

Senator Sharkey raised the point of order that "Senator Crittenden is out of order, as he was talking on the resolution and not Senator Sharkey's motion to refer the resolution to the Committee on Motor Vehicles."

DECISION ON POINT OF ORDER.

The President announced his decision and declared the point of order not well taken.

AYES AND NOES DEMANDED.

A roll call was demanded by Senators Jones, Inman, and Williams on Senator Sharkey's motion to refer Senator Jones' resolution to the Committee on Motor Vehicles.

The roll was called, and Senator Sharkey's motion carried by the following vote:

AYES—Senators Baker, Bush, Carter, Christian, Cleveland, Deuel, Duval, Edwards, Fellom, Hays, Ingels, Maloney, McCormack, McKinley, Mixter, Moran, Rich, Riley, Schottky, Sharkey, Slater, Treacy, Waggy, and Young—24.

NOES—Senators Allen, Breed, Clock, Crittenden, Evans, Inman, Jones, and Williams—8.

CONSIDERATION OF DAILY FILE

THIRD READING OF ASSEMBLY BILLS—(RESUMED).

Assembly Bill No. 1138—An act to repeal part V of division IV of the School Code, embracing sections 4.960 to 4.1353, both inclusive thereof, and to add a new part to division IV thereof, to be known as part V, embracing sections 4.960 and 4.1044, both inclusive, all relating to elementary district, high school district and junior college district bonds.

Bill read third time.

MOTION TO REFER TO SPECIAL COMMITTEE OF ONE.

During third reading of the bill, Senator Hays moved to refer Assembly Bill No. 1138 to Senator Deuel, as a Special Committee of One, to amend as follows:

AMENDMENT NUMBER ONE.

On page 2, line 35, of the printed bill, strike out the word "thirty", and insert in lieu thereof the word "twenty-five".

AMENDMENT NUMBER TWO.

On page 3, line 24, of the printed bill, strike out the word "thirty", and insert in lieu thereof the word "twenty-five".

AMENDMENT NUMBER THREE.

On page 4, line 6, of the printed bill, strike out the word "thirty", and insert in lieu thereof the word "twenty-five".

Motion carried.

REPORT OF SPECIAL COMMITTEE OF ONE.

SENATE CHAMBER, SACRAMENTO, April 14, 1931.

MR. PRESIDENT: Your Special Committee of One, to which was referred Assembly Bill No. 1138, with instructions to amend, respectfully reports the same back, amended as per instructions.

DEUEL, Committee.

Report read, and on motion of Senator Hays adopted.
Bill ordered to print.

Assembly Bill No. 376—An act to amend the Irrigation District Improvement Act, as amended, by amending sections 1, 2, 6, 7, 8, 9 and 10 thereof, relating to assessments, warrants and property, and by adding three new sections to be numbered 15, 16 and 17, relating to assessments.

Bill read third time.

MOTION TO REFER TO SPECIAL COMMITTEE OF ONE.

During third reading of the bill, Senator Bush moved to refer Assembly Bill No. 376 to Senator Allen, as a Special Committee of One, to amend as follows:

AMENDMENT NUMBER ONE.

On page 5, line 16, of the printed bill, after the word "indebtedness", insert the word "or".

Motion carried.

REPORT OF SPECIAL COMMITTEE OF ONE.

SENATE CHAMBER, SACRAMENTO, April 14, 1931.

MR. PRESIDENT: Your Special Committee of One, to which was referred Assembly Bill No. 376, with instructions to amend, respectfully reports the same back, amended as per instructions.

ALLEN, Committee.

Report read, and on motion of Senator Bush adopted.
Bill ordered to print.

PETITION.

The following petition was presented, and ordered printed in the Journal:

By Senator Maloney:

CENTRAL LABOR COUNCIL, OF VALLEJO AND VICINITY,
VALLEJO, CALIFORNIA, April 11, 1931.

Senator Thomas A. Maloney.

DEAR SIR: This council has gone on record as endorsing the Craig bills for federal reapportionment and Assembly reapportionment as fair and equitable to the entire State. We therefore urge the final passage of these bills.

We further request the publication of this letter in the daily Journal.

Very truly,

C. S. BEARDSLEY, Secretary.

RECESS.

On motion of Senator Breed, at twelve o'clock and thirty minutes p.m., the President of the Senate declared recess until two o'clock p.m.

RECONVENED.

At two o'clock p.m., the Senate reconvened.

Lieutenant Governor Frank F. Merriam, President of the Senate, in the chair.

Secretary Joseph A. Beek at the desk.

REPORTS OF STANDING COMMITTEES—(RESUMED)

The following reports of standing committees were received and read:

ON AGRICULTURE AND LIVE STOCK.

SENATE CHAMBER, SACRAMENTO, April 14, 1931.

MR. PRESIDENT: Your Committee on Agriculture and Live Stock, to which was referred Assembly Bill No. 141—An act to amend the title of and to revise chapter 577, Statutes of 1919, entitled "An act to provide for the certification of potato seed, authorizing the State Commissioner of Horticulture to employ a Potato Inspector and to fix his salary, declaring the violation of the provisions hereof to be a misdemeanor and making an appropriation to carry out the purposes hereof," approved May 27, 1919, relating to the State Department of Agriculture and the growing of potatoes and the inspection and certification thereof, has had the same under consideration, and respectfully reports the same back with amendments, and recommends that the amendments be adopted, and that it do pass as amended.

Committee membership—13; committee vote: Ayes—10; absent—3.

DUVAL, Chairman.

Assembly Bill No. 141 ordered on file for second reading.

Also:

MR. PRESIDENT: Your Committee on Agriculture and Live Stock, to which was referred Assembly Concurrent Resolution No. 12—Relative to stimulation of California industry in the interests of relief of unemployment—has had the same under consideration, and respectfully report the same back, and recommends that it be adopted.

Committee membership—13; committee vote: Ayes—8; absent—5.

DUVAL, Chairman.

Assembly Concurrent Resolution No. 12 ordered on file.

Also:

MR. PRESIDENT: Your Committee on Agriculture and Live Stock, to which was referred Assembly Bill No. 600—An act to amend sections 2319a and 2319b of the Political Code, relating to the duties of the State Commissioner of Horticulture—has had the same under consideration, and respectfully reports the same back with amendments, and recommends that the amendments be adopted, and that it do pass as amended.

Committee membership—13; committee vote: Ayes—10; absent—3.

DUVAL, Chairman.

Assembly Bill No. 600 ordered on file for second reading.

Also:

MR. PRESIDENT: Your Committee on Agriculture and Live Stock, to which was referred Senate Bill No. 370—An act to add a new article to chapter 3 of title I of part III of the Political Code to be numbered article IIa, embracing sections 378 to 378m, inclusive, and to repeal article XIa, of chapter 3 of title I of part III of the Political Code, relating to a Department of Commerce—has had the same under consideration, and respectfully reports the same back, without recommendation, and requests that it be re-referred to the Committee on Finance.

Committee membership—13; committee vote: Ayes—10; absent—3.

DUVAL, Chairman.

Senate Bill No. 370 ordered re-referred to Committee on Finance.

Also:

MR. PRESIDENT: Your Committee on Agriculture and Live Stock, to which was referred Assembly Bill No. 598—An act to amend section 2322c of the Political Code, relating to county horticultural commissioners—has had the same under consideration, and respectfully reports the same back, and recommends that it do pass.

Committee membership—13; committee vote: Ayes—10; absent—3.

DUVAL, Chairman.

Assembly Bill No. 598 ordered on file for second reading.

Also:

MR. PRESIDENT: Your Committee on Agriculture and Live Stock, to which was referred Senate Bill No. 402—An act to promote the development of the egg industry in California, to prohibit the sale of eggs unfit for human food, to provide standards of quality and weight for the sale of eggs, to provide for proper labeling

of all eggs displayed for sale to the consumer, to protect the consuming public by preventing deception in the sale of eggs, providing penalties for the violation of the provisions of this act, and repealing all acts or parts of acts in conflict herewith—has had the same under consideration, and respectfully reports the same back with amendments, and recommends that the amendments be adopted, and that it do pass as amended.

Committee membership—13; committee vote: Ayes—8; absent—5.

DUVAL, Chairman.

Senate Bill No. 402 ordered on file for second reading.

ON PUBLIC HEALTH AND QUARANTINE.

SENATE CHAMBER, SACRAMENTO, April 14, 1931.

MR. PRESIDENT: Your Committee on Public Health and Quarantine, to which was referred Senate Bill No. 584—An act to amend sections 2, 3, 4, 5, 6, 7, 8, 9, 10, 12, 12a, 13, 14, 15, 16, 18, 19, 20, 21, and to add a new section to be numbered 24 to chapter 845, Statutes 1927, "An act to regulate the occupations and practices of hairdressers and cosmeticians, cosmetologists, and the branches of cosmetology; to create the State Board of Cosmetology, and to provide for the issuance by said board of certificates of registration and licenses entitling the holders thereof to engage in and to teach such occupations and practices; to insure the better education of hairdressers and cosmeticians; to provide for rules regulating the proper conduct and sanitation of cosmetological establishments, schools of cosmetology, and places where the occupations of hairdressers and cosmeticians are practiced; prescribing penalties for the violation of the provisions of this act," approved by the Governor, May 31, 1927—has had the same under consideration, and respectfully reports the same back with amendments, and recommends that the amendments be adopted, and that it do pass as amended.

Committee membership—7; committee vote: Ayes—6; absent—1.

WILLIAMS, Chairman.

Senate Bill No. 584 ordered on file for second reading.

INTRODUCTION, FIRST READING AND REFERENCE OF BILLS.

The following resolution was offered:

By Senators Ingels and Allen: Senate Constitutional Amendment No. 29—A resolution to propose to the people of the State of California, an amendment to the constitution of said State by adding to article XIII thereof, a new section to be numbered 11½, relating to the taxation of personal incomes.

Referred to Committee on Constitutional Amendments.

CONSIDERATION OF DAILY FILE.

THIRD READING OF ASSEMBLY BILLS—(RESUMED).

Assembly Bill No. 1011—An act to amend section 409 of the Political Code, relating to the fees to be collected by the Secretary of State.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Assembly Bill No. 1011 passed by the following vote:

AYES—Senators Baker, Breed, Bush, Carter, Cassidy, Christian, Crittenden, Deuel, Edwards, Evans, Fellom, Harper, Hays, Inman, Maloney, McKinley, Mixer, Moran, Nelson, Pedrotti, Riley, Rochester, Sharkey, Slater, Wagy, and Williams—26.

NOES—None.

Title read and approved.

Bill ordered transmitted to the Assembly.

Assembly Bill No. 1016—An act to amend section 1174 of the Code of Civil Procedure, relating to judgments in proceedings for forcible entries, forcible or unlawful detainer.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Assembly Bill No. 1016 passed by the following vote:

AYES—Senators Baker, Breed, Bush, Carter, Cassidy, Christian, Crittenden, Deuel, Edwards, Evans, Fellom, Harper, Hays, Inman, Maloney, McCormack, Mixter, Moran, Nelson, Pedrotti, Riley, Rochester, Schottky, Sharkey, Slater, Waggy, and Williams. 27.

NOES—None.

Title read and approved.

Bill ordered transmitted to the Assembly.

Assembly Bill No. 1177—An act to amend sections 2, 3, 4, 6, 7, 8, 12, 18, 20 and 21 of, and to add a new section to be numbered 12½ to the General Dairy Law of California, approved June 15, 1923, as amended.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Assembly Bill No. 1177 passed by the following vote:

AYES—Senators Baker, Breed, Bush, Carter, Cassidy, Christian, Crittenden, Deuel, Edwards, Evans, Fellom, Harper, Hays, Inman, Maloney, McCormack, Mixter, Moran, Nelson, Pedrotti, Rochester, Schottky, Sharkey, Slater, Williams, and Young. 26.

NOES—None.

Title read and approved.

Bill ordered transmitted to the Assembly.

CONSIDERATION OF DAILY FILE.

THIRD READING OF SENATE BILLS—(RESUMED).

Senate Bill No. 336—An act to amend section 1 of chapter 763, Statutes of 1929, entitled "An act authorizing California Toll-bridge Authority and the Department of Public Works of the State of California to lay out, acquire and construct a highway crossing from the city of San Francisco across the bay of San Francisco to the county of Alameda and providing for the payment of the cost thereof," approved June 10, 1929, relating to the cost of said bridge and its adoption as a State highway.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Senate Bill No. 336 passed by the following vote:

AYES—Senators Baker, Breed, Bush, Carter, Cassidy, Christian, Crittenden, Deuel, Edwards, Evans, Fellom, Harper, Hays, Inman, Maloney, McCormack, Mixter, Moran, Pedrotti, Riley, Rochester, Schottky, Sharkey, Slater, Waggy, Williams, and Young. 27.

NOES—None.

AMENDMENT TO TITLE.

The following amendment to the title was offered, and its adoption moved by Senator Fellom:

AMENDMENT NUMBER ONE.

In line 1 of the title of the printed bill, as amended March 12, 1931, strike out the words "chapter 763, statutes of 1929," and insert in lieu thereof the words "an act".

Amendment adopted.

Title, as amended, read and approved.

Bill ordered to print and re-engrossment, and transmitted to the Assembly.

CONSIDERATION OF DAILY FILE.

THIRD READING OF ASSEMBLY BILLS—(RESUMED).

Assembly Bill No. 1083—An act to amend section 1 of an act entitled "An act to reduce the fire hazards of clothes cleaning establishments, providing for the enforcement thereof by the Division of Industrial Fire Safety in the Department of Industrial Relations, providing ways and means for enforcement, and providing penalties for violations," approved April 23, 1929.

Bill read third time.

MOTION TO REFER TO SPECIAL COMMITTEE OF ONE.

During third reading of the bill, Senator Williams moved to refer Assembly Bill No. 1083 to Senator Sharkey, as a Special Committee of One, to amend as follows:

AMENDMENT NUMBER ONE.

In the title of the printed bill, strike out all of lines 11, 12 and 13 thereof, and insert the following: "and to".

AMENDMENT NUMBER TWO.

On page 6 of the printed bill, strike out lines 32 to 42, inclusive, and insert in lieu thereof the following: "by the department of industrial relations as provided herein shall be paid into the state treasury and credited to the clothes cleaning establishment fund for purposes of enforcing the provisions of this act; and the department of industrial relations is authorized and instructed to use such funds for such enforcement purposes."

Motion carried.

REPORT OF SPECIAL COMMITTEE OF ONE.

SENATE CHAMBER, SACRAMENTO, April 14, 1931.

MR. PRESIDENT: Your Special Committee of One, to which was referred Assembly Bill No. 1083, with instructions to amend, respectfully reports the same back, amended as per instructions.

SHARKEY, Committee.

Report read, and on motion of Senator Williams adopted.

Bill ordered to print.

Assembly Bill No. 1084—An act to regulate the location, construction, occupancy and operation of cleaning and dyeing shops or stores and spotting, sponging, and or pressing establishments, operated as independent concerns or as units of concerns, and private schools and colleges of spotting, sponging and or pressing; providing for the registration and licensing of persons engaged in such business; providing for the enforcement thereof by the State Fire Marshal; providing ways and means for enforcement, and providing penalties for violations.

Bill read third time.

MOTION TO REFER TO SPECIAL COMMITTEE OF ONE.

During third reading of the bill, Senator Williams moved to refer Assembly Bill No. 1084 to Senator Sharkey, as a Special Committee of One, to amend as follows:

AMENDMENT NUMBER ONE.

On page 3 of the printed bill, strike out lines 22 to 25, inclusive.

AMENDMENT NUMBER TWO.

On page 5 of the printed bill, strike out "and which", in line 7, and all of lines 8 to 11, inclusive, and insert in lieu thereof a period.

Motion carried.

REPORT OF SPECIAL COMMITTEE OF ONE.

SENATE CHAMBER, SACRAMENTO, April 14, 1931.

MR. PRESIDENT: Your Special Committee of One, to which was referred Assembly Bill No. 1084, with instructions to amend, respectfully reports the same back, amended as per instructions.

SHARKEY, Committee.

Report read, and on motion of Senator Williams adopted.
Bill ordered to print.

MOTION BY SENATOR BREED.

Senator Breed moved that the Secretary of the Senate be instructed to place all bills carrying appropriations on unfinished business file.
Motion carried.

Assembly Bill No. 1865—An act to amend section 1918 of the Code of Civil Procedure, relating to the manner of proving official documents.
Bill read third time.

The question being on the passage of the bill.

The roll was called, and Assembly Bill No. 1865 passed by the following vote:

AYES—Senators Baker, Breed, Bush, Carter, Cassidy, Christian, Crittenden, Deuel, Duval, Edwards, Evans, Fellom, Harper, Hays, Inman, Jones, Maloney, Mixer, Moran, Pedrotti, Riley, Rochester, Schottky, Slater, Waggy, Williams, and Young—27.

NOES—None.

Title read and approved.

Bill ordered transmitted to the Assembly.

REPORTS OF STANDING COMMITTEES—(RESUMED).

The following reports of standing committee were received and read:

ON ENGROSSMENT, ENROLLMENT AND PRINTING.

SENATE CHAMBER, SACRAMENTO, April 14, 1931.

MR. PRESIDENT: Your Committee on Engrossment, Enrollment and Printing has examined Senate Bill No. 49—An act repealing chapter 537, Statutes of 1911, entitled "An act to provide for the preparation and distribution of serums or vaccines for the prevention of the disease known as cholera in hogs in the State of California, making an appropriation therefor and prescribing the duties of the Controller and Treasurer in relation thereto," approved April 21, 1911;

Also: Senate Bill No. 81—An act to amend section 583 of the Code of Civil Procedure, relating to the dismissal of actions;

Also: Senate Bill No. 152—An act to validate bonds, including refunding bonds, of sanitary districts and all proceedings relative thereto, and to provide for the levy and collection of taxes to pay the principal and interest on such bonds;

Also: Senate Bill No. 153—An act validating the formation, organization and existence of sanitary districts;

Also: Senate Bill No. 155—An act to validate all proceedings for the issuance of bonds and all bonds heretofore issued or sold or to be issued or sold by any acquisition and improvement district, and authorizing and directing the levy and collection of a tax sufficient to pay the principal and interest thereof;

Also: Senate Bill No. 160—An act to amend section 3477 of the Political Code, relating to crediting purchasers, forwarding statements, and paying over moneys by registers of reclamation districts;
And reports that the same have been correctly enrolled and presented to the Governor on the fourteenth day of April, at two o'clock p.m.

RILEY, Chairman.

Also:

MR. PRESIDENT: Your Committee on Engrossment, Enrollment and Printing has examined Senate Bill No. 172—An act to amend the California Irrigation District Act by adding a new section thereto to be numbered 47a, relating to partial redemption of land sold for delinquent assessment;

Also: Senate Bill No. 207—An act to amend sections 3, 4 and 5 of chapter 343 of the Statutes of 1921 entitled "An act to provide for leasing kelp beds in the waters of the State of California by the Board of Fish and Game Commissioners," and to repeal section 7 thereof;

Also: Senate Bill No. 272—An act to add a new section to be numbered 18a, chapter 25, Statutes of 1911, extra session, entitled the "Reclamation Board Act," relating to claims of parties against the Sacramento and San Joaquin Drainage District for moneys advanced for work on the flood control project;

Also: Senate Bill No. 282—An act to regulate the construction and maintenance of auto camps in unincorporated areas; to provide for the inspection and supervision of the same; to provide for the abatement thereof in certain cases; to provide penalties for the violation of the provisions hereof and to repeal chapter 615, Statutes of 1929, entitled "An act to regulate the construction and maintenance of auto camps in unincorporated areas, to provide for the inspection and supervision of same and to provide penalties for the violation of the provisions thereof," approved May 31, 1929;

Also: Senate Bill No. 286—An act to create the Trinity and Klamath river fish and game district, and to prohibit, to provide penalties for, and to declare a public nuisance the mudding, roiling and polluting of the waters of said district; And reports that the same have been correctly enrolled, and presented to the Governor on the fourteenth day of April, at two o'clock p.m.

RILEY, Chairman.

Also:

MR. PRESIDENT: Your Committee on Engrossment, Enrollment and Printing has examined Senate Bill No. 312—An act to amend the California Irrigation District Act by amending sections 35, 37, 38, 41 and 78 thereof, relating to assessments and exclusion of land, and by adding two new sections thereto to be numbered 35b and 35c, relating to assessments;

Also: Senate Bill No. 317—An act to amend section 14 and section 21 of chapter 228, Statutes of 1923, entitled "An act to provide for the incorporation and organization and management of bridge and highway districts and to provide for the acquisition and construction by said districts of highways, bridges and approaches thereto, and for the acquisition of all property necessary therefor, and also to provide for the issuance and payment of bonds by said districts, for the levying of taxes and the collection of tolls by said districts and for the annexation of additional territory thereto," approved May 25, 1923, as amended, relating to bridge and highway districts; and declaring this act to be an urgency measure;

Also: Senate Bill No. 421—An act to amend section 363i of the Political Code, relating to the supervision of ports by the Department of Public Works, and to repeal sections 2584, 2586, 2589, 2590 and 2607 of the Political Code, relating to the Board of State Harbor Commissioners for the bay of San Diego, and to the San Diego Harbor Improvement Fund;

Also: Senate Bill No. 429—An act to amend section 2079 of the Political Code, relating to allowances to organizations of the National Guard;

Also: Senate Bill No. 498—An act to amend section 2102 of the Political Code, relating to the National Guard;

Also: Senate Bill No. 499—An act to amend section 2098 of the Political Code, relating to the National Guard; And reports that the same have been correctly enrolled and presented to the Governor on the fourteenth day of April, at two o'clock p.m.

RILEY, Chairman.

ADJOURNMENT.

At two o'clock and fifty-five minutes p.m., on motion of Senator Breed, the President declared the Senate adjourned until eleven o'clock a.m., Wednesday, April 15, 1931.

HAROLD J. POWERS, Minute Clerk.

IN SENATE.

SENATE CHAMBER,
SACRAMENTO, Wednesday, April 15, 1931.

The Senate met at eleven o'clock a.m.

Lieutenant Governor Frank F. Merriam, President of the Senate, in the chair.

Secretary Joseph A. Beek at the desk.

ROLL CALL.

The roll was called, and the following answered to their names:

Senators Allen, Baker, Breed, Bush, Carter, Cassidy, Christian, Cleveland, Clock, Crittenden, Deuel, Duval, Edwards, Evans, Fellom, Harper, Hays, Ingels, Inman,

Jones, Maloney, McCormack, McKinley, Mixter, Moran, Nelson, Pedrotti, Rich, Riley, Rochester, Schottky, Sharkey, Slater, Swing, Treacy, Tubbs, Wag, Williams, and Young—39.

Quorum present.

PRAYER.

Prayer was offered by the Chaplain, Rev. Sherman L. Divine.

READING OF THE JOURNAL.

During the reading of the Journal of Tuesday, April 14, 1931, the further reading was dispensed with, on motion of Senator Slater.

PRIVILEGE OF FLOOR OF SENATE EXTENDED.

On request of Senator Sharkey, the privilege of the floor of the Senate Chamber for this day was unanimously extended to Vine Hill School of Martinez, eighth grade pupils: Hiroshi Arai, Sakai Arai, Angelo Capellino, Rosie de Martini, John Sodaro, William Sodaro, Clara Viano and Lawrence Viglienza; seventh grade pupils: Manuel Azevedo, Helen Merrill and Delfina Viglienza; Mrs. E. B. Bernier, teacher; Louis Viano, Caesar Viglienza and Richard Minorini, parents and patrons.

On request of Senator Rich, the privilege of the floor of the Senate Chamber for this day was unanimously extended to Mrs. Ray Jones.

On request of Senator Bush, the privilege of the floor of the Senate Chamber for this day was unanimously extended to Mrs. V. A. Rodden of Oakdale.

On request of Senator Young, the privilege of the floor of the Senate Chamber for this day was unanimously extended to George E. Mowatt, Los Gatos, who came to San Francisco in 1854 as a boy of 12 years. His father was member of Vigilance Committee of 1856. Mr. Mowatt visited Sacramento in flood of 1860-61, coming down from San Juan on first stage to get here after the flood. Crossed Yuba River in dry goods box by ropes on each end, one passenger at a time.

On request of Senator Bush, the privilege of the floor of the Senate Chamber for this day was unanimously extended to Mitchell School of Turlock, Principal Eldora McCarthy, and pupils as follows: Henry Goncalves, Madlyn Goncalves, Belle Clayton, Eugene Carroll, Fritz Marty, Doris Lawrence and Margaret Dowd.

On request of Senator Crittenden, the privilege of the floor of the Senate Chamber for this day was unanimously extended to Mrs. Carson Cook of Stockton.

On request of Senator Sharkey, the privilege of the floor of the Senate Chamber for this day was unanimously extended to Sheriff R. R. Veale and Mrs. Veale of Martinez.

On request of Senator Maloney, the privilege of the floor of the Senate Chamber for this day was unanimously extended to Carl Maritzen of San Francisco.

On request of Senator Moran, the privilege of the floor of the Senate Chamber for this day was unanimously extended to Glenn County High School of Willows, Mrs. W. H. Walker, vice principal, and pupils as follows: Florence Eckroat, Marjorie Fulton, Helen Grussengmyer, Margaret Goin, Lois Pine, Ferdinand Matthias, Melvin Velasco, Jack Mercer, Emmett Adams, Delvin Sweet, Waldemar Schumacher, Norman Hefner, Arthur Henderson, Wilbur Henderson, Henry McCracken,

Gerald Garnett, Maurice Ritz, Esther Shades, Frances Marion Garth, Rachel Sine, Inez Moggi, Margaret Robinson, Gretchen Shock, Mrs. M. Walker, Rita Linebaugh, Muriel Spence, Irene Boyd, Mary Huddleston, Susie Bigalow, Alice Markham, Vivian Sears, Dorothy Mills, Celia Sykes, Minnie Blunck, Bernice Thun, Lucille Sheridan and Barbara Squier.

On request of Senator Crittenden, the privilege of the floor of the Senate Chamber for this day was unanimously extended to Mrs. Charles E. Gleason, executive of State Pharmaceutical Assembly.

On request of Senator Maloney, the privilege of the floor of the Senate Chamber for this day was unanimously extended to Miss Elsie Treacy, daughter of Senator Timothy E. Treacy.

MESSAGES FROM THE ASSEMBLY.

The following messages from the Assembly were received and read:

ASSEMBLY CHAMBER, SACRAMENTO, April 14, 1931.

MR. PRESIDENT: I am directed to inform your honorable body that the Assembly on this day passed Assembly Bill No. 1694—An act to amend section 231 of the Code of Civil Procedure, relating to juries;

Also: Assembly Bill No. 966—An act to amend section 4099a of the Political Code, relating to accounts of orphans and half-orphans;

Also: Assembly Bill No. 486—An act to amend "An act to provide for the organization, incorporation and government of municipal corporations," approved March 13, 1883, as amended, by adding a new section thereto to be known as section 887, making it unlawful for any municipality to levy license taxes or fees against the business of, or instrumentalities used in, the sale or delivery of merchandise to retailers for retail purposes.

ARTHUR A. OHNIMUS, Chief Clerk.
By FRED J. DESCH, Assistant Clerk.

Assembly Bill No. 1694 read first time, and referred to Committee on Judiciary.

Assembly Bill No. 966 read first time, and referred to Committee on Public Charities and Corrections.

Assembly Bill No. 486 read first time, and referred to Committee on Municipal Corporations.

Also:

ASSEMBLY CHAMBER, SACRAMENTO, April 14, 1931.

MR. PRESIDENT: I am directed to inform your honorable body that the Assembly on this day passed Assembly Bill No. 1645—An act to amend section 16r33 of the Weights and Measures Act, relating to sealers of weights and measures in counties of the thirty-third class;

Also: Assembly Bill No. 1646—An act to amend section 2322r33 of the Political Code, relating to the office of agricultural commissioner in counties of the thirty-third class;

Also: Assembly Bill No. 1647—An act to amend section 19r33 of the Juvenile Court Law, relating to probation officers in counties of the thirty-third class;

Also: Assembly Bill No. 298—An act to amend section 4264 of the Political Code, relating to the salaries of county officers of counties of the thirty-fifth class;

Also: Assembly Bill No. 278—An act to amend section 103 of the Code of Civil Procedure, relating to justices of the peace, justices' courts and to salaries of certain justices of the peace;

Also: Assembly Bill No. 1239—An act to amend chapters III and IV, part III, division V of the School Code, by adding to chapter III a new article to be numbered IV, and by adding to chapter VII a new article to be numbered Va, relating to the employment and dismissal of temporary employees requiring certification qualifications;

Also: Assembly Bill No. 570—An act to amend section 1517 of the Code of Civil Procedure, relating to the return of sale by an executor or administrator.

ARTHUR A. OHNIMUS, Chief Clerk.
By FRED J. DESCH, Assistant Clerk.

Assembly Bills Nos. 1645, 1646, 1647 and 298 read first time, and referred to Committee on County Government.

Assembly Bill No. 278 read first time, and referred to Committee on Judiciary.

Assembly Bill No. 1239 read first time, and referred to Committee on Education.

Assembly Bill No. 570 read first time, and referred to Committee on Judiciary.

Also:

ASSEMBLY CHAMBER, SACRAMENTO, April 14, 1931.

MR. PRESIDENT: I am directed to inform your honorable body that the Assembly on this day passed Assembly Bill No. 726—An act to amend sections 4236*b*, 4236*d*, 4236*g*, 4236*h*, 4236*i*, inclusive, of the Political Code, relating to county and township officers in counties of the seventh class, the assistants, deputies, and other employees of said officers, and provided for the compensation of said officers and said assistants, deputies, and other employees;

Also: Assembly Bill No. 817—An act to amend section 2 of the Veterans' Farm and Home Purchase Act, approved May 30, 1921, as amended, relating to farm and home aid for veterans;

Also: Assembly Bill No. 1633—An act to amend section 4264 of the Political Code, relating to compensation of county and township officers in counties of the thirty-fifth class;

Also: Assembly Bill No. 1642—An act to amend section 4262 of the Political Code, relating to compensation of county and township officers in counties of the thirty-third class;

Also: Assembly Bill No. 1643—An act to amend section 9a33 of the act entitled "An act to provide for the establishment and maintenance of county free libraries in the State of California, and repealing 'An act entitled 'An act to provide county library systems,' approved April 12, 1909, and all acts and parts of acts in conflict with this act,'" approved February 25, 1911, as amended, relating to librarians in counties of the thirty-third class.

ARTHUR A. OHNIMUS, Chief Clerk.
By FRED J. DESCH, Assistant Clerk.

Assembly Bill No. 726 read first time, and referred to Committee on County Government.

Assembly Bill No. 817 read first time, and referred to Committee on Military Affairs.

Assembly Bills Nos. 1633, 1642 and 1643 read first time, and referred to Committee on County Government.

Also:

ASSEMBLY CHAMBER, SACRAMENTO, April 14, 1931.

MR. PRESIDENT: I am directed to inform your honorable body that the Assembly on this day adopted Assembly Concurrent Resolution No. 21—Relative to the revision and rearrangement of the fish and game law by the California Code Commission.

ARTHUR A. OHNIMUS, Chief Clerk.
By FRED J. DESCH, Assistant Clerk.

Assembly Concurrent Resolution No. 21 read, and referred to Committee on Fish and Game.

Also:

ASSEMBLY CHAMBER, SACRAMENTO, April 14, 1931.

MR. PRESIDENT: I am directed to inform your honorable body that the Assembly on this day adopted Assembly Constitutional Amendment No. 23—Proposed amendment to article XI of the constitution, relative to the drafting of charters for counties by boards of supervisors;

Also: Assembly Constitutional Amendment No. 22—Proposed amendment to article XI of the constitution, relative to county government.

ARTHUR A. OHNIMUS, Chief Clerk.
By FRED J. DESCH, Assistant Clerk.

Assembly Constitution Amendments Nos. 23 and 22 read, and referred to Committee on Constitutional Amendments.

Also:

ASSEMBLY CHAMBER, SACRAMENTO, April 14, 1931.

MR. PRESIDENT: I am directed to inform your honorable body that the Assembly on this day passed Assembly Bill No. 757—An act for the enlargement of the func-

tions of the State Teachers College of Fresno to include vocational and technical training and changing the name thereof to the "California State College at Fresno";

Also: Assembly Bill No. 501—An act for the establishment in the city of Sacramento, county of Sacramento, State of California, of a technical school to be known as the "California State College," and authorizing the use of Sacramento City Junior College buildings and grounds for such college.

ARTHUR A. OHNIMUS, Chief Clerk.
By FRED J. DESCH, Assistant Clerk.

Assembly Bills Nos. 757 and 501 read first time, and referred to Committee on Universities and Teachers Colleges.

Also:

ASSEMBLY CHAMBER, SACRAMENTO, April 14, 1931.

MR. PRESIDENT: I am directed to inform your honorable body that the Assembly on April 13, 1931, passed Assembly Bill No. 382—An act to amend section 628f of the Penal Code, relating to the protection of fish and game.

ARTHUR A. OHNIMUS, Chief Clerk.
By FRED J. DESCH, Assistant Clerk.

Assembly Bill No. 382 read first time, and referred to Committee on Fish and Game.

ASSISTANT SECRETARY FRANCIS E. DALIN AT THE DESK.

REPORTS OF STANDING COMMITTEES.

The following reports of standing committees were received and read:

ON ENGROSSMENT, ENROLLMENT AND PRINTING.

SENATE CHAMBER, SACRAMENTO, April 15, 1931.

MR. PRESIDENT: Your Committee on Engrossment, Enrollment and Printing has examined Senate Bill No. 368—An act to add a new section to the Political Code to be numbered 3817a, relating to the extension of the period of redemption of property sold for taxes and containing a provision declaring this act to be an emergency measure, stating the facts constituting such emergency, and providing this act shall take effect immediately upon its passage;

Also: Senate Bill No. 577—An act defining the obligations of any person, company, association or corporation owning or operating any railroad or railway track or tracks upon public highways, roads, streets, avenues, boulevards, lanes, alleys, courts, places, public ways, or other property or rights of way of the public in connection with paving, repaving, repairing, macadamizing, remacadamizing or otherwise improving thereof; requiring any such person, company, association or corporation to restore pavements disturbed by it and to put its track and track structures in good operating condition; superseding all acts inconsistent therewith and repealing all other acts and parts of acts in conflict therewith;

Also: Senate Bill No. 708—An act to amend section 9a10 of the act entitled "An act to provide for the establishment and maintenance of county free libraries in the State of California, and repealing 'An act entitled 'An act to provide county library systems,' approved April 12, 1909, and all acts and parts of acts in conflict with this act,'" approved February 25, 1911, as amended, relating to libraries in counties of the tenth class;

Also: Senate Bill No. 711—An act to amend section 2322r10 of the Political Code, relating to the office of agricultural commissioner in counties of the tenth class;

Also: Senate Bill No. 768—An act to amend section 636 of the Penal Code, relating to the protection of fish;

Also: Senate Bill No. 902—An act to amend section 8 of the Workmen's Compensation, Insurance and Safety Act of 1917, relating to and defining employees and excluding from the provisions of the act any person engaged in selling, offering for sale or delivering to the public any newspaper, magazine or periodical;

And reports that the same have been correctly re-engrossed.

RILEY, Chairman.

Also:

MR. PRESIDENT: Your Committee on Engrossment, Enrollment and Printing has examined Senate Bill No. 189—An act to amend section 690 of the Code of Civil Procedure, relating to property exempt from execution;

Also: Senate Bill No. 392—An act appropriating money to pay the claim of J. A. Beek against the State of California;

Also: Senate Bill No. 565—An act granting certain lands and salt marsh and tidelands of the State of California to the city of Oakland, including the management, use and control thereof;

Also: Senate Bill No. 808—An act to amend sections 1094 and 1096 of the Political Code, relating to elections;
And reports that the same have been correctly engrossed.

RILEY, Chairman.

ON JUDICIARY.

SENATE CHAMBER, SACRAMENTO, April 14, 1931.

MR. PRESIDENT: Your Committee on Judiciary, to which was referred Senate Bill No. 641—An act to amend section 197 of the Penal Code, defining justifiable homicide;

Also: Senate Bill No. 642—An act to amend section 2 of chapter 339, Statutes of 1923, entitled "An act to control and regulate the possession, sale and use of pistols, revolvers and other firearms capable of being concealed upon the person; to prohibit the manufacture, sale, possession or carrying of certain other dangerous weapons within this State; to provide for registering all sales of pistols, revolvers or other firearms capable of being concealed upon the person; to prohibit the carrying of concealed firearms except by lawfully authorized persons; to provide for the confiscation and destruction of such weapons in certain cases; to prohibit the ownership, use, or possession of any of such weapons by certain classes of persons; to prescribe penalties for violation of this act and increased penalties for repeated violations hereof; to authorize, in proper cases, the granting of licenses or permits to carry firearms concealed upon the person; to provide for licensing retail dealers in such firearms and regulating sales thereunder; and to repeal chapter 145 of California Statutes of 1917, relating to the same subject," relating to penalties for violations of this act;

Also: Senate Bill No. 643—An act to add a new section to the Penal Code, to be numbered 1183, relating to evidence admissible upon the hearing of a motion for new trial;

Has had the same under consideration, and respectfully reports the same back, and recommends that they be re-referred to the Committee on Revision of Criminal Law and Procedure.

Committee membership—17; committee vote: Ayes—15; absent—2.

CHRISTIAN, Chairman.

Senate Bills Nos. 641, 642 and 643 ordered re-referred to Committee on Revision of Criminal Law and Procedure.

Also:

MR. PRESIDENT: Your Committee on Judiciary, to which was referred Senate Bill No. 185—An act to amend section 9 of chapter 34, Statutes of 1927, entitled "The State Bar Act," approved March 31, 1927, as amended, relating to the Board of Governors—has had the same under consideration, and respectfully reports the same back, and recommends that it do pass.

Committee membership—17; committee vote: Ayes—14; absent—3.

CHRISTIAN, Chairman.

Senate Bill No. 185 ordered on file for second reading.

Also:

MR. PRESIDENT: Your Committee on Judiciary, to which was referred Senate Bill No. 209—An act to amend sections 204, 204a, 204b, 204c, 204d, and 204e of the Code of Civil Procedure, relating to jury commissioners and a jury commissioner—has had the same under consideration, and respectfully reports the same back with amendments, and recommends that the amendments be adopted, and that it do pass as amended.

Committee membership—17; committee vote: Ayes—15; absent—2.

CHRISTIAN, Chairman.

Senate Bill No. 209 ordered on file for second reading.

Also:

MR. PRESIDENT: Your Committee on Judiciary, to which was referred Senate Bill No. 91—An act to amend section 955 of the Civil Code, relating to assignment of wages or salary;

Also: Senate Bill No. 215—An act to amend section 168 of the Civil Code, relating to the liability of the wife's earnings for the debts of the husband; Has had the same under consideration, and respectfully reports the same back with amendments, and recommends that the amendments be adopted, and the bills be re-referred to this committee.

Committee membership—17; committee vote: Ayes—15; absent—2.

CHRISTIAN, Chairman.

CONSIDERATION OF COMMITTEE AMENDMENTS.

Pursuant to the report of the Committee on Judiciary, the following amendments to Senate Bill No. 91 were read and adopted:

AMENDMENT NUMBER ONE.

Strike out the title of the printed bill, and insert in lieu thereof the following: "An act to amend section 763 of the Code of Civil Procedure, relating to partition."

AMENDMENT NUMBER TWO.

On page 1 of the printed bill, strike out lines 1 to 22, inclusive, and insert in lieu thereof the following:

"SECTION 1. Section 763 of the Code of Civil Procedure is hereby amended to read as follows:

763. If it appears by the evidence, whether alleged in the complaint or not, that the property or any part of it is so situated that partition can not be made without great prejudice to the owners, or where property is subject to a life estate and the remainder is a contingent remainder, the court may and in the latter case must order the sale thereof; otherwise, upon the requisite proofs being made it must order a partition according to the respective rights of the parties as ascertained by the court, and appoint three referees therefor, and must designate the portion to remain undivided for the owners whose interests remain unknown, or are not ascertained; or the court, with the consent of the parties, may appoint one referee instead of three, and he when appointed, has all the powers and may perform all the duties required of three referees; and the court must appoint as referee any person or persons to whose appointment all the parties have consented, and no person shall be appointed as referee who is disqualified from acting as an appraiser under the provisions of the Probate Code.

When the site of an incorporated city or town is included within the exterior boundaries of the property to be partitioned, the court must direct the referees to survey and appraise the entire property to be partitioned by actual lots and subdivisions then existing in the actual possession of the several tenants in common, exclusive of the value of improvements thereon, first setting apart necessary portions of the property for ways, roads and streets, as in section 764 provided, and to report such survey and separate appraisement on each lot and subdivision to the court.

The court may confirm, change, modify, or set aside the report in whole or in part, and if necessary appoint new referees.

When, after the final confirmation of the report of such survey and appraisement, it appears by evidence to the satisfaction of the court that an equitable partition of the whole property is impracticable, and a sale of the site of such city or town, or any portion thereof, will be for the best interests of the owners of the whole property, it must order a sale thereof; *provided*, that within sixty days thereafter any tenant in common or tenants in common, having improvements erected on any town or city lot or subdivision included in such order of sale, shall have the prior right to purchase the same at such appraised valuation, and may pay into court the amount so appraised as the value thereof, and upon such payment the title shall vest in such purchaser or purchasers, and the court shall cause to be executed by such referees a deed for such lot or subdivision in fee and in severalty to such purchaser or purchasers; such further proceedings shall then be had as to the remainder of the property, and the money so paid to the court, as by this chapter provided.

If, during the pendency of this section, any of the parties die, or become insane, or otherwise incompetent, the proceedings shall not for that cause be delayed or suspended, but the attorney who has appeared for such party may continue to represent such interest; and in case any such party has not appeared by an attorney, the court must appoint an attorney to represent the interest which was held by such party, until his heirs or legal representatives, or successors in interest, shall have appeared in the action; and an attorney so appointed must be allowed by the court a reasonable compensation for his services, which may be taxed as costs against the share or interest represented by such attorney, and may be adjudged a lien thereon in the discretion of the court."

Bill ordered to print, and re-referred to Committee on Judiciary.

CONSIDERATION OF COMMITTEE AMENDMENTS.

Pursuant to the report of the Committee on Judiciary, the following amendments to Senate Bill No. 215 were read and adopted:

AMENDMENT NUMBER ONE.

Strike out the title of the printed bill, and insert in lieu thereof the following: "An act to amend section 963 of the Code of Civil Procedure, relating to appeals from the superior court."

AMENDMENT NUMBER TWO.

On page 1 of the printed bill, strike out lines 1 to 5, inclusive, and insert in lieu thereof the following:

"SECTION 1. Section 963 of the Code of Civil Procedure is hereby amended to read as follows:

963. An appeal may be taken from a superior court in the following cases:

1. From a final judgment entered in an action, or special proceeding, commenced in a superior court, or brought into a superior court from another court;

2. From an order granting a new trial or denying a motion for judgment notwithstanding the verdict in an action or proceeding tried by a jury where such trial by jury is a matter of right, or granting or dissolving an injunction, or refusing to grant or dissolve an injunction, or appointing a receiver, or dissolving or refusing to dissolve an attachment, or changing or refusing to change the place of trial, from any special order made after final judgment, from any interlocutory judgment, order, or decree, hereafter made or entered in actions to redeem real or personal property from a mortgage thereof, or lien thereon, determining such right to redeem and directing an accounting; and from such interlocutory judgment in actions for partition as determines the rights and interests of the respective parties and directs partition to be made, and interlocutory decrees of divorce.

3. From such probate orders and decrees as are made appealable by the provisions of the Probate Code."

Bill ordered to print, and re-referred to Committee on Judiciary.

Also:

MR. PRESIDENT: Your Committee on Judiciary, to which was referred Senate Bill No. 399—An act to amend section 25 of the Civil Code, relating to who are minors;

Also: Senate Bill No. 523—An act to require display of the flag of the United States and the State flag of California in all courtrooms where courts of justice are held under the laws of California;

Has had the same under consideration, and respectfully reports the same back with amendments, and recommends that the amendments be adopted, and the bills be re-referred to this committee.

Committee membership—17; committee vote: Ayes—15; absent—2.

CHRISTIAN, Chairman.

CONSIDERATION OF COMMITTEE AMENDMENTS.

Pursuant to the report of the Committee on Judiciary, the following amendments to Senate Bill No. 399 were read and adopted:

AMENDMENT NUMBER ONE.

On page 1, line 7, of the printed bill, as amended, strike out the word "married".

AMENDMENT NUMBER TWO.

On page 1, line 8, of the printed bill, as amended, after the word "female", insert the following: "who has contracted a lawful marriage and is".

AMENDMENT NUMBER THREE.

On page 1, line 10, of the printed bill, as amended, after the word "engagement", strike out the word "of", and insert in lieu thereof the word "or".

Bill ordered to print, and re-referred to Committee on Judiciary.

CONSIDERATION OF COMMITTEE AMENDMENT.

Pursuant to the report of the Committee on Judiciary, the following amendment to Senate Bill No. 523 was read and adopted:

AMENDMENT NUMBER ONE.

On page 1, line 7, of the printed bill, after "Sec. 2.", insert the following: "The court or a judge thereof shall order the purchase of or may purchase the flags mentioned in section 1 of this act if the court does not already possess such flags, or if such flags belonging to the court are no longer in suitable condition for display in the courtroom. The cost of such flags shall be a charge against the funds provided by law for the furnishing of the courtroom or for supplies for the court."

Bill ordered to print, and re-referred to Committee on Judiciary.

Also:

MR. PRESIDENT: Your Committee on Judiciary, to which was referred Assembly Bill No. 963—An act to amend sections 2, 3 and 4 of, and to add sections 7, 8, 9, 10, 11, 12, 13, 14, 15 and 16 to, an act entitled "An act to define personal property

brokers and regulate their charges and business," approved April 16, 1909, as amended, relating to charges of personal property brokers, and the licensing of such brokers—has had the same under consideration, and respectfully reports the same back, and recommends that it do pass.

Committee membership—17; committee vote: Ayes—10; noes—4; absent—3.

CHRISTIAN, Chairman.

Assembly Bill No. 965 ordered on file for second reading.

Also:

MR. PRESIDENT: Your Committee on Judiciary, to which was referred Assembly Bill No. 26—An act to amend section 585 of the Code of Civil Procedure, relating to judgments;

Also: Assembly Bill No. 72—An act to amend section 1607 of the Penal Code, relating to the medical treatment of prisoners; Has had the same under consideration, and respectfully reports the same back, and recommends that they do pass.

Committee membership—17; committee vote: Ayes—14; absent—3.

CHRISTIAN, Chairman.

Assembly Bills Nos. 26 and 72 ordered on file for second reading.

Also:

MR. PRESIDENT: Your Committee on Judiciary, to which was referred Assembly Bill No. 1024—An act to amend section 1204 of the Code of Civil Procedure, relating to preferred labor claims, raising the preference under assignments for the benefit of creditors and receiverships to not exceeding \$300 for each worker for work done within 90 days and providing procedure for the enforcement of such claims;

Also: Assembly Bill No. 1025—An act to amend sections 950 and 951 of the Probate Code, relating to preferred labor claims, raising the preference in claims against the estate of deceased persons to not exceeding \$300 for each worker for work done within 90 days prior to such death and providing procedure for the enforcement of such claims;

Also: Assembly Bill No. 1026—An act to amend sections 1206, 1207 and 1208 of the Code of Civil Procedure, relating to preferred labor claims, raising the preference in claims under attachments, garnishments and executions to not exceeding \$300 for each worker for work done within 90 days prior to the levy and providing procedure for the enforcement of such claims;

Has had the same under consideration, and respectfully reports the same back with amendments, and recommends that the amendments be adopted, and that they do pass as amended.

Committee membership—17; committee vote: Ayes—15; absent—2.

CHRISTIAN, Chairman.

Assembly Bills Nos. 1024, 1025 and 1026 ordered on file for second reading.

Also:

MR. PRESIDENT: Your Committee on Judiciary, to which was referred Assembly Bill No. 1091—An act to amend section 4014 of the Political Code, relating to justices of the peace;

Also: Assembly Bill No. 1093—An act amending section 103 of the Code of Civil Procedure, relating to justices' courts in townships and cities; Has had the same under consideration, and respectfully reports the same back with amendments, and recommends that the amendments be adopted, and the bills re-referred to this committee.

Committee membership—17; committee vote: Ayes—15; absent—2.

CHRISTIAN, Chairman.

CONSIDERATION OF COMMITTEE AMENDMENTS.

Pursuant to the report of the Committee on Judiciary, the following amendments to Assembly Bill No. 1091 were read and adopted:

AMENDMENT NUMBER ONE.

On page 1, line 6, of the printed bill, as amended on April 1, 1931, preceding the word "third", insert the word "second,".

AMENDMENT NUMBER TWO.

On page 1, line 17, of the printed bill, as amended on April 1, 1931, following the word "law", strike out the period, and insert a semicolon, followed by the words, "provided, further, that in townships being entirely within a city of the second and one-fourth, in which city justices or recorders are elected or appointed, there shall

he not less than four justices of the peace and as many constables as are provided by law."

AMENDMENT NUMBER THREE.

On page 1, line 20, of the printed bill, as amended on April 1, 1931, strike out the figures "1930," and insert in lieu thereof the figures "1920."

Bill ordered to print, and re-referred to Committee on Judiciary.

CONSIDERATION OF COMMITTEE AMENDMENTS.

Pursuant to the report of the Committee on Judiciary, the following amendments to Assembly Bill No. 1093 were read and adopted:

AMENDMENT NUMBER ONE.

On page 2, line 47, of the printed bill, as amended on April 1, 1931, following the word "annum," strike out the period, and insert a semicolon in lieu thereof, followed by the words: "provided, further, than in every township containing a population of over thirty thousand in counties containing a population of over one hundred forty-four thousand and less than one hundred forty-five thousand, as determined by the federal census taken in the year Anno Domini 1930, in which no municipal court has been established, pursuant to the provisions of section 11, article six of the constitution, there shall be a justice's court composed of two justices of the peace which shall have all the powers and jurisdiction prescribed and conferred by law upon justices of the peace. Any of said justices may hold court and there may be as many sessions of said court at the same time as there are justices thereof. The board of supervisors shall provide in a convenient locality a suitable office for the justices, justices' clerks and rooms suitable for holding sessions of said court separate from each other for each of said justices of the peace. The salary of each of said justices of the peace shall be three thousand dollars a year and shall be paid by warrant drawn each month upon the salary fund, or if there be no salary fund, then upon the general fund of the county, each warrant to be audited and paid as salary of any county or township officer."

AMENDMENT NUMBER TWO.

On page 2, line 51, of the printed bill, as amended April 1, 1931, following the word "classes," insert the following: "and, save and except cities of the second and three-fourths class lying within a township wherein two township justice courts have been created and are in existence on September 15, 1931,".

AMENDMENT NUMBER THREE.

On page 3, line 27, of the printed bill, as amended in the Assembly on April 1, 1931, strike out the word "five", and insert in lieu thereof the word "four."

AMENDMENT NUMBER FOUR.

On page 2, line 43, of the printed bill, as amended on April 1, 1931, following the word "annum", insert the following: "provided, however, that no justice of the peace or city justice of the peace, receiving a salary in excess of four thousand, nine hundred dollars per annum, from and after January 1, 1934, shall practice law in any court of this state, nor act as attorney, agent, or solicitor in the prosecution of any claim or application for lands, pensions, patent rights, or other proceedings, before any department of the state or general government, or courts of the United States during his continuance in office."

Bill ordered to print, and re-referred to Committee on Judiciary.

ON ROADS AND HIGHWAYS.

SENATE CHAMBER, SACRAMENTO, April 15, 1931.

MR. PRESIDENT: Your Committee on Roads and Highways, to which was referred Senate Joint Resolution No. 16 Relative to accepting amendments to permit from the government of the United States for the construction of approach roads and toll collection areas over certain rights of way leading to the Golden Gate Bridge and relating to the retrocession by the Congress of the United States of jurisdiction over said rights of way as relocated and said toll areas, bridge ends and bridge—has had the same under consideration and respectfully reports the same back, and recommends that it be adopted.

Committee membership—14; committee vote: Ayes—10; absent—4.

EDWARDS, Chairman.

Senate Joint Resolution No. 16 ordered on second reading file.

Also:

MR. PRESIDENT: Your Committee on Roads and Highways, to which was referred Assembly Bill No. 58—An act providing for the cooperative construction, improve-

ment and maintenance by the State of State aid highways in counties and towns; and repealing all acts and parts of acts in conflict herewith—has had the same under consideration, and respectfully reports the same back, and recommends that it do pass.

Committee membership—14; committee vote: Ayes—8; absent—6.

EDWARDS, Chairman.

Assembly Bill No. 58 ordered on file for second reading.

Also:

MR. PRESIDENT: Your Committee on Roads and Highways, to which was referred Senate Bill No. 9—An act declaring the bridge across the Yuba River at the city of Marysville and the bridge across the Feather River between the city of Marysville and the city of Yuba City to be State highways and parts of the State highway system—has had the same under consideration, and respectfully reports the same back, and recommends that it do pass.

Committee membership—14; committee vote: Ayes—9; absent—5.

EDWARDS, Chairman.

Senate Bill No. 9 ordered on file for second reading.

Also:

MR. PRESIDENT: Your Committee on Roads and Highways, to which was referred Senate Bill No. 205—An act providing for the building of a causeway across the Tisdale By-pass in Sutter County, State of California, and making an appropriation therefor—has had the same under consideration, and respectfully reports the same back, without recommendation, and requests that it be re-referred to the Committee on Finance.

Committee membership—14; committee vote: Ayes—9; absent—5.

EDWARDS, Chairman.

Senate Bill No. 205 ordered re-referred to Committee on Finance.

Also:

MR. PRESIDENT: Your Committee on Roads and Highways, to which was referred Assembly Concurrent Resolution No. 23—Relative to grade crossing study—has had the same under consideration, and respectfully reports the same back, and recommends that it be adopted.

Committee membership—14; committee vote: Ayes—8; absent—6.

EDWARDS, Chairman.

Assembly Concurrent Resolution No. 23 ordered on file.

ON BANKING.

SENATE CHAMBER, SACRAMENTO, April 15, 1931.

MR. PRESIDENT: Your Committee on Banking, to which was referred Assembly Bill No. 1734—An act to amend section 7 of an act entitled "An act providing for the dissolution and winding up of savings banks, trust companies, and banks of deposit, and providing for the disposition of all funds deposited therein and not claimed within five years after such banks have ceased to do business, or after the commencement of proceedings to dissolve," approved March 31, 1891—has had the same under consideration, and respectfully reports the same back, and recommends that it do pass.

Committee membership—9; committee vote: Ayes—6; absent—3.

JONES, Chairman.

Assembly Bill No. 1734 ordered on file for second reading.

Also:

MR. PRESIDENT: Your Committee on Banking, to which was referred Senate Bill No. 854—An act to amend chapter 522, Statutes of 1917, entitled "An act defining industrial loan companies, providing for their incorporation, powers and supervision"—has had the same under consideration, and respectfully reports the same back with amendments, and recommends that the amendments be adopted, and the bill be re-referred to this committee.

Committee membership—9; committee vote: Ayes—6; absent—3.

JONES, Chairman.

CONSIDERATION OF COMMITTEE AMENDMENTS.

Pursuant to the report of the Committee on Banking, the following amendments to Senate Bill No. 854 were read and adopted:

AMENDMENT NUMBER ONE.

In line 1 of the title of the printed bill, strike out "chapter 522, statutes of 1917," and insert in lieu thereof the following: "sections 3, 4, 5, 6, 7 and 12 of an act".

AMENDMENT NUMBER TWO.

In line 3 of the title of the printed bill, strike out "supervision," and insert in lieu thereof the following: "supervision," approved May 18, 1917, as amended, relating to industrial loan companies."

AMENDMENT NUMBER THREE.

On page 1 of the printed bill, strike out line 1, and insert in lieu thereof the following:

"SECTION 1. Section 3 of an act entitled "An act defining industrial loan companies, providing for their incorporation, powers and supervision," approved May 18, 1917, is".

AMENDMENT NUMBER FOUR.

On page 1 of the printed bill, strike out lines 3 to 15, inclusive, and insert in lieu thereof the following:

"Sec. 3. The capital stock of any corporation incorporated under".

AMENDMENT NUMBER FIVE.

On page 1, line 25, of the printed bill, strike out "one hundred", and insert in lieu thereof the following: "not less than ten".

AMENDMENT NUMBER SIX.

On page 2 of the printed bill, strike out lines 2 to 6, inclusive, and insert in lieu thereof the following: "elected by the subscribers, one hundred per cent of the amount of the capital stock. No corporation organized hereunder shall create".

AMENDMENT NUMBER SEVEN.

On page 2 of the printed bill, after line 7, insert the following:

"SEC. 2. Section 4 of said act is hereby amended to read as follows:

Sec. 4. Every corporation under the provisions of this act shall have power:

First—To loan money on personal security, or on security other than real property or any interest therein, and to deduct interest therefor in advance at the rate of six per cent discount, or less, and, in addition, in the discretion of the corporation, to receive and to require uniform weekly or monthly installments on its certificates of investment, purchased by the borrower simultaneously with the said loan transaction or otherwise, and pledged with the corporation as security for the said loan, with or without an allowance of interest on such installments.

Second—To sell or negotiate choses in action for the payment of money at any time, either fixed or uncertain, and to receive payments therefor in installments or otherwise, with or without an allowance of interest upon such installments. Nothing herein contained shall be construed to authorize corporations hereunder to receive deposits or to issue certificates of deposit. The issuance of choses in action herein authorized shall be approved as to form by the commissioner of corporations and shall bear the indorsement on the face of the instrument "This is not a certificate of deposit."

Third—To charge for a loan, made pursuant to this section, three dollars, or less for every fifty dollars, or fraction thereof loaned, for expenses, including any examination or investigation of the character and circumstances of the borrower, or of his co-signers, or of the collateral security, and the drawing and taking acknowledgment of any papers, or other expenses incurred in making the loan. No charge shall be collected unless a loan shall have been made.

Fourth—To establish branch offices, or places of business within the county in which its principal place of business is located, but if elsewhere in the State of California then the total paid up capital and surplus of such corporation must not be less than the sum of the amounts of capital which would be required by this act if each branch outside the county in which its principal place of business is located were a separate corporation.

In addition to the powers herein enumerated, every corporation, under the provisions of this act, shall have the general powers conferred upon corporations by chapter three, title one, part four, division first, of the Civil Code, except as herein otherwise provided.

SEC. 3. Section 5 of said act is hereby amended to read as follows:

Sec. 5. No corporation under the provisions of this act shall:

(a) Hold at any one time the obligation or obligations of any person, firm or corporation, for more than five per cent of the amount of the capital and surplus of such industrial loan company.

(b) Make any loan, under the provisions of this act, for a longer period than eighteen months from the date thereof: *provided* that all loans for a longer period

than one year from the date thereof must be payable in equal monthly installments commencing within one month from the date thereof; and provided, further, that not more than twenty-five per cent of the total loans outstanding at any one time shall be for a longer period than one year from the date thereof.

(c) Deposit any of its funds with any other moneyed corporation, unless such corporation has been designated as such depository by a vote of the majority of the directors or of the executive committee, exclusive of any director who is an officer, director or trustee of the depository so designated.

(d) Invest any of its funds, otherwise than as herein authorized, except in such investments as are by law legal investments for savings banks, or in the choses in action issued by any other corporation organized under this act.

(e) Have outstanding at any time its investment certificates in an aggregate sum in excess of ten times the aggregate amount of its paid up capital, exclusive of those hypothecated with the company issuing them.

SEC. 4. Section 6 of said act is hereby amended to read as follows:

Sec. 6. Every corporation, under the provisions of this act, may purchase, hold and convey real estate for the following purposes, but for no other:

First—Such as shall be conveyed to it in satisfaction of debts previously contracted in the course of its business.

Second—Such as it shall purchase at sale under judgments, decrees or mortgage foreclosures under securities held by it, but no such corporation shall bid at any such sale a larger amount than shall be necessary to satisfy its debts and costs.

Real estate shall be conveyed under the corporate seal of such corporation and the hand of its president or vice president and manager or treasurer or of its president or vice president and secretary or assistant secretary.

No real estate acquired in the cases contemplated above shall be held for a longer period than five years. Parcels of such real estate not sold within said time may be purchased by any person wanting the same, upon the conditions and the proceedings provided in section 54 of "An act to define and regulate the business of banking," approved March 1, 1909.

SEC. 5. Section 7 of said act is hereby amended to read as follows:

Sec. 7. The directors of every corporation, under the provisions of this act, may at certain times and in such manner as its by-laws prescribe, declare and pay dividends to the stockholders of such corporation, of so much of the net profits of the corporation as may be appropriated for that purpose under its by-laws, but before any such dividend is declared, not less than ten per cent of the net profits of such corporation for the preceding half year or for such period as is covered by the dividend, shall be carried to its surplus until such surplus shall amount to twenty-five per cent of the paid up capital stock. Surplus thus paid in or any money paid into surplus is not to be altered or depleted without the consent of the commissioner of corporations.

SEC. 6. Section 12 of said act is hereby amended to read as follows:

Sec. 12. Nothing in this act contained shall be deemed or construed as a limitation or restriction of or as in any way affecting the power or discretion of the commissioner of corporations, under the investment companies act or any other statute now or hereafter in effect, to issue a permit authorizing any corporation under the provisions of this act to issue and dispose of choses in action in such amounts and upon such terms and conditions as he may in such permit provide and to impose such conditions as he may deem necessary to the issue of such securities and to establish such rules and regulations as may be reasonable or necessary to insure the disposition of the proceeds of such securities in the manner and for the purposes provided in such permit and from time to time for cause to amend, alter or revoke any permit issued by him or to refuse to issue such permit or otherwise authorize the issue of such securities.

Each corporation incorporated under this act shall at least once a year cause its books and accounts to be audited at its own expense either by the commissioner of corporations or by a public accountant approved by the commissioner of corporations as it shall elect, and shall furnish to the commissioner annually within ninety days after the end of its fiscal year a certified copy of the report of such auditor. If the examination is made by the commissioner of corporations, the corporation shall pay such reasonable fee therefor as he may provide."

Bill ordered to print, and re-referred to Committee on Banking.

ON FISH AND GAME.

SENATE CHAMBER, SACRAMENTO, April 15, 1931.

MR. PRESIDENT: Your Committee on Fish and Game, to which was referred Assembly Bill No. 700—An act to amend the title of and to revise chapter 448, Statutes of 1929, entitled "An act to provide relief for owners of crops damaged by protected game animals, approved May 24, 1929," limiting the operation of this act to deer and providing an alternative method for the issuance of permits for taking deer destructive to crops;

Also: Assembly Bill No. 1891—An act creating a game refuge and fowl sanctuary to be known as the San Leandro Bay Game Refuge and Sanctuary, providing for

the conservation and protection of all birds within such district, and providing penalties for violation of the act;
Has had the same under consideration, and respectfully reports the same back, and recommends that they do pass.

Committee membership—16; committee vote: Ayes—13; absent—3.

YOUNG, Chairman.

Assembly Bills Nos. 700 and 1891 ordered on file for second reading.

INTRODUCTION, FIRST READING AND REFERENCE OF BILLS.

The following resolution was offered:

By Senator Harper: Senate Concurrent Resolution No. 34—Relative to approving the charter of the city of San Diego, which was submitted to the qualified voters of said city and voted for and ratified by them at the general municipal election held on the seventh day of April, 1931.

CONSIDERATION OF SENATE CONCURRENT RESOLUTION NUMBER THIRTY-FOUR.

Senator Harper asked for, and was granted unanimous consent for the consideration of Senate Concurrent Resolution No. 34, without reference to committee, for purpose of adoption.

Senate Concurrent Resolution No. 34—Relative to approving the charter of the city of San Diego, which was submitted to the qualified voters of said city and voted for and ratified by them at the general municipal election held on the seventh day of April, 1931.

Resolution read.

The question being on the adoption of the resolution.

The roll was called, and Senate Concurrent Resolution No. 34 adopted by the following vote:

AYES—Senators Allen, Baker, Breed, Bush, Cassidy, Christian, Crittenden, Denel, Duval, Edwards, Harper, Hays, Ingels, Inman, Maloney, McCormack, McKinley, Mixer, Moran, Pedrotti, Rich, Riley, Rochester, Schottky, Sharkey, Swing, Treacy, Tubbs, Waggy, and Young—30.

NOES—None.

Senate Concurrent Resolution No. 34 ordered transmitted to the Assembly.

CONSIDERATION OF DAILY FILE.

SECOND READING OF SENATE BILLS.

Senate Bill No. 108—An act regarding certificates of registration as "registered sanitarians" for persons performing the duties of sanitary inspectors or sanitary officers, prescribing terms and conditions under which such inspectors or officers may be employed, and providing penalties for the violation of the provisions hereof.

Bill read second time, ordered engrossed, and on file for third reading.

Senate Bill No. 159—An act relating to certificates of registration of inspectors and sanitary officers as "registered sanitarians"; empowering the State Board of Public Health to certify approved schools, conduct examinations, and to issue or deny "registered sanitarian" certificates; and providing penalties for violation of this act.

Bill read second time, ordered engrossed, and on file for third reading.

Senate Bill No. 943—An act to amend section 2979a of the Political Code, relating to health officers.

Bill read second time, ordered engrossed, and on file for third reading.

Senate Bill No. 283—An act to amend section 44 of the California Vehicle Act, relating to the registration of vehicles.

Bill read second time, ordered engrossed, and on file for third reading.

Senate Bill No. 475—An act providing for the organization, operation, maintenance, government and dissolution of resort districts and the inclusion of lands therein and exclusion of lands therefrom, and for the acquisition of lands or rights therein and the acquisition, construction, operation and maintenance of public improvements and works to carry into effect the provisions of this act; for the issuance, sale and payment of bonds of such districts to meet the cost of such improvements and works and for the acquisition or construction of such lands or rights therein or improvements and works; and conferring upon the State Engineer certain additional duties and powers in connection with carrying out the purposes of this act.

COMMITTEE AMENDMENTS.

During the second reading of the bill, the following committee amendments were offered:

AMENDMENT NUMBER ONE.

On page 1, line 16, of the printed bill, after the word "territory", insert "devoted chiefly to recreational purposes".

Amendment adopted.

AMENDMENT NUMBER TWO.

On page 2, lines 7 to 9, of the printed bill, strike out the following: "*provided*, that the said petitioners must include the holders of title or evidence of title to not less than ten per cent in value of the lands within said proposed district."

Amendment adopted.

AMENDMENT NUMBER THREE.

On page 4, lines 29 and 30, of the printed bill, strike out the following: "may require the same to be paid by the proponents of said district or may", and insert in lieu thereof after the words "said state engineer", in line 28, the word "shall".

Amendment adopted.

AMENDMENT NUMBER FOUR.

On page 4, lines 30 and 31, of the printed bill, strike out, after the words "warrants therefor", the following: "and which payment and", and insert in lieu thereof (line 30) after the words "warrants therefor", the word "which".

Amendment adopted.

AMENDMENT NUMBER FIVE.

On page 4, line 37, of the printed bill, insert after the words "any warrants", the word "so".

Amendment adopted.

AMENDMENT NUMBER SIX.

On page 4, lines 38 and 39, of the printed bill, strike out the following: "or board of directors of said district upon the funds of the district".

Amendment adopted.

AMENDMENT NUMBER SEVEN.

On page 5, line 36, of the printed bill, after the word "section", insert "thirty-seven".

Amendment adopted.

AMENDMENT NUMBER EIGHT.

On page 5, line 39, of the printed bill, strike out the word "three", and insert the word "seven", in lieu thereof.

Amendment adopted.

AMENDMENT NUMBER NINE.

On page 5, line 39, of the printed bill, strike out the following: "and a treasurer".

Amendment adopted.

AMENDMENT NUMBER TEN.

On page 6, lines 24 to 26, of the printed bill, strike out the following: "and the candidate for treasurer receiving the highest number of votes in the district to be duly elected treasurer".

Amendment adopted.

AMENDMENT NUMBER ELEVEN.

On page 6, line 50, of the printed bill, strike out the following: "After such classification".

Amendment adopted.

AMENDMENT NUMBER TWELVE.

On page 7, line 34, of the printed bill, after the words "each acre", insert "or parcel".

Amendment adopted.

AMENDMENT NUMBER THIRTEEN.

On page 7, line 40, of the printed bill, insert before "of this act", the word "eighteen".

Amendment adopted.

AMENDMENT NUMBER FOURTEEN.

On page 7, line 48, of the printed bill, strike out parentheses around word "to".

Amendment adopted.

AMENDMENT NUMBER FIFTEEN.

On page 8 of the printed bill, after line 28, add the following:

"An act providing for the organization, operation, maintenance, government and dissolution of resort districts and the inclusion of lands therein and exclusion of lands therefrom, and for the acquisition of lands or rights therein and the acquisition, construction, operation and maintenance of public improvements and works to carry into effect the provisions of this act; for the issuance, sale and payment of bonds of such districts to meet the cost of such improvements and works and for the acquisition or construction of such lands or rights therein or improvements and works; and conferring upon the state engineer certain additional duties and powers in connection with carrying out the purposes of this act.

The people of the State of California do enact as follows:

SECTION 1. The state engineer shall have the powers and duties in this act conferred upon him, in addition to the other powers and duties possessed by or imposed upon him by law, and shall also possess and exercise such further powers and authority as may be necessary to enable him to fully perform the duties imposed upon him by this act, including the employment of such engineers, attorneys, superintendents, inspectors, and other assistants as he may deem necessary, and the fixing of their compensation, which, together with the cost and expense of all work done in connection with the performance of such duties under this act, shall be paid by the districts to be formed hereunder as hereinafter provided for payment of other expenses of the district.

SEC. 2. A majority in number of the holders of title or evidence of title to parcels of lands not within incorporated territory devoted chiefly to recreational purposes already served or susceptible of being served by the same system of improvements or works for either sewage disposal and/or drainage and/or fire protection and/or roads and/or trails, and representing a majority in value of said lands, may by written petition propose the organization of a resort district under the provisions of this act which shall comprise said parcels of land so served or susceptible of any such service. Such lands proposed to be organized into a resort district need not consist of contiguous parcels.

SEC. 3. In order to propose the organization of a resort district, a petition signed as provided in the preceding section setting forth generally the boundaries of the proposed district or describing the lands situated therein, the nature of the proposed works, and praying that the territory embraced within said proposed district may be organized as a resort district under the provisions of this act, shall be presented to the state engineer. The petition may consist of any number of separate instruments, and must be accompanied with a good and sufficient undertaking, to be

approved by the state engineer, in double the amount of the probable cost of organizing such district as estimated by said state engineer, conditioned that the sureties shall pay all of said costs in case said organization shall not be finally effected, and said state engineer shall have power to require the furnishing of any additional undertaking, or undertakings, or payments of money, in case he should deem the same necessary. Upon the presentation and filing of said petition and undertaking in the office of the said state engineer the said engineer shall forthwith fix a time and place at which he will hear said petition, which place shall be either the office of the state engineer at Sacramento or some place within the county, or one of the counties, within which any portion of the lands of said proposed district are situated and which time shall be not less than thirty nor more than sixty days after the presentation and filing of said petition. Said petition, together with a notice stating the time and place of the hearing so fixed by said engineer, shall be published in each county in which any of the lands of said proposed district are situate by said state engineer once a week for three successive weeks before said hearing. Said notice shall be issued by said state engineer, shall refer to said petition, and shall be directed to the persons named as petitioners therein, and to all other persons holding title or evidence of title to any lands included within the resort district proposed in said petition, and to all other persons who may be interested in or affected by the project contemplated in said petition, and shall be substantially in the following form:

Before the state engineer, State of California.

To the persons named as petitioners in the foregoing petition, to all persons holding title or evidence of title to lands included within the resort district proposed therein; and to all other persons who may be interested in or affected by the project contemplated in said petition:

You, and each of you, are hereby notified that the foregoing petition was filed with the state engineer on the ----- day of -----, -----, and will be heard by said engineer at ----- on the ----- day of -----, -----, at the hour of ----- m. of that day, at which time and place said engineer will hear and receive evidence in support of said petition or any objections which may be presented thereto, and will hear and determine the right of all parties holding title or evidence of title to lands not included in the resort district proposed in said petition, but which lands are already served or susceptible of being served by the same system of improvements or works for either sewage disposal and/or drainage and/or fire protection and/or roads and/or trails as are particularly referred to and described in said petition, to have said lands included in said district.

This notice is given pursuant to the provisions of an act, approved -----, and known as California resort district act, to which said act particular reference is hereby made.

Dated -----.

State engineer.

When contained upon more than one instrument one copy only of said petition need be published but the names attached to all said instruments must appear in such publication. Signatures to the petition may be withdrawn at any time before the publication is commenced as in this section required, by filing a declaration signed by the petitioner, with the state engineer, stating that it is the intention of the petitioner to withdraw therefrom, which declaration shall be acknowledged in the same manner as conveyances of real estate are required to be acknowledged.

SEC. 4. At the time and place fixed in said notice the state engineer shall proceed to hear said petition and to determine whether or not the same complies with the requirements hereinbefore set forth and whether or not the notice required herein has been published as required, and must hear all competent and relevant testimony offered in support of or in opposition thereto. Said hearing may be adjourned from time to time for the determination of said facts, not exceeding thirty days in all. No defect in the contents of the petition or in the title to or form of the notice or signatures, and no lack of signatures thereto, or to the petition as published, shall vitiate any proceedings thereon; *provided*, such petition or petitions have a sufficient number of qualified signatures attached thereto. The determination of said engineer shall be expressed by an order establishing the facts. If said state engineer shall determine that any of the requirements hereinbefore set forth have not been complied with the matter shall be dismissed, but without prejudice to the right of the proper number of persons to present a new petition covering the same matter or to present the same petition with additional signatures, if such additional signatures are necessary to comply with the requirements of this act. If the state engineer shall determine that all the said requirements have been complied with the said engineer shall forthwith proceed to hear said petition and all evidence offered in support of the petition and in support of said written objections, and the written application of any holder of title or evidence of title to lands included in said proposed resort district, to have said lands excluded therefrom, and to also receive the written application of the holder of title or evidence of title to other lands already served or susceptible of being served by the same system of improvements or works for either sewage disposal and/or

drainage and/or fire protection and/or roads and/or trails in said petition more particularly referred to and described, to have said lands included in said district and to participate in the benefits of such resort district. Said engineer shall ascertain and determine the practicability, feasibility, and utility of the proposed project set forth in said petition, and for that purpose may make, or cause to be made, all necessary studies, examinations, surveys, plans, and estimates of cost, and in connection therewith said state engineer may employ all necessary engineers, attorneys, and other assistants, or acquire and use estimates, surveys, and reports theretofore made, for the accomplishment of said purposes, and the cost thereof shall not in the aggregate exceed a sum in dollars equal in amount to one-fourth the number of acres in such proposed district and shall be deemed a part of the expense of said project, and said state engineer shall issue warrants therefor, which warrants shall be considered and treated in all respects as warrants of the district and which shall be payable out of the funds of said district when the organization thereof has been completed, and the same, if necessary, may be included in any bond issue authorized for the purposes of said district. If said district shall, as a result of any election hereinafter provided for, be not organized, any warrants so issued by said state engineer shall be a charge upon the undertaking, or undertakings, hereinbefore and in section 3 of this act provided for, and shall thereupon become due and payable by the sureties therein named, and the holders of said warrants shall have a cause of action against said sureties thereon.

SEC. 5. Upon the final hearing of said petition the state engineer shall make an order reaffirming his conclusions as to the genuineness and sufficiency of the petition, affirming the regularity and sufficiency of the notice of hearing thereon, and determining the practicability, feasibility and utility of the proposed project. The said engineer shall also in his said order establish the boundaries of the proposed district or describe the lands included therein, and provide an estimate of the probable cost of the proposed project. The order of said state engineer, made as in this section provided, shall be signed by him and entered in full upon the records kept by him. A copy of such order certified by said state engineer, together with a map showing the exterior boundaries of the district and indicating the lands if any excluded therefrom, shall forthwith be filed for record in the office of the county recorder of each county in which any of the lands within the said district are situated. The finding of said state engineer in favor of the genuineness and sufficiency of the petition and the regularity and sufficiency of the notice of hearing thereon shall be final and conclusive against all persons except the State of California upon suit commenced by the attorney general. Any such suit must be commenced within ninety days after the date of first filing in the office of any county recorder of such certified copy of said order as hereinabove required.

SEC. 6. Said state engineer shall, within sixty days after the filing of said order, give notice of an election to be held in the proposed district for the purpose of determining whether or not the same shall be organized under the provisions of this act. Such notice shall describe the boundaries so established, or the lands so included, and shall designate a name for the proposed district, and said notice shall be published once a week for at least three weeks previous to such election in each county in which any land in the proposed district is situated. Such notice shall require ballots to be cast which shall contain the words "Resort district—yes" or "Resort district—no," or words equivalent thereto, and also the names of persons to be voted for at said election. For the purposes of said election the state engineer must in his order designate voting place or places and appoint three landholders of the district to act as a board of election at each voting place. Such election shall be conducted as nearly as practicable in accordance with the general resort district election as in this act provided, but no particular form of ballot shall be required. Nominating petitions for officers to be elected at such election shall be filed as provided in section 37 of this act except that the same shall be filed in the office of the state engineer.

SEC. 7. At such election there shall be elected a board of seven directors. Said officers shall qualify in the same manner as is provided for the qualification of the same officers elected at a general resort district election as hereinafter in this act provided.

SEC. 8. Only the holders of title or evidence of title to lands situated within the district shall be entitled to vote at such election, and every such holder of title or evidence of title shall be entitled to vote, in person or as hereinafter provided, and to cast one vote for each one hundred dollars, or fraction thereof, worth of land in said district so owned by him. Each male or female voter over the age of twenty-one years shall be entitled to vote in person or by proxy. Any guardian, administrator, or executor of a person or estate owning land within the district shall be considered the holder of title or evidence of title to such lands for the purposes of this act, where the owner in fee is not entitled to vote. Any corporation holding title or evidence of title to lands within the district shall be entitled to vote as such land owner through any officer or agent thereunto duly authorized in writing under the seal of the corporation. Entrymen upon public lands situated within the district shall be considered as the holders of title or evidence of title to such lands for the purposes of this act. No person shall vote by proxy unless his authority to cast such vote shall be evidenced by an instrument in writing duly acknowledged and certified in the same manner as grants of real property and filed with the board of

election. The provisions of this act relating to general elections shall, except as herein otherwise specifically provided, apply to elections on organization of any resort district under this act.

SEC. 9. The state engineer shall on the second Monday succeeding such election proceed to canvass the votes cast thereat and if upon such canvass it appears that a majority of all the votes cast are "Resort district—yes" said engineer shall, by an order entered in the records kept by him, declare the territory duly organized as a resort district under the name theretofore designated, and shall declare the candidates for directors receiving at such election the highest number of votes to be duly elected directors. If upon such canvass it appears that a majority of all the votes cast are "Resort district—no," then the result of such election shall be declared accordingly and entered of record in the records kept by the state engineer.

SEC. 10. If such order on election shall declare the territory duly organized as a resort district the said state engineer shall forthwith cause a copy of such order, duly certified, to be filed for record in the office of the county recorder of each county in which any portion of the lands embraced in such district is situated, and from and after such filing the organization of such district shall be complete and said district shall have the powers and rights conferred upon it by the provisions of this act. Said state engineer shall at the same time issue certificates of election to the persons declared in said order to be elected directors.

SEC. 11. The directors elected at such election after qualifying by receiving their certificates of election and subscribing the official oath and giving the required bonds, shall immediately enter upon their duties and shall hold office, respectively, until their successors are elected and qualified.

SEC. 12. The directors shall on the first Tuesday after their election and qualification meet and organize as a board and select and designate an office of the board, which shall also be the office of the district, at which the board shall thereafter hold its meetings. The board shall elect a president from their number and shall appoint a secretary and treasurer, each of whom shall hold office during the pleasure of the board. The amount of the bond to be given by the secretary for the faithful performance of his duties shall be fixed by the board.

The office of the board and its place of meetings may be changed by a majority vote of the board of directors, but no such change shall become effective until after the resolution making such change shall be published once a week for two successive weeks in the county in which the office of the board of directors has theretofore been located.

SEC. 13. The board of directors shall thereafter hold regular meetings on the first Tuesday of each month at the place selected as the office of the board. Special meetings of the board of directors may be held as may be required for the proper transaction of the business of the district, but a special meeting must be ordered by a majority of the board. The order must be entered of record, and five days notice thereof must be given by the secretary to each director not joining in the order. The order must specify the business to be transacted, and no other business than that specified in the order may be transacted at such special meeting, unless all the members are present and consent to the consideration of any business not specified in said order. All meetings of the board must be public and a majority shall constitute a quorum for the transaction of business. A smaller number of directors than a quorum may adjourn from day to day. All records of the board shall be open to public inspection during business hours.

SEC. 14. The board of directors shall have in addition to the powers and authority hereinbefore and hereinafter conferred upon it, such further powers and authority as may be necessary to enable it to fully perform the duties imposed upon it by this act.

SEC. 15. The board of directors must and shall at its first regular meeting or within ninety (90) days thereafter levy an assessment of an equal amount upon each acre or parcel of land in said district sufficient to pay all warrants issued by the state engineer, in accordance with the provisions of this act, and to defray all other expenses as estimated by the board, incurred and to be incurred for the general benefit of the district up to the time of the levy of the assessment provided for in section 18 of this act, including expenses incurred prior to the organization of the district, but in the judgment of the board properly incurred for the general benefit of the district, the amounts required to be raised to pay warrants of the state engineer and to pay such expenses to be separately stated in the resolution levying the assessment. In the event the assessment so levied for such purposes shall not be sufficient for the same, it shall be the duty of the board of directors from time to time to levy an additional assessment or assessments of the same character for said purposes; *provided, however*, that the total of all such assessments, exclusive of the amount assessed for the purpose of paying warrants of the state engineer, shall not exceed fifty (50) cents per acre, except as hereinafter provided.

If, after the total amount raised by all such assessments shall have been expended or its expenditure authorized, such total amount is found to be insufficient to meet all of such expenses of the district, the directors may, in the manner hereafter provided, levy an additional assessment or assessments of like character for such purposes up to an amount not in excess of fifty (50) cents per acre. Before levying

any such additional assessment the board of directors shall pass a resolution declaring its intention so to do and in such resolution shall appoint a time not less than two weeks and not more than four weeks from the passage of such resolution of intention at which the matter of levying such additional assessment will be considered in open meeting. A copy of such resolution of intention shall be published once a week for at least two weeks before the time so appointed in a newspaper of general circulation in each county in which land within the district is located. At the time so appointed the board shall meet and in open meeting consider the matter of levying such additional assessment and hear any objection thereto and at or after such meeting may upon approval of the state engineer levy such additional assessment, if in its judgment the best interests of the district so require. Every assessment levied under this section shall constitute a lien upon the lands affected thereby, until the full amount thereof is paid, which lien shall be prior to all other liens, except state, county and municipal taxes and assessments, or taxes levied or assessed by or under statutory authority, and shall be collected in the same manner as other assessments provided for in this act.

SEC. 16. The board of directors shall upon the organization of a resort district as in this act provided, proceed to make or cause to be made, all such examinations, surveys, detailed plans and specifications, and estimates of costs as may be necessary or requisite to enable said board of directors to ascertain and estimate the requirements and works necessary for the purpose of said resort district, and the probable cost and expense thereof, and to make a report thereof as hereinafter provided, in which connection said board may use and adopt all previous estimates, surveys, reports and other data it may have acquired or which are available to it, adapted to that purpose, and may employ all necessary engineers, attorneys and other assistants for the accomplishment of said purposes, and the cost thereof shall be deemed a part of the expense of said project, and such board may issue warrants therefor, which shall be payable out of the funds of said district and may be included in any bond issue authorized for the purposes of said district.

If the board of directors proposes to acquire any property of any kind or character, or any interest or easement therein for the purposes or use of said resort district by purchase or lease, or in any manner other than by condemnation proceedings, that fact shall be stated in their said report and a true copy or copies of any instrument or instruments evidencing such proposed acquisition of such property, interest or easement therein, or the right to acquire same shall be made a part of said report.

No property of any kind or interest therein belonging to any corporation which is a public utility, shall be acquired by a resort district, nor shall any such properties of a public utility be included in the report of the directors in this paragraph provided for.

Said board of directors may at their option segregate and divide the plans, specifications and estimates of cost into one or more units of construction, and may in said plan provide that one or more individual units of construction shall not be entered upon immediately, but shall be authorized and undertaken in such order and at such future time as the board of directors shall thereafter determine. Upon the completion of said examination and study of the proposed project by the said board of directors, the said board shall prepare and file in the office of the state engineer, and a true copy thereof in the office of the secretary of said board, a report thereof, in which said report shall be set forth in full and in detail the character and nature of the proposed works, a description of the rights to lands it will be necessary to acquire to carry said project to completion, accompanied by detailed plans and specifications, and a detailed estimate of the cost of said project, including the acquisition of all rights, necessary to the completion and operation thereof. The board of directors shall attach to said report a recommendation that said projects shall be carried out in accordance with the plans and specifications in said report contained, or that said project be abandoned. Such report when completed shall be signed by a majority of the board of directors, and entered in full upon the minutes of said board. If said board shall determine to segregate and divide the plans, specifications and estimates into more than one unit of construction, such plans, specifications and estimates shall be complete as to each unit, and the board shall in its report specify the particular unit or units the construction of which shall be immediately entered upon the particular unit or units reserved for future action.

SEC. 17. If the said board of directors recommends that said project be abandoned the state engineer shall make such further investigation of said project as is in his judgment desirable and shall within sixty days after the filing of said report make and enter upon the records kept by him an order either (a) approving and confirming the said report and recommendation and declaring said project abandoned, which said order shall be without prejudice to the presentation of another petition covering the same matter, or (b) approving and adopting the said report but taking no action with respect to the said recommendation, and calling another election to be held in the district for the purpose of determining whether or not the recommendation of said board of directors shall be adopted or rejected. In the event the said order so made and entered by the state engineer shall call an election, said state

engineer shall within thirty days after the entry of said order give notice of such election. Said notice shall be published once a week for at least three weeks previous to such election in each county in which any land in the district is situated. Said notice shall require ballots to be cast, which shall contain the words "Completion of project—yes" or "Completion of project—no." For the purposes of said election the state engineer at the time of calling said election shall in his order designate voting places and appoint three landholders of the district to act as a board of election at each voting place. Such election shall be conducted as nearly as practicable in accordance with the provisions of this act relating to general resort district elections, but no particular form of ballot shall be required. The qualification of voters at said election shall be the same as prescribed for the original election on organization of district, and the votes cast at said election shall be canvassed in the same manner as votes cast at said original election, and the result of such election shall be declared and entered of record in the minutes of the board. If such result shall show more than one-half of all the votes cast are "Completion of project—no," or that more than one-half of the qualified voters who voted at said election voted "Completion of project—no," the state engineer shall make and enter in his records an order declaring said project abandoned, and requiring all persons, except the holders of warrants issued pursuant to the provisions of this act and which have been duly presented for payment, having claims against said district, or proposed district, to file them with the necessary vouchers within three months from the making of said order in the office of said state engineer. Notice of said order requiring presentation of claims stating the time and place thereof shall be published in the county in which the office of the district is located by said state engineer once a week for four successive weeks, the first publication of which said notice shall be made within ten days after the making of said order. After all warrants issued under the provisions of this act which have been duly presented for payment and all claims that have been duly presented and have been allowed and approved by said state engineer or the board of directors of said district, have been paid, said state engineer shall forthwith cause a copy of said order declaring said project abandoned, duly certified by said state engineer, to be filed for record in the office of the county recorder of each county in which any portion of the land embraced in said district is situated, and from and after such filing said district shall be deemed dissolved and all liens which may have attached to any of the lands therein under any provisions of this act shall be discharged and any undertaking given pursuant thereto shall be annulled and of no further effect. If the canvass of the votes cast at such election show more than one-half of all votes cast are "Completion of project—yes" and also shows that more than one-half of the qualified voters who voted at said election voted "Completion of project—yes" said state engineer shall thereupon appoint the commissioners provided for in section 18 of this act and thereafter such proceedings shall be taken and followed as are provided in said section 18 and subsequent sections of this act.

Sec. 18. If the board of directors recommends that said project be carried out in accordance with the plans and specifications in its said report contained, the state engineer shall make such further investigation of such project as is in his judgment desirable and shall as soon as possible after the expiration of sixty days after the filing of said report make and enter upon the records kept by him an order either approving and confirming said report and recommendation or disapproving the same. Pending final approval or disapproval by the state engineer, the board of directors may amend, modify, or supplement their report and the plans, specifications and estimates and other matters accompanying the same, either on their initiative or in response to suggestions by the state engineer.

Immediately after making and recording such order, the state engineer shall call a district election for the purpose of determining whether such recommendation and report shall be adopted, such election to be noticed, held, and conducted and the result thereof determined and declared in all respects as nearly as possible as provided in section 17 of this act, the notice of election to state whether such report and recommendation is approved or disapproved by the state engineer.

If the result of such election shows that more than one-half of all votes cast are "Completion of project—no" or that more than one-half of the qualified voters who voted at said election voted "Completion of project—no," the project shall be deemed abandoned and proceedings shall be thereafter taken as provided in section 17 in case of abandonment. If the result of such election shows a majority of all votes cast are "Completion of project—yes" and also shows that a majority of the qualified voters who voted at said election voted "Completion of project—yes," said report and recommendation shall be deemed to be adopted by the district. In case of the adoption of said report and recommendation the state engineer shall forthwith appoint three (3) commissioners whose duty it shall be to assess the cost of the project, or in the event said board shall have divided the project into units of construction, the cost of the unit or units specified for immediate construction, upon the benefited lands within the district, and the said cost shall be apportioned in accordance with the benefits that will accrue to each tract of land held in separate ownership in said district by reason of the expenditures of said sums of money, and the completion of the project, or such unit or units thereof as have been specified for immediate construction, such assessment to be in gold coin of the United States; and provided, further, that where any such tract of land consists of more than one section such apportionment to such tract of land shall be made according to

legal subdivisions thereof or to other boundaries sufficient to identify the same in subdivisions not greater than one section in area, but any failure or defect in complying with this requirement shall not invalidate said apportionment or said assessment. One of said commissioners shall be a civil engineer, and none of said commissioners shall have any interest in any land in the district either directly or indirectly, and each commissioner before entering upon his duties shall take and subscribe an oath that he is not in any manner interested directly or indirectly in any land in the district and that he will perform the duties of commissioner to the best of his ability, and said commissioners shall be paid as compensation for the services rendered by them such sum, or sums, as the state engineer shall fix and determine, which shall be considered a part of the cost of the project, and said state engineer may issue warrants therefor, which shall be payable out of the funds of said district and may be included in any bond issue authorized for the purposes of said district. The said commissioners shall receive from the board of directors of the district a copy of the detailed plans, specifications, and estimate of the costs of the project, which have been duly filed with the state engineer. The said commissioners shall thereupon prepare and certify to the state engineer in triplicate rolls which shall contain:

(1) A description of each tract held in separate ownership by legal subdivisions, governmental surveys or other boundaries sufficient to identify the same; *provided, however*, that if any area composed of more than one tract held in separate ownership is not assessed because the lands therein will not be benefited by the expenditure of the funds to be raised by the assessment, a description of such area as a whole without a description of each tract thereof shall be sufficient;

(2) The number of acres in each tract;

(3) The name and address of the owner of each tract, if known, and if unknown, that fact, but no mistake or error in the name of the owner or supposed owner of the property assessed, and no mistake in any other particular, shall render the assessment thereof invalid;

(4) The rate per acre of such assessment upon each tract assessed or if no assessment is made upon any tract, or area composed of more than one tract, a statement of that fact;

(5) The total amount of the assessment as computed;

(6) Any other statement which may be required by the state engineer and as to which notice is given in writing to the commissioners at the time of transmitting the plans and specifications and costs of the work for the district before mentioned.

The roll shall be separately made for lands lying within different counties contained within said district. Said rolls when completed shall be accompanied by the written report of the commissioners wherein is set out with particularity the exact nature and quantum of the benefits so assessed. In such report lands embraced within a comprehensive area or a political subdivision of the state may be referred to generally as lands lying within such area or subdivision without further description.

Said rolls when completed shall be duly certified by said commissioners and forthwith by them filed in the office of the state engineer. Said state engineer shall forthwith transmit two copies of said rolls to the board of directors of said district, who shall file one copy in their records and thereupon transmit to the county treasurer of each county within such district that portion of the roll relating to the lands within such county. Thereafter the directors of the resort district in which the lands described in said rolls are situated shall become and constitute a board, in the nature of a board of equalization, which shall be known and designated as the "adjustment board" and whose functions shall be to consider and act upon objections, if any, presented as herein provided to the assessment made by said commissioners. For that purpose said adjustment board shall thereupon appoint times and places not less than thirty days after said rolls have been filed in the records of said board of directors when and where it will meet within each county wherein lands of said district are situated for the purpose of hearing objections to said assessments, and notice of such hearing shall be published at least once a week for two successive weeks in each county in which any lands within said district may be situated. Said objections, if any, must be in writing verified and filed with the state engineer, and shall set forth the grounds of such objections. Such verification shall be made by the affidavit of the objector or some other person who is familiar with the facts. Said adjustment board may postpone such hearings from time to time. At such hearings the adjustment board shall hear such evidence as may be offered touching the correctness of such assessment, and may modify, amend, or approve the said assessment in any particular and may reapportion the whole or any part thereof; *provided, however*, that no assessment shall be increased except after personal notice or notice by registered mail given to the owner, if known, by depositing in the post office at the place in which the office of said district is located, in a sealed envelope addressed to each of such owners at his last known if any, place of residence or business, otherwise at the county seat of the county in which any portion of his lands are situated, with full postage paid, at least two weeks before said hearing, or if unknown by publication at least once a week for two successive weeks in the county in which said land in the district may be located, and upon a hearing of objections thereto if made.

Said adjustment board, after said hearings, must make an order approving such assessment as finally fixed or modified, which order shall be filed with and entered in the records of the state engineer, and the apportionment and determination of said adjustment board shall be final and conclusive, and no action or defense shall ever be maintained attacking the same in any respect. Two copies of said assessment roll as finally fixed and approved by the adjustment board shall be forthwith certified by the secretary, and the secretary shall file one copy in the records of the board of directors, and thereupon immediately transmit to the county treasurer of each county within such district that portion of the roll relating to the lands within such county together with a copy of the order of approval of such assessment roll by said adjustment board. Thereafter said assessment roll shall be conclusive evidence before any court or tribunal that said assessment has been made and levied according to law.

When the secretary shall file with the county treasurer of a county within such district the said assessment list or roll as finally approved as hereinbefore provided the charges assessed thereby upon the several tracts of land within the county shall constitute a lien thereon which shall be prior to all other liens except state, county and municipal taxes, and assessments or taxes levied or assessed by or under statutory authority and shall impart notice thereof to all persons. Where bonds of such district have been issued upon any such assessment no act or conduct on the part of such board of directors, or any officer herein mentioned, shall invalidate any such assessment after the same shall have become a lien in the manner herein provided.

In the event of the division of the project into units of construction, and the specification of one or more units for future construction, the board of directors shall at such time as it shall determine upon the construction of any such unit or units, pass a resolution to that effect and cause a certified copy thereof to be transmitted to the state engineer. At such time the board may amend the plans, specifications and estimates of costs of such unit or units by making such changes therein, modifications thereof, and additions thereto, as it shall deem desirable, and in the event of any such change, modification, or addition, the board shall cause to be filed with the state engineer, the plans, specifications and estimates of costs of such unit or units as amended. Upon receipt by the state engineer, of such certified copy of resolution and such amended plans, specifications and estimates of cost, if any, the same proceedings for levying, approving and collecting an assessment to meet the cost of the unit or units to be constructed shall be had as hereinbefore provided for an assessment to meet the cost of the unit or units first constructed.

SEC. 19. When any tract of land upon which any assessment provided for by this act has been levied shall be subdivided into smaller parcels, the board of directors of the district shall, upon the written request of the owner of such tract or of any of such smaller parcels and after hearing, reapportion the said assessment in such manner as will in the judgment of the board charge each of said smaller parcels with a just portion of such assessment. Supplementary assessment rolls, showing such reapportionment, shall be made and shall be made separately for lands lying within different counties. Said board of directors shall thereafter file copies of said supplementary assessment rolls with the state engineer and shall also file with the county treasurer of each county in which any portion of said tract so subdivided is situated the supplementary assessment roll relating to the lands in such county, and from and after such filing the said assessment shall be an assessment upon each of said smaller parcels in accordance with such reapportionment and not an assessment upon said tract as a whole; and such supplementary assessment rolls shall be deemed to be a part of and amendatory of the assessment roll or rolls theretofore filed for all purposes. Such reapportionment shall in no wise affect the assessment except as to the lands included in the supplementary assessment rolls.

SEC. 20. The assessment list of each county must remain open for payment in full in the office of the county treasurer of the respective counties within the district for a period of thirty days; and during the time they so remain any person may pay the amount of the charge assessed against any tract of land to the county treasurer in gold coin of the United States or in warrants of the district drawn by the state engineer or the board of directors, or the proper officers thereof.

SEC. 21. At the end of thirty days the county treasurer must make return to the board of directors of the district of all assessments paid. All unpaid assessments shall bear interest at the rate of seven per cent per annum. Thereafter all unpaid assessments and accrued interest shall be collected when and as called, and paid to the treasurer of the county or counties, who shall collect and hold such moneys to the credit of the district. Unless bonds shall have been authorized as hereinafter provided, all such payments shall be made in such amounts or installments and at such times respectively as the said board, from time to time, in its discretion, by order entered in its minutes, may direct. Upon making any order fixing and calling such installment or amount, the secretary shall also enter in the minutes of the board, and certify to each county treasurer for signature and mailing or publication in the counties in which any lands within the district are situated a notice in substantially the following form:

(Name) resort district. (Location of the principal place of business.) Notice is hereby given that at a meeting of the board of directors held on ----- an installment of ----- per cent of assessment number ----- was ordered paid

within sixty days from the date thereof to the respective county treasurers of the counties wherein lands of such district are situate. Any installment which shall remain unpaid on the (day fixed) will be delinquent, together with the accrued interest thereon, with ten per cent of such installment and interest added as penalty.

(Signed) _____

Treasurer of _____ County.

Such notice must be sent through the mail, addressed to each owner of land in the district at his place of residence if known, and if not known, at the place where the principal office of the district is situated, or in lieu thereof such notice shall be published once a week for two consecutive weeks in each such county.

If any such installment shall remain unpaid at the expiration of said sixty days from the date of the order, then the said installment of said assessment shall become delinquent, together with the accrued interest thereon and a penalty of ten per cent of the amount of said installment and interest shall be added thereto and collected for the use of the district.

Immediately after the said installment has become delinquent the said county treasurer or county treasurers must prepare and as soon as the same is complete publish once a week for two consecutive weeks in each county wherein lands of the district are situated, in one notice a list of all delinquencies in such county, which notice shall contain a description of the property assessed, the name of the person to whom it is assessed or a statement that it is assessed to unknown owners, if such is the fact, the amount then due on said property, and a notice that the property assessed will be sold on the date therein stated in front of the courthouse of said county to pay the amount then due on said property. The date of said sale shall not be less than ten days after the date of the last publication of said notice. At the time stated in said notice, or such other time to which said sale may have been postponed, the county treasurer must sell said property to the highest bidder for gold coin of the United States. Out of the proceeds of said sale the county treasurer must deposit the amount due on said property as shown in said notice to the proper fund of the said district. The county treasurer must pay to the owner of said property any surplus remaining after said deposit to the credit of the district, after first deducting any expense of sale. Except where bonds have been issued upon an assessment the board of directors may direct the county treasurer to postpone said sale from time to time, for not less than ten nor more than thirty days at one time, by a written notice posted at the place of sale.

If no bid is made for said property equal to the amount due thereon, it must be struck off to the district for the said amount so due. A certificate of such sale shall be executed by the county treasurer to the purchaser, or to the district if the property shall have been struck off to the district, and this certificate of sale shall be recorded in the office of the county recorder of said county. Any person interested in said property may redeem the same at any time within three years after the date of said sale, by paying to the county treasurer the amount for which the said property was sold, and interest on the said sum at the rate of one per cent per month from the date of said sale, which amount shall be credited to the proper fund of said district.

If no redemption shall be made within said three years, the purchaser or the district, if the property shall have been sold to the district, shall be entitled to a deed executed by the county treasurer or his successor in office, and the effect of such deed shall be to convey said property free and clear of all liens and incumbrances except state, county and municipal taxes, assessments or taxes levied or assessed by or under statutory authority and any resort district assessment or portion thereof remaining unpaid at the date of said sale, each installment whereof may be called and collected as herein provided. The board of directors may sell such property sold to the district at any time at public auction after notice given for the same period and in the same manner as is herein provided for sale of delinquent assessments, but not for a sum less than the amount for which said property was sold, with interest at seven per cent per annum, and the deed executed in pursuance of such sale shall convey said property free of all incumbrances except as hereinabove provided for said deed by the county treasurer.

SEC. 22. Whenever after completion of the works of a district in whole or in part, it becomes necessary in the opinion of its board of directors to raise any sum for the maintenance, repairs or operation of its works or for the conduct and management of the district or its works, the board of directors shall first cause to be prepared and when prepared, adopt a report showing the stage to which the said works have been completed and paid for, the sum or sums that will be required for the maintenance or repair or operation of said works, or for the conduct or management of the district or its works, with reasonable particularity, together with any plans and specifications for any work to be done, and an estimate of the aggregate cost thereof, a copy of which said report with the said plans and specifications shall be placed on file with the secretary of said board, and a notice of the filing of said report stating the purpose of the same, and where the same may be inspected by any person interested, and fixing a time within which protests against the adoption of said report and the levying of any assessment thereunder may be filed, and the time and place when a hearing on such protests will be had. Such hearings shall be public, and held at the ordinary place of business of the board of directors

of said district within said district, at which said hearing all protestants shall be permitted to appear in person or by attorney and present their objections to such report, if any. At the conclusion of such hearing said board may adopt such report or modify the same or cause a new report to be made and prepared to be again set for hearing as in the first instance, or abandon either in whole or in part the levying of any assessment pursuant to such report. If after such hearing said board shall determine that such assessment be necessary, said board may make an order of supplementary assessment. Such supplementary assessment shall be spread between the respective tracts of land in the proportions which the total amounts assessed against such tracts by the original and all subsequent assessments for construction purposes bear to one another. The order making such supplementary assessment shall be entered in the minutes of the board, shall state the total amount necessary to be raised and shall fix the rate of assessment which shall be the percentage of the total amount assessed by the original and all subsequent assessments for construction purposes which is required to produce the amount necessary to be raised. Upon the making of such order, the board shall cause to be prepared a supplementary assessment roll showing by description each tract assessed, the total assessments against the same for construction purposes, the rate of assessment and the amount assessed against the same by such supplementary assessment in dollars and cents computed at such rate. Upon the completion of such supplementary assessment roll, the board shall file with the county treasurer of each county wherein are situated lands subject to such assessment, a copy of so much of such assessment roll as pertains to the lands within that county, and thereupon such assessment shall constitute a lien upon each tract shown to be assessed by the copy of the assessment roll so filed for the amount assessed against it, such lien to be of the same character and to have the same incidents as the lien of an original assessment for purposes of construction. At any time within sixty (60) days from the filing of the copy of the assessment roll as aforesaid, the same may be amended by the board of directors to correct errors either on its own initiative or at the instance of any landowner affected, such amendment to be made by endorsement upon the assessment roll by the county treasurer upon the certification of the error to him by the board of directors. Such supplementary assessment shall be collected in the manner herein provided for the collection of original assessments and the board of directors may call the same as a whole or in installments from time to time, as it may deem best.

The original assessment levied for construction purposes and all assessment rolls for such assessment or for supplementary assessment for such purposes shall continue in force as the basis for allocating and spreading assessments for maintenance repair or operation of the works of the project or for the management and conduct of such works or of the district. All provisions of this act with respect to the levy and collection of assessments shall, so far as appropriate, be applicable to such supplementary assessments.

For the purpose of the care, operation, management, repair or improvement of such portions of the project as are in use, including salaries of officers and employees, and all other operating and maintenance expenses, the board may in lieu (either in part or in whole) of levying assessments as in this section provided for, fix rates of tolls and charges for services rendered by the district, and collect the same from all persons receiving the benefit of such services, such tolls and charges to be proportional as nearly as possible to the service rendered.

Whenever any tolls or charges for services rendered by the district provided for by this act have been fixed by the board of directors, it shall be lawful to make the same payable in advance, and in case any tolls or charges remain unpaid for a period of thirty days after the same become payable, the same shall become delinquent and a penalty of ten per cent shall be added thereto and such delinquent tolls and charges shall bear interest at the rate of twelve per cent per annum. The board of directors may, after any toll or charge becomes delinquent, file in the office of the county recorder of the county in which are situated the lands as to which such tolls or charges are delinquent, a list showing the names of the owners of such lands, if known, and if not known, a statement of that fact, a description of such lands sufficient for identification and the amounts of tolls and charges which are delinquent, and upon the filing of such list the tolls and charges so listed, together with the penalties and interest thereon, shall become a lien upon the lands as to which such tolls and charges are delinquent in the same manner and of the same character as the lien of a district assessment. The board of directors of any resort district may at any time after any toll or charge provided for in this act has become delinquent, direct that proceedings be not taken to enforce the lien therefor, and in place of such proceedings bring suit in the name of the district against the delinquent to enforce collection of such delinquent toll or charge. In such suit the district may recover the amount of such toll or charge, together with penalties and interest, and costs of suit.

SEC. 23. In the event that the original assessment for the project or any unit thereof is insufficient to provide for the completion of the project or of such unit, the board of directors shall levy and collect a supplementary assessment or assessments to cover the estimated cost of completion thereof. Each such supplementary

assessment shall be spread between the different tracts of land in the proportion which the amounts assessed against such tracts by the original assessment bear to one another. Such supplementary assessment shall be made by order entered in the minutes of the board, which order shall state the total amount necessary to be raised and shall fix the rate of assessment which shall be the percentage of the total amount assessed by the original assessment which is required to produce the amount necessary to be raised. Upon the making of such order, the board shall cause to be prepared a supplementary assessment roll showing by description each tract assessed, the amount assessed against the same by the original assessment, the rate of assessment and the amount assessed against the same by such supplementary assessment in dollars and cents computed at such rate. Upon the completion of such supplementary assessment roll, the board shall file with the county treasurer of each county wherein are situated lands subject to such assessment a copy of so much of assessment roll as pertains to lands within that county and thereupon such assessment shall constitute a lien upon each tract shown to be assessed by the copy of the assessment roll so filed for the amount assessed against it, such lien to be of the same character and to have the same incidents as the lien of the original assessment. At any time within sixty (60) days from the filing of the copy of the assessment roll as aforesaid, the same may be amended by the board of directors to correct errors either on its own initiative or at the instance of any landowner affected, such amendment to be made by endorsement upon the assessment roll by the county treasurer upon the certification of the error to him by the board of directors. Such supplementary assessment shall be collected in the manner herein provided for the collection of original assessments, and the board of directors may call the same as a whole or in installments from time to time as it may deem best.

The board of directors may also determine upon the acquisition of property or for the construction of work not contemplated in the report and recommendation, with accompanying plans and specifications, originally adopted in accordance with the provisions of section 18. In such event, the same proceedings for the preparation and adoption or rejection of the report and recommendation as to the acquisition of such additional property or construction of such additional work, and in case of the adoption of such report and recommendation, the levying and collection of the assessment or assessments to meet the cost thereof, shall be taken in connection with the property and work to be acquired or constructed as hereby provided shall be taken in connection with the acquisition or construction of the property or work contemplated by the original project.

In the event the cost of any unit is less than the funds collected therefor, the excess shall be held and used for the benefit of such unit only and shall be applied to the bond fund of such unit, if any, and if there be no bond fund then to the maintenance and operation of such unit.

SEC. 24. Whenever in any resort district any assessment has been levied and assessed upon the lands of said district and remains unpaid in whole or in part, and, in the judgment and opinion of the board of directors of said district, it shall be for the best interest of the district or the landowners therein to issue bonds for the purpose of obtaining money to pay the costs of the proposed project, the indebtedness of the district, or any other lawful charge, or when a petition signed by the owners of more than one-fourth in assessed value of the lands of the district, requesting it is filed with the secretary of said board, the board of directors of such district shall by order entered upon the records of said board order a special election to be held in said district, at which special election shall be submitted to the owners of assessed land in said district the question whether or not bonds of said district shall be issued in an amount equal to the amount of such assessment, or the part of such assessment remaining unpaid, which said amount shall be entered by said board of directors in its records and stated by them in the order for such special election.

The notice of such special election must state in addition to other statements required to be made therein, the aggregate face value of bonds proposed to be issued. Only owners of lands which have been assessed as provided herein shall be qualified to vote at such election. Such election shall be conducted, save and except as in this section otherwise specifically provided, in accordance with the provisions of this act relating to other elections in the district.

The ballots cast at such election shall contain the words "Bonds—yes" or the words "Bonds—no." A list of the ballots cast shall be made by the board of election containing the name of each voter who has voted at such election, and if the ballot be cast by proxy also the name of the person casting it, and the number of votes cast by each voter. At the close of the polls the board of election shall at once proceed to canvass the votes and declare the result and shall deliver a certificate showing such result and the number of votes cast for and against the issuing of such bonds to the county clerk of the county wherein the office of the district is situated, and shall deliver a duplicate thereof to the board of directors of the district, and shall also deliver to the said county clerk all ballots cast at such election within said county and all documents and papers used at such election, and except as in this section specifically provided the provisions of this act with reference to all matters pertaining to elections shall govern and control. The county clerks of the respective counties shall immediately upon receipt of the ballots, papers, and documents from the board of election certify to the board of directors at its office a statement

of the result of said election held in each of said counties with a statement of the number of votes for and in favor of the proposition of "Bonds—yes" and opposed "Bonds—no." The board of directors shall thereupon in a certificate in writing recorded in their minutes declare that the proposal to issue bonds has carried or has been defeated, and stating therein the vote cast throughout the entire district, and a duplicate of such certificate shall be immediately transmitted to the state engineer.

If a majority of the votes cast at such election are in favor of the issuance of bonds, the board of directors of the district shall cause bonds in the amount stated in the order for the election to be executed and delivered, together with the assessment list segregated as to counties within said district, to the treasurer of said district. Said bonds shall be of the denomination of not less than one hundred dollars nor more than one thousand dollars each; they shall be signed by the president of the board of directors of the district and attested by the treasurer of said district, and shall be numbered consecutively in order of their maturity, and shall bear interest at a rate not to exceed six and one-half per cent per annum payable semiannually on the first day of January and the first day of July in each year at the office of said treasurer, and at any other place within the United States which may be designated by said board, upon the presentation of the proper coupons therefor. Coupons for each installment of interest shall be attached to said bonds and shall bear the facsimile signature of the treasurer of said district. The principal of said bonds shall be made payable on the first day of July, or the first day of January, and in such years as the directors may prescribe. Said bonds shall be payable serially within forty years from their date in the manner following, to wit:

(1) Not less than ten per centum of the aggregate face value of such bonds issued shall be payable within fifteen years from their date;

(2) Not less than two and one-half per centum of the aggregate face value of such bonds remaining unpaid at the end of fifteen years shall be payable each year beginning with the sixteenth year from their date, until the whole amount of said bonds has been paid.

Said bonds shall be substantially in the following form:

United States of America
State of California
(Name) resort district.

No. _____ \$_____

(Name) resort district for value received hereby acknowledges itself indebted to and promises to pay to the holder hereof at the office of the treasurer of said district, at (place) in the State of California, on the first day of _____ the sum of \$_____ in gold coin of the United States of America, with interest thereon in like gold coin from date hereof until paid, at the rate of _____ per cent per annum, payable at the office of said treasurer, or at (other designated places), semiannually on the first day of January and the first day of July in each year on presentation and surrender of the interest coupons hereto attached. This bond is one of a series of _____ bonds of like tenor and effect (except as to denomination and maturity), numbered from _____ to _____ inclusive, amounting in the aggregate to _____ dollars, issued in accordance with the provisions of an act known as "California resort district act," duly passed and adopted (stating when) and of the laws of the State of California, pursuant to an election held in said resort district on the _____ day of _____ authorizing its issuance, and based upon and secured by an assessment levied on the lands in said district, and filed in the office of the county treasurer of the county (or counties) of _____ on the _____ day of _____, and the said resort district does hereby certify and declare that said election was duly called and held upon due notice, and the result thereof was duly canvassed and ascertained, in pursuance of and in strict conformity with the laws of the State of California applicable thereto, and that all the acts and conditions and things required by law to be done, precedent to and in the issue of said bonds have been done and have been performed in regular and in due form and in strict accordance with the provisions of the law authorizing the issuance of resort district bonds.

In testimony whereof, the said district, by its board of directors, has caused this bond to be signed by the president of said board and attested by the treasurer of said district, with the official seal of said district affixed this _____ day of _____

President of said board.

Attest: _____
Treasurer.

And the interest coupons may be substantially in the following form:

No. _____ \$_____

The treasurer of (name) resort district, California, will pay to the holder hereof on the _____ day of _____, at his office at (place in the State of California, or at designated places), the sum of \$_____, in gold coin of the United

States, out of the funds of (name) resort district for interest on bond of said district numbered -----

Treasurer.

The treasurer of said district shall place the bonds prepared pursuant to this act to the credit of the district. Thereafter when directed by resolution of the board of directors of the district, the treasurer shall sell the whole or any designated number of said bonds for the best price obtainable, but in no event for less than ninety per cent of the face value of said bonds and the accrued interest thereon. Before making a sale of said bonds, notice shall be given by the said treasurer by publication at least once a week for two successive weeks in the county in which the office of said district is located, that he will sell a specified amount of said bonds, and stating the day, hour and place of such sale, and asking sealed proposals for the purchase of said bonds or any part thereof. At the time appointed said treasurer shall open the bids and award the bonds to the highest responsible bidder. The treasurer upon written request of a majority of the directors must reject any or all bids. Any sale by the treasurer and delivery of the bonds thereunder shall be conclusive evidence in favor of the purchaser and all subsequent holders of the bonds that such sale was made upon due authority and notice. The proceeds of sale of said bonds shall be placed in the treasuries of the respective counties in which land included in the district is situate to the amount of the unpaid assessment in each county and credited to the bond fund of the district, and a proper record of such transaction shall be made upon the books of said treasurer. At any time within thirty days after the issue of any bonds as the result of such election an action may be commenced in the superior court of any said counties by the board of directors of said resort district in the name of the district as plaintiff, and the defendants shall be described as "all persons claiming any interest in any lands within the said (name) resort district," to have it determined that said bonds are a legal obligation to such resort district, and in the event no such action is brought then the same may be commenced by any landowner in the district within sixty days after the expiration of the period within which said action might have been brought by the board of directors. It shall be sufficient to describe said lands as all lands in the district (naming it) without a more specific description. The summons shall be published once a week for two successive weeks in the county where the action is pending. Within thirty days after the first publication of summons any owner of land in such district or any person interested may appear and answer the complaint, which answer shall set forth the facts relied upon to show the invalidity of said bonds. The default of all defendants not so appearing may be entered. Such action shall be given precedence in hearing and trial over all other civil actions in such court, and judgment rendered declaring such matter so contested either valid or invalid. Any party not in default may have the right to appeal to the supreme court within thirty days after the entry of judgment. Judgment for the plaintiff in such proceedings shall be considered as a judgment in rem and shall be conclusive against said district and against all lands therein, and all owners thereof and other interested persons.

All moneys collected by a county treasurer upon any assessment upon which bonds shall have been issued, including all moneys derived from sale of land for delinquent installments, or from redemption thereof, or from sale of lands brought by such treasurer at any such sale as trustee of the bond fund of the district shall be by such treasurer forthwith paid into the county treasury of the county from which the same arose to the credit of the bond fund of such resort district, and shall be used exclusively for the payment of principal and interest of said bonds issued on such assessment.

Whenever the board of directors shall by resolution declare that it deems it desirable that any contemplated or outstanding bonds of a resort district organized under this act, including any bonds of such district authorized but not sold, shall be made available for the purpose provided for in section 7 of an act of the Legislature of the State of California entitled "An act relating to bonds of irrigation districts, providing under what circumstances such bonds shall be legal investments for funds of banks, insurance companies, and trust companies, trust funds, state school funds and any money or funds which may now or hereafter be invested in bonds of cities, cities and counties, counties, school district or municipalities, and providing under what circumstances the use of bonds of irrigation districts as security for the performance of any act may be authorized," approved June 13, 1913, as amended, the said board of directors shall thereupon file a certified copy of such resolution with the commission created by, and provided for in said act of June 13, 1913, which commission, and the state controller in connection therewith, are hereby given the same power and authority in respect of the investigation and certification of bonds issued under this act as is given to them in respect of the investigation and certification of irrigation district bonds by said act, as amended, except as the same may be limited by, or inconsistent with, any provision of this act, and bonds of resort districts provided for in this act which have been so investigated and certified and by authority of such investigation and certification are declared to be legal investments for the purposes stated in said act of June 13, 1913, as amended, may be lawfully purchased, or received in pledge for loans by savings banks, trust

companies, insurance companies, guardians, executors, administrators, and special administrators, or by any public officer or officers of this state or of any county, city, or city and county, or other municipal or corporate body within this state having or holding funds which they are allowed by law to invest or loan; *provided, however*, that where said irrigation district bond commission has passed upon one issue of bonds of districts formed hereunder, that all subsequent issues of said districts shall be submitted to said commission as in said act provided.

The lien of any unpaid assessment upon which bonds shall have been issued shall continue until all said bonds shall have been paid in full, and if for any reason any part of the principal or interest of said bonds shall remain unpaid after enforcement of said assessment as in this act provided, the board of directors shall order an additional or supplemental assessment to be made as provided in this act sufficient to pay such unpaid principal and interest; which additional or supplemental assessment shall be enforced and collected in the same manner as the original assessment.

If any district having authorized the issuance of a series of bonds shall issue an additional series of bonds based on another assessment, the dates of maturity of such additional series of bonds shall be such that the latest maturities thereof shall not exceed fifty years and the earliest maturity of bonds of such additional series shall be later than the latest maturity of bonds of any earlier series. All provisions of this section relative to the original issue of bonds shall apply to such additional series of bonds.

Upon a sale of any of the bonds provided herein the treasurer of the district is hereby authorized to accept in payment for said bonds, either in whole or in part, outstanding warrants of such district at their face value, together with the accrued interest thereon.

Where bonds of the district have been authorized to be issued on such assessments all unpaid assessments shall bear interest at the rate of seven per cent per annum from the date of the bonds issued thereon until such bonds shall have been fully paid and discharged, and the interest due at any time on said unpaid assessments may be called without calling any installment of the said assessment. The word installment as used in this section shall be construed as applying to interest as well as to principal as the case may be.

At least ninety days before any interest date of the bonds, the treasurer of the district shall certify to the county treasurer of each county in which lands of the district are situated an estimate of the amount of money and the percentage of the assessment together with the interest thereon, or only of the interest, necessary to pay interest and principal or the interest maturing on such interest date after crediting thereon the funds in the treasury applicable to the payment thereof to be collected by such county treasurer, and shall add thereto fifteen per cent of such aggregate sum to cover possible delinquencies, and each said county treasurer shall thereupon cause to be published, once a week for two successive weeks in the county of which he is county treasurer, a notice substantially in the following form:

(Name of resort district.) Notice is hereby given that an installment of assessment (describing it) or (amount or proportion thereof including interest thereon or only for interest) is payable within thirty days from date by all assessed landowners of said district in the county of (name of county) to the treasurer of said county. All or any part of said installment of interest which remains unpaid on the (day fixed) will be delinquent, together with accrued interest thereon, with ten per cent of such installment and interest added as penalty.

Dated_____

(Signed)_____

Treasurer of _____ County.

If no newspaper is published in said county, such publication shall be made in a newspaper published in an adjoining county. If any part of such installment or any interest thereon shall remain unpaid at the expiration of thirty days from the date of said notice it shall become delinquent and ten per cent of the unpaid amount of said installment and interest shall be added thereto and collected by said county treasurer. When any installment shall have become delinquent, said treasurer shall, within ten days, publish in said county once a week for two successive weeks a notice containing a description of each parcel of land assessed in the district in said county wherein such installment is delinquent, as such description appears on the assessment list, the name of the person to whom it is assessed, to unknown owners, if such is the fact; the amount of the installment delinquent on such parcel, the amount of interest thereon reckoned to the day of sale, the amount of said ten per cent penalty thereon, and a notice that each of said parcels will be sold at public auction by said county treasurer in front of the courthouse of said county, at a specified day and hour, which shall not be less than thirty nor more than sixty days from the date of delinquency, to pay said delinquent installment, with said accrued interest and penalty. At the time stated in said notice, the county treasurer shall sell each parcel of land described in said notice to the highest bidder, unless prior thereto he shall have received payment in full of said delinquent installment, together with interest and penalty. No bid for any parcel shall be accepted less than the aggregate sum then due on said installment thereon with interest and penalty, and such sale shall be made for cash, except the treasurer

may receive from any purchaser at their face value in lieu of cash bonds of said district or their interest coupons, issued on said assessment and then matured or to mature within sixty days after such sale. Any bond or coupon so received in payment shall be by the county treasurer forthwith canceled and filed in the office of the treasurer of the district. If the entire amount of such bond or coupon tendered in payment shall not be required to complete payment of the purchase money, the county treasurer shall endorse thereon as paid the amount of such purchase money credited thereon. If no bid is made for any parcel at such sale equal to the amount of the installment delinquent thereon, with interest and penalty, the county treasurer shall bid in and sell said parcel to himself and his successors in office, as trustee of the bond fund of said district, as purchaser, for the amount of said installment, interest, and penalty. The county treasurer shall execute to each purchaser, including himself as trustee a certificate of sale, and shall record a duplicate in the county recorder's office. Any person interested in the said property may redeem the same at any time within three years after the date of sale by paying to the county treasurer for such purpose a sum equal to the purchase price stated in the certificate, with interest thereon at the rate of twelve per cent per annum from the date of sale to such redemption. If no redemption shall be made within three years, the said county treasurer upon demand and surrender of such certificate of purchase, shall execute to the purchaser, his heirs or assigns, a deed of conveyance of the parcel of land described in such certificate, which deed shall convey to the grantee therein named the said land free and clear of all encumbrances, except state, county and municipal taxes, assessments or taxes levied or assessed by or under statutory authority, and any water storage district assessment, or portion thereof, remaining unpaid at the date of said sale each installment whereof may be called and collected as herein provided, except that no parcel sold and conveyed to the district shall thereafter be subject to sale by the county treasurer for delinquent installments. Every deed by a county treasurer purporting to be executed under this section shall be prima facie evidence of the truth of the matters therein recited, and of ownership by the grantee of the lands therein described. The county treasurer of each county shall credit to the bond fund of the district all moneys collected by him by sale or otherwise, upon assessments against which bonds shall have been issued, including interest and penalties, and he shall likewise credit to said fund the amounts of purchase money paid in bonds or coupons on sales made under said assessment. Each county treasurer shall charge to the general fund of the district, or to the bond fund if he has no money to the credit of the general fund, the expense of publication of notices and of recording certificates of sale, and shall notify the treasurer of the district thereof. The county treasurer shall transmit to the treasurer of the district all canceled bonds and coupons received in payment on any delinquent sale, and a memorandum of all sums endorsed as paid upon account of purchase money on any bonds or coupons, specifying the same. All moneys collected by any county treasurer upon account of an assessment on which bonds shall not have been issued shall be similarly accounted for to the treasurer of the district, and shall be credited to the general fund of the district. Any parcel of land bid in and purchased by any county treasurer as aforesaid, as trustee of the bond fund of the district, may be sold and conveyed by him or his successor in office at any time after the expiration of said redemption period of three years, at public or private sale and with or without notice, to any person paying him the amount for which said parcel was bid in by said treasurer at delinquent sale, with interest thereon at the rate of seven per cent per annum, compounded yearly, from the date of said delinquent sale, and also the amount of all subsequent installments then delinquent, with accrued interest and penalties thereon. Such payment may be made either in cash or in matured bonds and coupons issued on said assessment, taken at their face value, and such treasurer shall execute a deed to such purchaser upon such sale, conveying said property free of encumbrances, except as hereinbefore provided for deeds where no redemption is made. If any land so held by a county treasurer as trustee of the bond fund of a district shall remain unsold after the final installment of the assessment shall have been collected by payment or sale, then each such treasurer shall sell all said land so held by him at public auction to the highest bidder for cash, notice of which sale shall be given by publication once a week for two successive weeks in some newspaper published in the county in which said land is situated, and shall deposit the proceeds of such sale in the treasury of the county to the credit of the bond fund of the district. Any balance remaining in such bond fund, after payment in full of the principal and interest of all outstanding bonds of the district, shall be by the treasurer transferred to the general fund of the district. The county treasurer of each of the several counties shall report all transactions of delinquencies and sales to the treasurer of the district who shall keep a record thereof in the office of the district.

Sec. 25. The board of directors shall have the power and it shall be its duty to manage and conduct the business and affairs of the district; to adopt a seal; to make and execute all necessary contracts; to employ and appoint such agents, officers and employees as may be required, and prescribe their duties. The board and its agents shall have the right to enter upon any lands to make surveys, locate works, or for any other necessary and lawful purpose. The board shall have the power to acquire, construct, maintain, improve and operate the necessary improvements or works for

either sewage disposal and/or drainage and/or fire protection and or roads and/or trails. The board shall also have the right to acquire by purchase, lease, contract, condemnation or other legal means, all lands, or any use thereof or interest therein, and any other property or rights by it deemed necessary for the construction, maintenance, improvement or operation of the works or the carrying out of the project of the district, including the property and rights of private owners even though already devoted to a public use, and may give in payment therefor bonds of such district upon such terms and conditions as the board of directors may deem best, but private property devoted to the use of any district or to any city or county may not be taken by any resort district; *provided*, before any purchase of property located in the district at a price exceeding five hundred thousand dollars, the price shall be approved by the state engineer, who shall give his approval if he finds the price not excessive, and otherwise refuse it; and *provided, further*, that no bonds shall be so used at a valuation less than ninety per cent of the face value of the same and the accrued interest thereon. Said board may also enter into, and do any acts necessary or proper for the performance of any agreement with the United States or with any state, county, district, public corporation, or municipality of any kind, for a purpose appertaining to or beneficial to the project of the district. The said board is hereby authorized and empowered to take conveyances, leases, contracts or other assurances for all property acquired by it under the provisions of this act, in the name of such district, to and for the uses and purposes herein expressed, and to institute and maintain any and all actions and proceedings, suits at law or in equity necessary or proper in order to fully carry out the provisions of this act, or to enforce, maintain, protect or preserve any and all rights, privileges and immunities created by this act or acquired in pursuance thereof. All contracts and other documents executed by the board shall be signed by the president and by the secretary. And in all actions, suits or proceedings, the said board may sue, appear, and defend in person or by attorneys, and in the name of such district. The board of directors shall have power whenever it deems it necessary for its own guidance or for the best interests of the district to submit any question or proposition relating to the construction, maintenance, improvement or operation of the works or the carrying out of the project of the district, to the qualified voters of the district at any general election or at a special election called for the purpose, which election shall be in all respects conducted as is provided for other elections in the district. The said board shall have power generally to perform all such acts as may be necessary to fully carry out the purposes of this act.

SEC. 26. The board of directors shall have the right and power to acquire by condemnation all lands, or any use thereof or interest therein, and any other property or rights by it deemed necessary for the construction, maintenance, improvement and operation of the works, or the carrying out of the project of the district. In case of condemnation proceedings the board shall proceed in the name of the district under the provisions of section 14 of article one as amended of the constitution of the State of California, and title seven, part three of the Code of Civil Procedure of California, and all pleadings, proceedings and process in said title provided shall be applicable to the condemnation proceeding hereunder.

SEC. 27. The board of directors shall proceed to carry out the project of the district in accordance with the plans and specifications of the duly approved and adopted report of said board. Before making any contract for the construction of any works in carrying out said project, or for the subsequent improvement thereof, said board shall advertise for bids. When such work is to be done said board shall give notice by publication thereof in the county in which the office of the board is located once a week for four consecutive weeks, calling for bids for the same. If less than the whole work provided for in said plans and specifications is to be done, the portion to be done must be particularly described in such notice. Said notice shall set forth that plans and specifications of the work to be done can be seen at the office of the board, and that the board will receive sealed proposals therefor, and that the contract will be let to the lowest responsible bidder, stating the time and place for opening said proposals, which, at the time and place appointed, shall be opened in public; and as convenient thereafter the board shall let said work either in portions or as a whole, to the lowest responsible bidder; or it may reject any or all bids and readvertise for proposals or may proceed to construct the work under its own superintendency; *provided*, that in case of emergency or urgent necessity the board of directors, by unanimous vote of those present at any regular or special meeting, may award contracts without advertising for bids, but the amount of any contract so awarded shall not exceed ten thousand dollars. Contracts for the purchase of materials only shall be awarded to the lowest responsible bidder; *provided, however*, that the board may reject any or all bids and thereafter either readvertise for bids, or solicit offers from not less than three responsible persons to furnish materials, and upon receipt of an offer or offers for a less price than that specified in the lowest rejected bid enter into a contract for the furnishing of the materials with the person who so offers to furnish the same at the lowest price. Any person or persons, to whom a contract may be awarded shall enter into a bond, with good and sufficient sureties, to be approved by the board, payable to said district for its use, for twenty-five per cent of the amount of the contract price, conditioned for the full and faithful performance of said

contract. The work shall be done under the direction and to the satisfaction of, and be approved by the board.

SEC. 28. All claims against the district shall be paid by warrants of said district. To provide a fund for that purpose the board of directors may from time to time draw from the general fund deposited and kept to the credit of the district in the office of the county treasurer of a county having funds belonging to the district in his possession such sums as may be necessary for said purpose, which said sums shall be deposited with the treasurer of the district and paid out by him upon warrants of the district, and he shall report to the board of directors in writing at its regular meeting in each month the amount of money in the district treasury and the amount of receipts and the amount and items of expenditures for the month preceding, which said report shall be verified and filed with the secretary of the board.

SEC. 29. During the construction of any works in carrying out the project of any resort district the board of directors of such district shall, within one week after each regular meeting of said board, forward to the state engineer a report of the progress of such construction together with a statement of the amount, or amounts, paid for the doing of such work. The board of directors at their regular monthly meeting in January of each year shall render and immediately thereafter cause to be published in the county where the office of said board is situated at least once a week for two successive weeks a verified statement of the financial condition of the district, showing particularly the receipts and disbursements of the last preceding year, together with the source of such receipts and purpose of such disbursements. Immediately after the publication of said statement the board of directors shall cause a copy thereof accompanied by a report stating the progress of the work under construction and the general condition of the project and whether or not the same is being successfully and satisfactorily carried out, and any other matter which the board may deem proper, to be filed with the state engineer, who shall examine said statement and report and make to the board of directors such recommendations and comments as he may deem proper and may publish said recommendations and comments in such manner as may be deemed advisable. Said state engineer may at any time make or cause to be made an examination of the affairs of any resort district within the state or call upon the board of directors of such district for such information as he may desire, and may make and publish such report thereon as he may deem advisable.

The state engineer may prescribe the form of all reports and accounts in this section provided for and may require such methods of accounting and itemization as shall in his judgment tend to the uniformity of reports and accounting. Such requirements of the state engineer may from time to time be changed by him. The records of the board including copies of the project, copies of assessment rolls and reports to the state engineer shall be deemed to be public records and shall be kept in the office of the board and open to inspection during office hours.

SEC. 30. The board of directors shall have power to construct the said works across or intersecting any stream of water, watercourse, street, avenue, highway, railway, canal, ditch or flume, in such manner as to afford security for life and property; but said board shall restore the same, when so crossed or intersected, to its former state as near as may be, or in a sufficient manner not to have impaired unnecessarily its usefulness; and every company whose railroad shall be intersected or crossed by said works shall unite with said board in forming said intersections and crossings, and grant the privileges aforesaid; and if such railroad company and said board, or the owners and controllers of said property, thing or franchise to be so crossed, can not agree upon the amount to be paid therefor, or the points or the matter of said crossings or intersections, the same shall be ascertained and determined in all respects as is herein provided in respect to the taking of land. The right of way is hereby given, dedicated and set apart for the location, construction and maintenance of said works over and through any of the lands which are now or may be the property of this state.

SEC. 31. The members of the board of directors when sitting as a board or acting under the orders of the board, shall each receive not to exceed ten dollars per day and ten cents per mile for each mile actually traveled from his place of residence to the office of the board, and actual and necessary expenses paid while engaged in official business under the order of the board. The board shall fix the compensation to be paid to all other officers and employees named in this act, to be paid out of the treasury of the district, except as herein otherwise provided.

SEC. 32. No director or any other officer named in this act shall in any manner be interested, directly or indirectly, in any construction or supply contract awarded or to be awarded by the board, or in the profits to be derived therefrom, but no other character of contract shall be invalid because of interest on the part of a director or officer, unless such director or officer participate in or influence the making or authorization of such contract on behalf of the district; and for any violation of this provision, such officer shall be deemed guilty of a misdemeanor, and conviction shall work a forfeiture of his office, and he shall be punished by a fine not exceeding five hundred dollars, or by imprisonment in the county jail not exceeding six months, or by both such fine and imprisonment.

SEC. 33. The board of directors or other officers of the district shall have no power to incur any debt or liability whatever, either by issuing bonds or otherwise, in excess of the express provisions of this act; and any debt or liability incurred in excess of such provisions shall be and remain absolutely void; *provided*, that nothing contained in this section shall be construed as limiting the right of the board to enter into any contract for the use of or lease for any lands or other property, as in this act provided, and by such lease or contract to bind the district for the payment of the rental or consideration specified in such lease or contract.

SEC. 34. Only the holders of title or evidence of title to lands situated within the district shall be entitled to vote at a general election, and every such holder of title or evidence of title shall be entitled to vote, in person or as hereinafter provided, in each precinct in which any of the lands so owned by him are situated and to cast one vote for each one hundred dollars', or fraction thereof, worth of land in said precinct so owned by him. Each male or female voter over the age of twenty-one years shall be entitled to vote in person or by proxy. Any guardian, administrator or executor of a person or estate owning land within the district shall be considered the holder of title or evidence of title to such lands for the purposes of this act, where the owner in fee is not entitled to vote. Any corporation holding title or evidence of title to lands within the district shall be entitled to vote as such landowner through any officer or agent thereunto duly authorized in writing under the seal of the corporation. Entrymen upon public lands situated within the district shall be considered as the holders of title or evidence of title to such lands for the purposes of this act. No person shall vote by proxy unless his authority to cast such vote shall be evidenced by an instrument in writing duly acknowledged and certified in the same manner as grants of real property and filed with the board of election.

SEC. 35. An election, which shall be known as the general resort district election, shall be held in each resort district on the first Wednesday in February in each odd-numbered year, at which a successor shall be chosen to each officer whose term shall expire in March next thereafter. The person receiving the highest number of votes for each office to be filled at such election shall be elected thereto. The term of office of each elective officer of the district elected after the election on organization provided for in section 6 of this act shall be four years, or until his successor is elected and has qualified.

SEC. 36. Not less than twenty-four days before a general election held under this act, the secretary of the board of directors shall give notice of such election by causing a notice thereof to be published once a week for three successive weeks in each county in which any land in the district is situated and by causing notices thereof to be posted in the office of the board and in three public places in each election precinct, such notices stating the time of holding the election, and the polling place. Affidavits of the publication and posting of such notices must be filed with the county clerk of each county in the district, together with a copy of the order calling the election, certified by the president of the board of directors, and duplicates filed with the board of directors. Prior to the election, the board must appoint, from the voters, one inspector and two judges, who shall constitute a board of election for such precinct. If the board fail to appoint a board of election, or the members appointed do not attend at the opening of the polls on the morning of election, the voters present at that hour may appoint the board, or supply the place of an absent member thereof.

SEC. 37. Not less than ten days before the election, any ten or more qualified voters in any division of the district may file with the board of directors a petition, requesting that certain persons, specified in such petition, be placed on the ballot as candidates for the office named in the petition. The names proposed by the various petitions so filed, and no others, shall be printed on the ballots. But there shall be sufficient blank spaces left in which voters may write other names if they so desire. The petitions shall be preserved in the office of the secretary of the district.

SEC. 38. The inspector is chairman of the election board and may administer all oaths required in the process of an election; and appoint judges if, during the progress of the election, any judge ceases to act. Any member of the board of election may administer and certify oaths required to be administered during the progress of an election. Before opening the polls, each member of the board must take and subscribe an oath to faithfully perform the duties imposed upon him by law. Any voter may administer and certify such oath. The polls must be opened at six a.m. on the morning of the election, and be kept open until seven p.m., when the same must be closed.

SEC. 39. The ballots used at the election shall be provided by the board of directors, and one of the judges of the election shall deliver to each of the qualified voters the number of ballots to which he is entitled as provided in this act. Each ballot shall have a perforated tab which shall be marked with the initials of a member of the board of election immediately before being handed to the voter. The perforated tab shall be torn from the ballot by the inspector immediately before the voted ballot is placed in the ballot box, and shall be preserved by him and sent with the ballots to the secretary of the board of directors.

The ballots shall have printed on them the names of all candidates whose names have been filed as provided in this act, with a voting square behind each name. The names shall be arranged in groups alphabetically, under the designation of the office for which each person named is a candidate. Each voter shall be supplied with one ballot for each one hundred votes or fraction thereof to which he is entitled; and each ballot cast shall contain the number of votes it represents, in accordance with the provisions of this act which number shall be written or stamped upon it by an election officer and initialed by him when handed to the voter. A list shall be kept by the election board, containing the names of each voter (and if the ballot be cast by proxy also the name of the person casting it) who has voted at such election and the number of votes cast by such voter.

SEC. 40. Voting may commence as soon as the polls are opened, and may be continued during all the time the polls remain opened, and shall be conducted as nearly as practicable in accordance with the provisions of the general election laws of this state. As soon as all votes are counted, a certificate shall be drawn upon each of the papers containing the poll lists and tallies, or attached thereto, stating the number of votes each one voted for has received, and designating the office to fill which he was voted for, which number shall be written in figures and in words at full length. Each certificate shall be signed by a judge and the inspector. One of said certificates, with the poll list and the tally paper to which it is attached, shall be retained by the inspector, and preserved by him at least six months. The ballots shall be strung upon a cord or thread by the inspector, during the counting thereof, in the order in which they are entered upon the tally list by the judges; and said ballots, together with the other of said certificates, with the poll list and tally paper to which it is attached, shall be sealed by the inspector in the presence of the judges and indorsed "Election returns of (naming) resort district," and be directed to the secretary of the board of directors, and shall be immediately delivered by the inspector, or by some other safe and responsible carrier designated by said inspector, to said secretary, and the ballots shall be kept unopened for at least six months; and if any qualified voter of the district be of the opinion that the vote has not been correctly counted, he may appear on the day appointed for the board of directors to open and canvass the returns, and demand a recount of the vote of the precinct that is so claimed to have been incorrectly counted. No list, tally paper or certificate returned from any election shall be set aside or rejected for want of form, if it can be satisfactorily understood.

SEC. 41. The board of directors must meet at its usual place of meeting on the first Monday after each election to canvass the returns. If, at the time of meeting, the returns in the district in which the polls were opened have been received, the board of directors must then and there proceed to canvass the returns; but if the returns have not been received, the canvass must be postponed from day to day until the returns have been received, or until six postponements have been had. The canvass must be made in public and by opening the returns and ascertaining the vote of the district for each person voted for and declaring the result thereof.

SEC. 42. The secretary of the board of directors must, as soon as the result is declared, enter in the records of such board a statement of such result, which statement must show: (a) the whole number of votes cast in the district; (b) the names of the persons voted for; (c) the office to fill which each person was voted for; (d) the number of votes given to each of such persons; (e) the number of votes given for the office of director. The board of directors must declare elected as director the person having the highest number of votes for that office. The secretary must immediately make out and deliver to such persons certificates of election, signed by him, and authenticated with the seal of the district.

In case of a vacancy in the office of director, the vacancy shall be filled by appointment by the state engineer. An officer appointed as above provided shall hold his office for the remainder of the unexpired term to fill which he is appointed, and until his successor is elected and qualified.

SEC. 43. Within ten days after receiving their certificates of election herein provided for, said officers shall take and subscribe the official oath, and file the same in the office of the board of directors, and execute the bond hereinafter provided for. The treasurer of the district shall execute an official bond in the sum of fifty thousand dollars to be approved by the board of directors; *provided*, that the board may, if it shall be deemed advisable, fix the bond of the treasurer to suit the conditions of the district, the maximum amount thereof not to exceed fifty thousand dollars, and the minimum amount thereof not to be less than ten thousand dollars. Each member of the board of directors shall execute an official bond in the sum of five thousand dollars, which said bonds shall be approved by a judge of the superior court and shall be recorded in the office of the county recorder of the county in which the office of the board is situated, and filed with the secretary of said board; *provided, however*, that the official bonds of the first directors of any district may be approved by a judge of the superior court of any county in which any of the lands in the district are situated and may be recorded in the office of the county recorder of such county. All official bonds herein provided for shall be made payable to the proper resort district and shall be in the form prescribed by law for the official bonds of county officers and the premiums thereon may be paid by the district; *provided*, that in case

any district organized under this act is appointed fiscal agent of the United States or by the United States in connection with any federal reclamation project, each of said officers shall execute a further and additional official bond in such sum as the secretary of the interior may require, conditioned for the faithful discharge of the duties of his office and the faithful discharge of the district of its duties as fiscal or other agent of the United States under any such appointment or authorization, and any such bond may be sued upon by the United States or any person injured by the failure of such officers of the district to fully, promptly and completely perform their respective duties.

SEC. 44. If an election is not held as herein provided, then upon the filing of a petition with the secretary of the board of directors of such district, signed by the owners of more than fifteen per cent of the total assessed valuation of the lands within the district, requesting that a special election be called for the election of such officers, the directors of such district shall thereupon call a special election thereof for the election of such officers, such election to be held within not less than fifteen, nor more than thirty days after the filing of such petition.

SEC. 45. At noon of the first Tuesday in March next following their election, except as provided in section 11 of this act, the officers who shall have been elected at the preceding general district election shall enter upon the duties of their respective offices. On the first Tuesday in March next following each election, the directors shall meet and organize as a board, elect a president and appoint a secretary and a treasurer, who shall each hold office during the pleasure of the board.

SEC. 46. The holder of any elective office of any district may be removed or recalled at any time by the voters; *provided*, he has held his office at least six months. The procedure to effect such removal or recall shall be as follows: A petition demanding the election of a successor to the person sought to be removed shall be filed with the secretary of the board of directors of such district, which petition shall be signed by qualified voters constituting at least twenty-five per cent of the highest vote cast within such district for candidates for the office, the incumbent of which is sought to be removed, at the last general election in such district at which an incumbent of such office was elected; and said petition shall contain a statement of the grounds on which the removal or recall is sought, which statement is intended solely for the information of the voters. Any insufficiency of form or substance in such statement shall in no wise affect the validity of the election and proceedings held thereunder. The signatures to the petition need not all be appended to one paper. Each signer shall add to his signature his place of residence. Each such separate paper shall have attached thereto an affidavit made by a qualified voter of the district and sworn to before an officer competent to administer oaths, stating that the affiant circulated that particular paper and saw written the signatures appended thereto; and that according to the best information and belief of the affiant, each is the genuine signature of the person whose name purports to be thereunto subscribed and of a qualified voter of the district. Within ten days from the date of filing such petition, the secretary of the board shall examine and from the records of qualified voters ascertain whether or not said petition is signed by the requisite number of such qualified voters, and he shall attach to said petition his certificate showing the result of said examination. If by the said certificate the petition is shown to be insufficient, it may be supplemented within ten days from the date of such certificate, by the filing of additional papers, duplicates of the original petition except as to the names signed. The secretary shall, within ten days after such supplementing papers are filed, make like examination of a supplementing petition, and if a certificate shall show that all the names to such petition, including the supplemental papers, are still insufficient, no action shall be taken thereon; but the petition shall remain on file as a public record; and the failure to secure sufficient names shall be without prejudice to the filing later of an entirely new petition to the same effect. If the petition shall be found to be sufficient, the secretary shall submit the same to the board of directors without delay, whereupon the board shall forthwith cause a special election to be held within not less than thirty-five nor more than forty days after the date of the order calling such election, to determine whether the voters will recall such officer; *provided*, that if a general resort district election is to occur within sixty days from the date of the order calling for such election, the board may in its discretion postpone the holding of such election to such general election or submit such recall election at any such general election for officers of such district occurring not less than thirty-five days after such order. If a vacancy occur in said office after a recall petition is filed, the election shall nevertheless proceed as in this section provided. One petition is sufficient to propose a removal and election of one or more elective officials. One election is competent for the removal and election of one or more elective officials. Nominations for any office under such recall election shall be made in the manner prescribed by section 57 of this act.

There shall be printed on the recall ballot, as to every officer whose recall is to be voted on thereat, the following question: "Shall (name of person against whom the recall petition is filed) be recalled from the office of (title of the office)?" following which question shall be the words "yes" and "no" on separate lines, with a blank space at the right of each, in which the voter shall indicate by stamping a cross (X) his vote for or against such recall. On such ballots, under each such

question, there shall also be printed the names of those persons who have been nominated as candidates to succeed the person recalled, in case he shall be removed from office by said recall election; but no vote shall be counted for any candidate for said office unless the voter also voted on said question of the recall of the person sought to be recalled from said office. The name of the person against whom the petition is filed shall not appear on the ballot as a candidate for the office. If a majority of those voting on said question of the recall of any incumbent from office shall vote "no," said incumbent shall continue in said office. If a majority shall vote "yes," said incumbent shall thereupon be deemed removed from such office, upon the qualification of his successor. The election shall be conducted, canvass of all votes for candidates for said office shall be made, and the result declared in like manner as in a regular election within such district. If the vote at any such recall election shall recall the officer, then the candidate who has received the highest number of votes for the office shall be thereby declared elected for the remainder of the term. In case the person who received the highest number of votes shall fail to qualify within ten days after receiving the certificate of election, the office shall be deemed vacant and shall be filled according to law. If the vote at any such recall election shall not recall the officer, no further petition for the recall of such officer shall be filed before the expiration of six months from the date of such first recall election.

SEC. 47. Notice of any special election to be held pursuant to the provisions of this act must be given by posting notices in three public places in each election precinct in the resort district for at least twenty days, and also by publication of said notice once a week for three successive weeks in each county in which any land in said district is located. Such notice must specify the time and place of holding the election and the purpose thereof. Unless otherwise in this act expressly specified said election shall be held and the result thereof determined and declared as nearly as may be in accordance with the provisions of this act relating to general resort district elections; *provided*, that no informalities in conducting such election shall invalidate the same if the election shall have been otherwise fairly conducted.

SEC. 48. Any election held under the provisions of this act may be contested by any person owning property within the district, or proposed district, liable to assessment. Such contest shall be brought in the superior court of any county in which some portion of the land within the district or proposed district is situated and shall be conducted in the manner provided for contests of election by title two of part three of the Code of Civil Procedure of California, except that in the case of a contest not involving the right of a person declared elected to an office to hold such office the directors of the district shall be made parties to the contest. The court having jurisdiction shall speedily try such contest and determine upon the hearing whether the election was fairly conducted and in substantial compliance with the requirements of this act and enter its judgment accordingly. Such contest must be brought within twenty days after the canvass of the vote and declaration of the result. The right of appeal is hereby given to either party to the record within thirty days from entry of judgment. The appeal must be heard and determined by the supreme court within sixty days from the time of the filing of the notice of appeal.

SEC. 49. For all purposes of this act relating to signing petitions and voting at any election, and for all other purposes when the question of title to or value of land claimed to be owned by a petitioner or voter is involved, the county assessment roll last equalized at the time of the election or filing of the petition, in each county wherein any such land is situated shall be sufficient evidence of ownership and value. If any parcel of land is assessed on any such assessment roll to unknown or hesitantly named owners, or to unnamed owners in addition to any owner or owners named thereon, said parcel of land shall be deemed for any of the purposes of this act to have but one owner in addition to any owner or owners whose true name or names may be purported to be given on such assessment roll. The holder of title or evidence of title to an undivided interest in any land affected by any of the provisions of this act may sign any petition or vote at any election provided for in this act, and such undivided interest shall be counted and valued as though it were a separate interest, and if the assessment roll shall fail to indicate the extent of any such undivided interest the holders of title or evidence of title whose undivided interests in any land are not specifically defined shall be deemed to have equal shares therein. Where property has been conveyed prior to the election and such change of interest does not appear by such assessment roll the original deed of conveyance, or a copy thereof duly certified by the county recorder of the county wherein the same has been recorded, or otherwise authenticated, shall be sufficient evidence to entitle the holder thereof to vote the acreage therein described. Any person not legally qualified to vote who shall make any false statement in respect to his right to vote shall incur all of the penalties provided in the Penal Code of the State of California for persons illegally voting at elections. The certificate of the register of the United States land office for the district in which the lands are situated, or of the surveyor general of the State of California, shall be sufficient evidence of possessory right in any lands entered under the laws of the United States or of the State of California. Guardians, personal representatives and other persons holding land in a trust capacity under appointment of court may

sign any petition and may vote at any election in behalf of the estate represented by them without obtaining any special authority therefor. A certificate of acknowledgment taken before a notary public or justice of the peace of any state, or an affidavit by any person in the presence of whom a petition was signed, shall be sufficient evidence of the genuineness of such signature and of the fact of place of residence of any petitioner under this act. The state engineer shall, prior to the election on organization, and at all subsequent elections the board of directors shall, cause to be prepared and certified and furnished to the election board at each voting place in the district a copy of each of said assessment rolls so far as the same pertains to any land in the respective precincts, and shall likewise cause to be prepared and furnished to the election boards lists certified by the register of the United States land office or the surveyor general of the State of California, as the case may be, showing the lands entered under the laws of the United States or of the State of California, respectively, which said lists, so far as disclosed by the records of said offices, shall contain the names of the persons entitled to possessory rights therein and the quantity of land held by each of said persons by virtue of said rights. Said assessment rolls and said lists shall be used by the election boards in determining the qualifications of voters and the number of votes each voter is entitled to cast.

SEC. 50. Whenever any notice or publication, or notice of publication, or official advertising, or publication of process is required to be given or made by the provisions of this act the same, unless otherwise specifically provided in this act, shall be given or made in a newspaper of general circulation as defined by the laws of this state, printed and published in each county in which any of the lands in a resort district, or a proposed resort district, are situated, and if in any such county or counties there be no such newspaper then in a newspaper printed and published in an adjoining county, the time of the giving or making of said notices, publication or advertising shall be, unless otherwise specifically provided in this act, once a week for two successive weeks.

SEC. 51. The state engineer shall have authority and it shall be his duty to give information, so far as may be practicable, to persons contemplating the organization of a resort district, and whenever the department of engineering of this state shall deem it in the public interest that preliminary surveys and field investigations of proposed resort district projects shall be made at the expense of the state the state engineer shall make such surveys and investigation and prepare a report thereof which shall be kept on file in his office.

SEC. 52. The state engineer and the board of directors of every resort district shall, respectively, cause to be entered in books to be kept for that purpose a complete and connected record of all their acts and transactions and shall execute all contracts and other written instruments in duplicate, one copy of each of which, together with any other documents, instruments, or other papers filed with them, shall be kept and preserved on file in their respective offices and open to inspection by the public during business hours. Said records and all documents, instruments, or other papers filed as above provided, or a copy or copies of any thereof certified by the state engineer or secretary of the board, shall be received in evidence without further proof in any court of this state, or before any board or tribunal authorized to hear or consider a matter wherein the same shall be properly admissible in evidence.

SEC. 53. The legal title to all property acquired under the provisions of this act shall by operation of law, immediately upon the acquisition thereof, vest in the resort district by which it is acquired, and shall be held by such district in trust for the uses and purposes set forth in this act, and is hereby dedicated and set apart to said uses and purposes. The board of directors is hereby authorized and empowered to hold, use, manage, occupy, and possess said property and may determine by resolution duly entered upon its minutes, that any property, real or personal, held by the district is not necessary for the uses and purposes thereof and may sell the same for an adequate consideration; and a conveyance or transfer of any of the property of a district executed by the president and secretary of its board of directors in pursuance of a resolution of the board adopted as above provided, shall convey good title to the property.

SEC. 54. Warrants drawn by the state engineer shall be signed by him and shall be drawn upon the treasurer of the resort district. Warrants drawn by the board of directors shall be signed by its president and secretary and countersigned by its treasurer, and shall be drawn upon the county treasurer of a county having funds belonging to the district in his possession for payment of the principal or interest of bonds, and upon the treasurer of the district or the county treasurer of such a county, as the case may be, for payment of all other claims and demands.

SEC. 55. Whenever any warrant of the district payable on demand is presented for payment when funds are not available for the payment thereof, it shall thereafter draw interest at a rate to be determined by resolution of the board of directors, not, however, to exceed seven per centum per annum, until public notice is given that such funds are available. Upon the presentation of any such warrants for payment when funds of the district are not available to pay the same, the treasurer of the district or of the county, as the case may be, shall endorse thereon the words "funds not available for payment," with the date of presentation, and shall specify the interest that such warrants shall thereafter bear and shall sign his name thereto. He shall keep a record showing the number and amount of each such warrant, the date

of its issuance, the person in whose favor it was issued, and the date of its presentation for payment, and such warrant is and shall be considered as a contract in writing for the payment of money and the period prescribed for the commencement of an action based upon such warrant is and shall be four years from the date of issuance. Whenever there is sufficient money in the treasury to pay all such outstanding warrants, or whenever the board of directors shall order that all such warrants presented for payment prior to a certain date be paid and there is sufficient money available for such payment, the proper treasurer shall publish a notice once a week for two successive weeks in some newspaper published in the county in which the office of the board of directors is situated, stating that he is prepared to pay all warrants of the district for the payment of which funds were not available upon their original presentation, or all such warrants which were presented for payment prior to the date fixed by the board of directors as the case may be, and no further description of the warrants entitled to payment need be made in such notice. Upon the presentation of any warrant entitled to payment under the terms of such notice, the treasurer shall pay it together with interest thereon at the rate specified by the board of directors, from the date of its original presentation for payment to the date of the first publication of said notice, and all warrants for the payment of which funds are declared in said notice to be available shall cease to draw interest at the time of the first publication of said notice. The treasurer shall enter in the record hereinbefore required to be kept, the dates of the payment of all such warrants, the names of the persons to whom payments are made, and the amount paid to each person.

SEC. 56. It is hereby declared that the State of California has a paramount interest in providing sewage disposal, drainage, fire protection, roads and trails on lands in unincorporated territory devoted primarily to recreational purposes; that such sewage disposal, drainage, fire protection, roads and trails will make inhabitable areas of land which are comparatively unproductive, and will promote the health, welfare and prosperity of all of the people. The powers herein conferred upon the state engineer and the board of directors are hereby declared to be police and regulatory powers and are necessary to the accomplishment of the purposes that are indispensable to the public interests. The use of all water required for sewage disposal and or fire protection and or roads and or trails of any district formed under the provisions of this act, together with the rights of way for sewers, drains, fire mains, hydrants, roads and/or trails and all other property required in fully carrying out the provisions of this act, is hereby declared to be a public use, subject to the regulation and control of the state, in the manner prescribed by law.

SEC. 57. All property belonging to a resort district shall not be taxed for state and county or municipal purposes.

SEC. 58. Unless some other time therefor is elsewhere in this act expressly provided, no action, proceeding or contest whatsoever shall be brought or maintained before any court, board or other tribunal unless such action, proceeding or contest be brought within the times hereinafter specified.

(1) Attacking the organization of any resort district, within six months of the date of the organization thereof.

(2) Attacking the inclusion of land within or the exclusion of land from any such district, within six months of the date of such inclusion or exclusion.

(3) Attacking any assessment of any such district, within ninety days of the date upon which the assessment roll is filed with the county treasurer.

(4) Attacking any toll or charge of any such district, within ninety days of the date upon which such toll or charge becomes payable.

(5) Attacking the validity of any bonds issued by the district, within ninety days of the date of issuance of such bonds.

(6) Attacking any other proceeding or action taken or thing done by said district or by the board of directors thereof under the provisions of this act, within six months of the date of such proceeding, action or thing.

The court, board or other tribunal before which any action, proceeding or contest whatsoever is brought in anywise involving the regularity, legality, validity, or correctness of any proceeding taken or thing done pursuant to any of the provisions of this act, shall disregard any error, irregularity or omission which does not affect the substantial rights of the parties concerned. In all actions, proceedings or contests the rules of pleading and practice provided by the Code of Civil Procedure of California, in so far as they are not inconsistent with the provisions of this act, shall apply. The costs of any action, proceeding or contest may be allowed and apportioned between the parties or taxed to the defeated party, in the discretion of the court, board or other tribunal before which the same is heard. No action, proceeding or contest whatsoever shall be commenced other than within the time and manner in this act specified and in the determination thereof all findings of fact or conclusions of the state engineer or the board of directors upon all matters shall be conclusive, unless the action, proceeding or contest is instituted within six months after such findings or conclusions are made.

SEC. 59. If two or more actions or contests shall be pending at the same time in the same court or before the same board or tribunal for the purpose of contesting or determining the validity of identical or similar acts or matters under the provisions of this act, said actions or contests shall be consolidated and tried together.

SEC. 60. It shall be the duty of the state engineer to ascertain whether the duties relating to the levying and collection of any assessment or assessments provided for in this act have been performed by the proper officer, and if the engineer shall learn that any officer of the district or of any county therein has neglected or refused to perform such duty he shall forthwith notify the district attorney of the county in which the office of the district is located of such failure or neglect, and said district attorney shall, thereupon, after due notice to the official or officials involved, take such proceedings in court as may be necessary to compel the performance of such duty.

SEC. 61. For any wilful violation of any express duty in this act provided for on the part of any officer herein named, such officer shall be liable upon his official bond and shall be subject to removal from office by proceeding brought in the superior court of the county in which the office of the board of directors of the district is located, by any assessment payer of the district.

SEC. 62. In the event that any land within a resort district is omitted from any assessment roll, or if appearing in such roll is neither assessed nor stated to be not assessed, it shall be taken that such land was, by oversight, omitted from consideration for assessment purposes, and upon discovery that any land was so omitted from consideration for assessment purposes, or upon final adjudication by a court of competent jurisdiction that any assessment is invalid as to the part of the lands assessed, it shall be the duty of the board of directors in case the original assessment was one spread in the manner provided by section 18 to certify the fact of such omission or invalidity to the state engineer and thereupon proceedings for the making of an amendatory assessment shall be had in the manner provided in said section 18 for original assessments, such amendatory assessment to be made upon the basis of determining, as nearly as may be, what the original assessment upon such land would have been except for such omission or invalidity. In case the original assessment was not one made under section 18, the board of directors shall cause an amendatory assessment as to such land to be made upon the basis and in the manner in which the original assessment to be amended was made; *provided*, such amendatory assessment be made within two years after the making of the original assessment. The proceedings for making, levying and collecting such amendatory assessment shall be the same as those provided in this act for the making, levying and collecting the assessment of which such assessment is amendatory.

SEC. 63. Any resort district organized pursuant to the provisions of this act may be dissolved for the same reasons, under the same circumstances, in the same manner, upon the same conditions, and with the same results as is or may be provided by the laws of this state for the dissolution of irrigation districts organized under the laws of California.

SEC. 64. This act shall be known and may be referred to in any action, proceeding or legislative enactment, as the "California resort district act."

SEC. 65. If any section, subdivision, sentence, clause or phrase of this act be for any reason held to be unconstitutional, such decision shall not affect the validity of the remaining portions of this act, and the Legislature hereby declares that it would have passed this act and each and every other section, subdivision, sentence, clause and phrase thereof, irrespective of the fact that any one or more sections, subdivisions, sentences, clauses or phrases of this act be declared unconstitutional."

Amendment adopted.

Bill read second time, ordered to print, engrossment, and on file for third reading.

Senate Bill No. 402—An act to promote the development of the egg industry in California, to prohibit the sale of eggs unfit for human food, to provide standards of quality and weight for the sale of eggs, to provide for proper labeling of all eggs displayed for sale to the consumer, to protect the consuming public by preventing deception in the sale of eggs, providing penalties for the violation of the provisions of this act, and repealing all acts or parts of acts in conflict herewith.

COMMITTEE AMENDMENTS.

During the second reading of the bill, the following committee amendments were offered:

AMENDMENT NUMBER ONE.

On page 2 of the printed bill, as amended March 18, 1931, strike out all of lines 18 to 22, inclusive, and insert in lieu thereof the following:

"SEC. 3. The state department of public health is hereby empowered to prescribe rules and regulations relating to and not inconsistent with the provisions of this

act, and said department, through its authorized agents, deputies and inspectors, is charged with the enforcement of said act."

Amendment adopted.

AMENDMENT NUMBER TWO.

On page 2, line 31, of the printed bill, as amended March 18, 1931, after the period, insert the following: "When so labeled, no other laws regarding labeling or marking shall be applicable thereto."

Amendment adopted.

AMENDMENT NUMBER THREE.

On page 2, line 42, of the printed bill, as amended March 18, 1931, strike out the word "agriculture", and insert in lieu thereof the words "public health".

Amendment adopted.

AMENDMENT NUMBER FOUR.

On page 3, line 13, of the printed bill, as amended March 18, 1931, strike out the word "Grades", and insert in lieu thereof the word "Trades".

Amendment adopted.

AMENDMENT NUMBER FIVE.

On page 3, line 39, of the printed bill, as amended March 18, 1931, after the word "used", insert the words "said eggs".

Amendment adopted.

Bill read second time, ordered to print, engrossment, and on file for third reading.

Senate Bill No. 584—An act to amend sections 2, 3, 4, 5, 6, 7, 8, 9, 10, 12, 12a, 13, 14, 15, 16, 18, 19, 20, 21, and to add a new section to be numbered 24 to chapter 845, Statutes 1927, "An act to regulate the occupations and practices of hairdressers and cosmeticians, cosmetologists, and the branches of cosmetology; to create the State Board of Cosmetology, and to provide for the issuance by said board of certificates of registration and licenses entitling the holders thereof to engage in and to teach such occupations and practices; to insure the better education of hairdressers and cosmeticians; to provide for rules regulating the proper conduct and sanitation of cosmetological establishments, schools of cosmetology, and places where the occupations of hairdressers and cosmeticians are practiced; prescribing penalties for the violation of the provisions of this act," approved by the Governor, May 31, 1927.

COMMITTEE AMENDMENTS.

During the second reading of the bill, the following committee amendments were offered:

AMENDMENT NUMBER ONE.

On page 2, line 28, of the printed bill, strike out the comma after "who".

Amendment adopted.

AMENDMENT NUMBER TWO.

On page 4 of the printed bill, strike out lines 15 to 18, inclusive.

Amendment adopted.

AMENDMENT NUMBER THREE.

On page 4, line 38, of the printed bill, strike out "or who was so connected", and also strike out all of line 39, and insert in lieu thereof "in the wholesale business of".

Amendment adopted.

AMENDMENT NUMBER FOUR.

On page 4, lines 49 and 50, of the printed bill, strike out "by and serve at the pleasure of the governor", and insert in lieu thereof "for the term of four years."

Amendment adopted.

AMENDMENT NUMBER FIVE.

On page 5 of the printed bill, strike out lines 8 and 9, and in line 10, strike out "one fiscal year", and insert in lieu thereof "hereunder."

Amendment adopted.

AMENDMENT NUMBER SIX.

On page 5 of the printed bill, strike out lines 14 to 16, inclusive, and insert in lieu thereof the following: "number, a president and shall, annually, subject to the approval of the director of the department of professional and vocational standards, appoint a secretary, who shall not be a".

Amendment adopted.

AMENDMENT NUMBER SEVEN.

On page 5, lines 35 and 36, of the printed bill, strike out "who shall be exempt from the provisions of the civil service law,".

Amendment adopted.

AMENDMENT NUMBER EIGHT.

On page 5, line 45, of the printed bill, after "registration", insert "and".

Amendment adopted.

AMENDMENT NUMBER NINE.

On page 6, line 38, of the printed bill, strike out "may claim, in their registration", and add a period after the word "license".

Amendment adopted.

AMENDMENT NUMBER TEN.

On page 8 of the printed bill, in lines 30, 31 and 32, strike out the words "and who shall have had an education equivalent to the completion of the eighth grade in the public schools of this state,".

Amendment adopted.

AMENDMENT NUMBER ELEVEN.

On page 8, line 34, of the printed bill, after the word "waver", insert the following: "and who shall have had an education equivalent to the completion of the eighth grade in the public schools of this state,".

Amendment adopted.

AMENDMENT NUMBER TWELVE.

On page 8, line 35, of the printed bill, strike out "in which such practice is taught,".

Amendment adopted.

Bill read second time, ordered to print, engrossment, and on file for third reading.

CONSIDERATION OF DAILY FILE.

SECOND READING OF ASSEMBLY BILLS.

Assembly Bill No. 896—An act to provide for the adoption and use of a uniform fire alarm code signal in all public, private or parochial schools, hospitals and other public institutions, hospitals and other public institutions.

Bill read second time, and ordered on file for third reading.

Assembly Bill No. 1689—An act to amend section 69 of the California Vehicle Act, approved May 30, 1923, relating to vehicles.

Bill read second time, and ordered on file for third reading.

Assembly Bill No. 203—An act to amend section 4247 of the Political Code, relating to salaries and fees of officers in counties of the sixteenth class.

COMMITTEE AMENDMENTS.

During the second reading of the bill, the following committee amendments were offered:

AMENDMENT NUMBER ONE.

In line 1 of the title of the printed bill, strike out "4247", and insert in lieu thereof "4245 and to repeal section 4245a".

Amendment adopted.

AMENDMENT NUMBER TWO.

On page 1, line 1, of the printed bill, strike out "4247", and insert in lieu thereof "4245".

Amendment adopted.

AMENDMENT NUMBER THREE.

On page 1, line 15, of the printed bill, strike out "three thousand", and insert in lieu thereof "two thousand four hundred".

Amendment adopted.

AMENDMENT NUMBER FOUR.

On page 2, line 1, of the printed bill, strike out "beginning on January 1, 1931,".

Amendment adopted.

AMENDMENT NUMBER FIVE.

On page 2 of the printed bill, strike out line 45, and insert in lieu thereof "clerks and assistants as the county clerk may require, and".

Amendment adopted.

AMENDMENT NUMBER SIX.

On page 5, line 45, of the printed bill, strike out the period in said line and insert a semicolon and the following: "*provided*, also, that in counties of this class there shall be and is hereby allowed to the superintendent of schools such additional clerks and assistants as the superintendent of schools may require, and whose compensation in the aggregate shall not exceed six hundred dollars in any one year payable to them in installments at such time and in such amounts as may be designated by the superintendent of schools: *provided*, that the superintendent of schools shall file with the county auditor a verified statement showing in detail the amounts and the persons said compensation is paid; whereupon the auditor shall execute warrants for said amounts to be paid in the same manner and out of the same fund as other county officers are paid."

Amendment adopted.

AMENDMENT NUMBER SEVEN.

On page 6, line 49, of the printed bill, strike out "1920", and insert in lieu thereof "1930".

Amendment adopted.

AMENDMENT NUMBER EIGHT.

On page 7, line 21, of the printed bill, strike out "1920", and insert in lieu thereof "1930".

Amendment adopted.

AMENDMENT NUMBER NINE.

On page 7, after line 39, of the printed bill, insert as a new paragraph the following:

"SEC. 2. Section 4245a of the Political Code is hereby repealed."

Amendment adopted.

Bill read second time, ordered to print, and on file for third reading.

Assembly Bill No. 141—An act to amend the title of and to revise chapter 577, Statutes of 1919, entitled "An act to provide for the certification of potato seed, authorizing the State Commissioner of Horticulture to employ a Potato Inspector and to fix his salary, declaring the violation of the provisions hereof to be a misdemeanor and making an appropriation to carry out the purposes hereof," approved May 27, 1919, relating to the State Department of Agriculture and the growing of potatoes and the inspection and certification thereof.

COMMITTEE AMENDMENTS.

During the second reading of the bill, the following committee amendments were offered:

AMENDMENT NUMBER ONE.

On page 2, line 7, of the printed bill, strike out "All money".

Amendment adopted.

AMENDMENT NUMBER TWO.

On page 2 of the printed bill, strike out all of lines 8 and 9.

Amendment adopted.

Bill read second time, ordered to print, and on file for third reading.

Assembly Bill No. 600—An act to amend sections 2319*a* and 2319*e* of the Political Code, relating to the duties of the State Commissioner of Horticulture.

COMMITTEE AMENDMENTS.

During the second reading of the bill, the following committee amendments were offered:

AMENDMENT NUMBER ONE.

In line 1 of the title of the printed bill, as amended in Assembly March 6, 1931, after "2319*b*", insert "and".

Amendment adopted.

AMENDMENT NUMBER TWO.

On page 3 of the printed bill, as amended in Assembly March 6, 1931, following line 24 add the following:

"It shall be the duty of the district attorney of such county or city and county in which any violation of the provision of this chapter may occur to prosecute the person, firm, company, organization or corporation accused of or charged with such violation".

Amendment adopted.

Bill read second time, ordered to print, and on file for third reading.

Assembly Bill No. 598—An act to amend section 2322*e* of the Political Code, relating to county horticultural commissioners.

Bill read second time, and ordered on file for third reading.

CONSIDERATION OF DAILY FILE.

THIRD READING OF SENATE BILLS.

Senate Bill No. 368—An act to amend section 3817 of the Political Code, relating to the redemption of property sold for taxes and containing a provision declaring this act to be an emergency measure, stating the facts constituting such emergency, and providing this act shall take effect immediately upon its passage.

Bill read third time.

URGENCY CLAUSE.

SEC. 2. The Legislature hereby declares that it deems it necessary for the immediate preservation of the public health and safety that this act shall go into immediate effect by reason of the following facts: That unless the section hereby amended takes immediate effect large revenues from real estate sold to the State for delinquent taxes will be lost to the State of California. And it is hereby declared that this act constitutes an emergency measure which, under the provision of section 1 of article four of the constitution of the State of California, shall go into immediate effect.

This act shall take effect immediately.

Urgency clause read.

The question being on the adoption of the urgency clause.

The roll was called, and the urgency clause adopted by the following vote:

AYES—Senators Allen, Baker, Bush, Cassidy, Cleveland, Clock, Crittenden, Deuel, Duval, Edwards, Evans, Harper, Hays, Ingels, Inman, Jones, Maloney, McCormack, Mixer, Moran, Nelson, Pedrotti, Rich, Rochester, Schottky, Sharkey, Slater, Swing, Treacy, Tubbs, Wagy, Williams, and Young—33.

NOES—None.

The question being on the passage of the bill.

The roll was called, and Senate Bill No. 368 passed by the following vote:

AYES—Senators Allen, Baker, Bush, Cassidy, Cleveland, Clock, Crittenden, Deuel, Edwards, Evans, Harper, Hays, Ingels, Inman, Jones, Maloney, McCormack, Mixer, Moran, Nelson, Pedrotti, Rich, Rochester, Schottky, Slater, Treacy, Tubbs, Wagy, Williams, and Young—30.

NOES—None.

Title read and approved.

Bill ordered transmitted to the Assembly.

MOTION TO RECONSIDER.

Pursuant to his notice given on a previous day, Senator Moran moved to reconsider the vote whereby Assembly Bill No. 513—An act establishing standards, tests and requirements for certain refined petroleum products, providing for taking samples thereof, providing for sealing of certain containers, pumps and storage tanks connected thereto, providing for labeling of certain containers and pumps, and further, providing an annual license fee and fixing a penalty for the violation thereof of provisions contained therein—was passed.

The question being on the motion to reconsider.

The roll was called, and the motion to reconsider the vote whereby Assembly Bill No. 513 was passed, carried by the following vote:

AYES—Senators Allen, Breed, Bush, Cassidy, Christian, Cleveland, Clock, Crittenden, Deuel, Edwards, Evans, Harper, Hays, Ingels, Inman, Jones, Maloney, McCormack, McKinley, Mixer, Moran, Nelson, Pedrotti, Rich, Rochester, Schottky, Sharkey, Slater, Treacy, Tubbs, Wagy, Williams, and Young—33.

NOES—None.

Assembly Bill No. 513—An act establishing standards, tests and requirements for certain refined petroleum products, providing for taking samples thereof, providing for sealing of certain containers, pumps and storage tanks connected thereto, providing for labeling of certain containers and pumps, and further, providing an annual license fee and fixing a penalty for the violation thereof of provisions contained therein.

Bill read third time, previously.

MOTION TO REFER TO SPECIAL COMMITTEE OF ONE.

During third reading of the bill, Senator Moran moved to refer Assembly Bill No. 513 to Senator Sharkey, as a Special Committee of One, to amend as follows:

AMENDMENT NUMBER ONE.

On page 9, line 18, of the printed bill, as amended, following the word "agriculture", insert the words "with the approval of the director of agriculture".

AMENDMENT NUMBER TWO.

On page 9, line 30, of the printed bill, as amended, following the word "agriculture", insert the words "with the approval of the director of agriculture".

AMENDMENT NUMBER THREE.

On page 9, line 31, of the printed bill, as amended, before the word "fix", insert a comma and the words "with the approval of the director of finance".

Motion carried.

REPORT OF SPECIAL COMMITTEE OF ONE.

SENATE CHAMBER, SACRAMENTO, April 15, 1931.

MR. PRESIDENT: Your Special Committee of One, to which was referred Assembly Bill No. 513, with instructions to amend, respectfully reports the same back, amended as per instructions.

SHARKEY, Committee.

Report read, and on motion of Senator Moran adopted.

MOTION TO REFER TO SPECIAL COMMITTEE OF ONE.

During third reading of the bill, Senator Sharkey moved to refer Assembly Bill No. 513 to Senator Moran, as a Special Committee of One, to amend as follows:

AMENDMENT NUMBER ONE.

In lines 8 and 9 of the title of the printed bill, as amended, strike out the words "and second grade motor fuel".

AMENDMENT NUMBER TWO.

On page 2, lines 26 and 27, of the printed bill, as amended, after the word "premises", insert the following: "for the purpose of sale", and strike out the words "where petroleum products are stored or kept for sale".

AMENDMENT NUMBER THREE.

On page 2 of the printed bill, as amended, strike out lines 30 to 35, inclusive.

AMENDMENT NUMBER FOUR.

On page 2, line 36, of the printed bill, as amended, after the word "Sec.", strike out the figure "4", and insert the figure "3".

AMENDMENT NUMBER FIVE.

On page 2, lines 41 and 42, of the printed bill, as amended, strike out the words "second grade fuel as hereinbefore in section 3 of this act defined".

AMENDMENT NUMBER SIX.

On page 2, line 48, of the printed bill, as amended, after the word "gasoline", strike out the comma and the following words: "second grade motor fuel".

AMENDMENT NUMBER SEVEN.

On page 2, lines 51 and 52, of the printed bill, as amended, after the word "gasoline", insert a quotation mark and strike out the following: "second grade motor fuel".

AMENDMENT NUMBER EIGHT.

On page 3, line 1, of the printed bill, as amended, after the word "together", insert the following: "with the brand, trade-mark or trade name of such product;

Provided, that in attaching such sign or label to the inlet end of the fill-pipe of an underground storage tank, it shall consist of a tag or plate firmly attached or affixed to such fill-pipe, at said end, so as to be plainly visible when filling same, but the letters thereon may be of any convenient size; and".

AMENDMENT NUMBER NINE.

On page 3 of the printed bill, as amended, strike out all of lines 8 to 37, inclusive.

AMENDMENT NUMBER TEN.

On page 3 of the printed bill, as amended, after line 42, thereof, insert the following:

"*Provided, further*, that if any gasoline shall have no brand, trade-mark or trade name, each such sign or label therefor shall consist of the words, in letters not less than three (3) inches in height, "gasoline, no brand," and if any lubricating or motor oil shall have no brand, trade-mark or trade name, each such sign or label therefor shall consist of the words, in letters not less than three (3) inches in height, "lubricating oil, no brand" or "motor oil, no brand"; except that this provision as to size of letters shall not apply to signs or labels at the inlet end of any underground storage tank, which letter may be of any convenient size but must be plainly visible when filling such underground storage tank.

Sec. 4. It shall be unlawful for any person, firm, association or corporation, or any member, officer, agent or employee thereof, to sell, offer for sale, or to cause or to permit to be sold or offered for sale, or deliver or offer for delivery, any petroleum product as a fuel for internal combustion engines at any place where petroleum products are kept or stored for sale, which does not conform to the requirements of section 1 of this act, unless and until there shall be firmly attached to or painted upon each container, receptacle, pump, and inlet end of the fill-pipe of each underground storage tank, from which or into which such petroleum product is drawn or poured for sale or delivery, and so as to be plainly visible, a sign or label comprising the brand, trade-mark or trade name of such fuel, or the words "no brand," which words shall be in letters not less than one (1) inch in height, and also in red letters not less than three (3) inches in height, on a white back ground, and not less than twice the size of any other letters or words appearing on or near said label or sign, the words "not gasoline";

Provided, that in attaching such sign or label to the inlet end of the fill-pipe of an underground storage tank, it shall consist of a tag or plate firmly attached or affixed to such fill-pipe at said end, so as to be plainly visible while filling same, but the letters thereon may be of any convenient size."

AMENDMENT NUMBER ELEVEN.

On page 4 of the printed bill, as amended, strike out all of lines 27 to 43, inclusive.

AMENDMENT NUMBER TWELVE.

On page 4, line 44, of the printed bill, as amended, after the word "Sec.", strike out the figure "6", and insert in lieu thereof the figure "5".

AMENDMENT NUMBER THIRTEEN.

On page 4, line 46, of the printed bill, as amended, after the word "provisions", insert the word "either".

AMENDMENT NUMBER FOURTEEN.

On page 4, line 47, of the printed bill, as amended, before the word "section", insert "section 3 or".

AMENDMENT NUMBER FIFTEEN.

On page 5, line 3, of the printed bill, as amended, after the word "Sec.", strike out the figure "7", and insert the figure "6".

AMENDMENT NUMBER SIXTEEN.

On page 5, line 8, of the printed bill, as amended, after the word "in", insert the words "sections 3 and".

AMENDMENT NUMBER SEVENTEEN.

On page 5, line 9, of the printed bill, as amended, strike out the word "section".

AMENDMENT NUMBER EIGHTEEN.

On page 5, line 10, of the printed bill, as amended, after the word "Sec.", strike out the figure "8", and insert the figure "7".

AMENDMENT NUMBER NINETEEN.

On page 5, line 17, of the printed bill, as amended, after the word "the", insert the word "true".

AMENDMENT NUMBER TWENTY.

On page 5, lines 18, 19 and 20, of the printed bill, as amended, after the word "producer", insert the word "thereof", and strike out the words "delivering same or permitting same to be delivered as provided by section 4 of this act".

AMENDMENT NUMBER TWENTY-ONE.

On page 5, lines 29, 30 and 31, of the printed bill, as amended, after the word "producer", insert the word "thereof", and strike out the words "delivering same or causing or permitting same to be delivered as provided by section 4 of this act"

AMENDMENT NUMBER TWENTY-TWO.

On page 5, of the printed bill, as amended, after line 31, insert a new paragraph to read as follows:

"Provided, however, that this section shall not apply to any person, firm, association or corporation who sells or offers for sale under his own trade mark, trade name or brand, the product of another manufacturer, refiner or producer, if he has first obtained the written consent of such manufacturer, refiner or producer so to sell such product, which written consent must specify the brand, trade mark or trade name under which such product is to be sold."

AMENDMENT NUMBER TWENTY-THREE.

On page 5, line 40, of the printed bill, as amended, after the word "Sec.", strike out the figure "9", and insert in lieu thereof the figure "8".

AMENDMENT NUMBER TWENTY-FOUR.

On page 5, line 50, of the printed bill, as amended, after the word "tank", strike out the period, and insert in lieu thereof a comma and the following: "except as provided in section 7 of this act."

AMENDMENT NUMBER TWENTY-FIVE.

On page 5, line 51, of the printed bill, as amended, after the word "Sec.", strike out the figure "10", and insert the figure "9".

AMENDMENT NUMBER TWENTY-SIX.

On page 6, line 12, of the printed bill, as amended, after the word "Sec.", strike out the figure "11", and insert the figure "10".

AMENDMENT NUMBER TWENTY-SEVEN.

On page 6, line 22, of the printed bill, as amended, after the word "sale", strike out the period, and insert a comma and the following: "and if such product has no trade name or brand, then the words "no brand" shall be so displayed in connection with the designation of the product."

AMENDMENT NUMBER TWENTY-EIGHT.

On page 6, line 25, of the printed bill, as amended, after the word "Sec.", strike out the figure "12", and insert the figure "11".

AMENDMENT NUMBER TWENTY-NINE.

On page 6, line 30, of the printed bill, as amended, after the first word "of", insert a comma, and strike out the words "or deliver".

AMENDMENT NUMBER THIRTY.

On page 6, line 34, of the printed bill, as amended, after the word "refiner", insert a comma, strike out the word "or", and following the word "producer", insert the words "or marketer".

AMENDMENT NUMBER THIRTY-ONE.

On page 6, line 35, of the printed bill, as amended, after the word "Sec.", strike out the figure "13", and insert in lieu thereof the figure "12".

AMENDMENT NUMBER THIRTY-TWO.

On page 6, line 42, of the printed bill, as amended, after the word "refiner", insert a comma, strike out the word "or", and following the word "producer", insert the words "or marketer".

AMENDMENT NUMBER THIRTY-THREE.

On page 6, line 46, of the printed bill, as amended, after the word "Sec.", strike out the figure "14", and insert in lieu thereof the figure "13".

AMENDMENT NUMBER THIRTY-FOUR.

On page 7, line 11, of the printed bill, as amended, after the word "Sec.", strike out the figure "15", and insert in lieu thereof the figure "14".

AMENDMENT NUMBER THIRTY-FIVE.

On page 7, line 31, of the printed bill, as amended, after the word "Sec.", strike out the figure "16", and insert in lieu thereof the figure "15".

AMENDMENT NUMBER THIRTY-SIX.

On page 9, line 4, of the printed bill, as amended, after the word "Sec.", strike out the figure "17", and insert in lieu thereof the figure "16".

AMENDMENT NUMBER THIRTY-SEVEN.

On page 9, line 17, of the printed bill, as amended, after the word "Sec.", strike out the figure "18", and insert the figure "17".

AMENDMENT NUMBER THIRTY-EIGHT.

On page 9, lines 27 and 28, of the printed bill, as amended, after the word "authorized", strike out the words "and directed".

AMENDMENT NUMBER THIRTY-NINE.

On page 9, of the printed bill, as amended, after line 33, insert a new section to read as follows:

"Sec. 18. If any section, subsection, sentence, clause or phrase of this act is for any reason held to be unconstitutional, such decisions shall not affect the validity of the remaining portions of this act. The Legislature hereby declares that it would have passed this act and each section, subsection, sentence, clause and phrase thereof, irrespective of the fact that any one or more of the other sections, subsections, sentences, clauses, or phrases be declared unconstitutional."

AMENDMENT NUMBER FORTY.

On page 9, of the printed bill, as amended, strike out lines 41 to 50, inclusive.

AMENDMENT NUMBER FORTY-ONE.

On page 9, line 51, of the printed bill, as amended, after the word "Sec.", strike out the figure "20", and insert in lieu thereof the figure "19".

Motion carried.

REPORT OF SPECIAL COMMITTEE OF ONE.

SENATE CHAMBER, SACRAMENTO, April 15, 1931.

MR. PRESIDENT: Your Special Committee of One, to which was referred Assembly Bill No. 513, with instructions to amend, respectfully reports the same back, amended as per instructions.

MORAN, Committee.

Report read, and on motion of Senator Sharkey adopted.

Bill ordered to print.

CONSIDERATION OF RESOLUTION.

At request of Senator Inman, the following resolution, offered by Senator Inman on April 9, was taken up for consideration:

RESOLUTION.

WHEREAS, The prices offered by the purchasing companies for certain grades of crude petroleum in California have recently been reduced to a point at which profitable production of those certain grades of petroleum is impossible; and

WHEREAS, It appears that by concerted action said petroleum purchasing companies establish and maintain uniform prices; and

WHEREAS, Cessation of operations in the oil fields of this State, due to the reduction in prices of crude petroleum, will result in throwing out of employment large numbers of men engaged in that industry, thereby adding to the already depressed economic condition in California; therefore, be it

Resolved by the Senate, That the President of the Senate shall appoint five members, who shall act as a committee of the Legislature to investigate the reasons for the drastic reduction in the price of crude petroleum of certain grades, the method and manner in which the prices for crude petroleum in this State are established, the relative cost of production and refining of crude oil and of the distributing and marketing thereof and particularly to investigate the methods by which the petroleum purchasing and marketing companies establish and maintain uniform prices for such crude petroleum and as to whether such concerted action is in violation of any law of the State of California or of the United States, and all matters relating thereto, and to report their findings in full to the Legislature at its next session; and be it further

Resolved, That the committee shall have power to issue subpoenas, compel the attendance of witnesses, the production of all books, papers, records and minutes; to administer oaths, take testimony and institute proceedings for contempt; to call upon and require any officer or department of this State for any information in their possession and to employ such assistants as it may deem necessary, and that the expenses incurred in such investigation not exceeding the sum of \$5000 shall be paid by the Senate out of its Contingent Fund.

MOTION TO REFER RESOLUTION.

Senator Sharkey moved that the preceding resolution by Senator Inman be referred to Committee on Oil Industries.

AYES AND NOES DEMANDED.

A roll call was demanded by Senators Inman, McKinley and Riley on Senator Sharkey's motion to refer the resolution by Senator Inman to the Committee on Oil Industries.

CALL OF THE SENATE.

Pending the announcement of the vote, Senator Inman moved a call of the Senate.

Motion carried.

The Secretary was directed to call the roll.

The roll was called, and the following answered to their names:

Senators Allen, Baker, Breed, Bush, Cassidy, Christian, Cleveland, Clock, Crittenden, Deuel, Duval, Edwards, Evans, Fellom, Harper, Hays, Inman, Maloney, McCormack, McKinley, Mixer, Moran, Nelson, Pedrotti, Rich, Riley, Schottky, Sharkey, Slater, Treacy, Tubbs, Wagy, Williams, and Young—34.

The Secretary announced the absentees.

Time, twelve o'clock and twenty minutes p.m.

The President directed the Sergeant-at-Arms to close the doors.

The Sergeant-at-Arms, having been furnished with the names of the absentees, was directed to bring them to the bar of the Senate.

PROCEEDINGS UNDER CALL OF THE SENATE.

CONSIDERATION OF DAILY FILE.

THIRD READING OF SENATE BILLS—(RESUMED).

Senate Concurrent Resolution No. 32—Relative to leaves of absence of the Governor, Lieutenant Governor and the members of the Senate and Assembly of the forty-ninth session of the Legislature of the State of California.

AMENDMENT FROM THE FLOOR.

During reading of the resolution, the following amendment was offered, and its adoption moved by Senator Breed:

AMENDMENT NUMBER ONE.

On page 1, line 15, of the printed resolution, strike out "Frank M." and insert in lieu thereof "Frank W."

Amendment adopted.

Senate Concurrent Resolution No. 32 ordered to print, engrossment, and third reading file.

RESOLUTION.

The following resolution was offered:

By Senators Breed, Duval and Moran:

WHEREAS, The site has been selected, near Tehachapi, for the construction of "The California Institution for Women" under the provisions of an act entitled "An act to establish an institution for the confinement, care and reformation of women misdemeanants, and women convicted of a felony the punishment for which is less than death; to provide for its maintenance, conduct and government, and to make an appropriation therefor," approved May 9, 1929; and

WHEREAS, It seems advisable that before proceeding with the contemplated construction of such institution, the desirability of the site for the purpose for which it was selected and advisability of such construction be further investigated; and

WHEREAS, The Director of Public Works has invited bids for such construction and improvements; now, therefore, be it

Resolved by the Senate, That a committee of the Senate is hereby created to consist of three members of the Senate and to be appointed by the President thereof; and be it further

Resolved, That said committee shall immediately proceed with said investigation in such manner as it may determine; and be it further

Resolved, That said committee with relation to such investigation shall have all the powers granted by the Political Code to committees of the Senate as to matter under investigation by such committees; and be it further

Resolved, That it shall be the duty of said committee to complete its investigation and report the facts found, together with its conclusions and recommendations relating thereto, to the Senate on or before May 8, 1931; and be it further

Resolved. That the members of the said committee shall be reimbursed for their actual expenses necessarily incurred hereunder, which expenses shall be payable out of the Contingent Fund of the Senate; and be it further

Resolved. That the Director of Public Works is hereby requested and directed to withhold the award of any contracts for construction and improvement at said site for the purchase of materials or hire of labor for use at said site until after June 1, 1931, pending the report of the committee created herein.

Resolution referred to Committee on Finance.

FURTHER PROCEEDINGS UNDER CALL OF THE SENATE DISPENSED WITH.

At twelve o'clock and thirty-five minutes p.m., further proceedings under the call of the Senate were dispensed with, on motion of Senator Inman.

The Secretary was directed to call the roll on Senator Sharkey's motion to refer the resolution offered by Senator Inman to the Committee on Oil Industries.

The roll was called, and Senator Sharkey's motion carried by the following vote:

AYES—Senators Allen, Baker, Breed, Bush, Cassidy, Duval, Edwards, Evans, Fellom, Hays, Ingels, Maloney, McCormack, McKinby, Mixer, Moran, Nelson, Pedrotti, Schottky, Sharkey, Slater, Swing, Treacy, Tubbs, Wagy, and Young—26.

NOES—Senators Carter, Christian, Cleveland, Clock, Crittenden, Deuel, Harper, Inman, Jones, Rich, Riley, Rochester, and Williams—13.

RECESS.

On motion of Senator Inman, at twelve o'clock and forty minutes p.m., the President of the Senate declared recess until two o'clock p.m.

RECONVENED.

At two o'clock p.m., the Senate reconvened.

Lieutenant Governor Frank F. Merriam, President of the Senate, in the chair.

Secretary Joseph A. Beek at the desk.

REPORTS OF STANDING COMMITTEES—(RESUMED).

The following reports of standing committees were received and read:

ON COMMERCE AND NAVIGATION.

SENATE CHAMBER, SACRAMENTO, April 15, 1931.

MR. PRESIDENT: Your Committee on Commerce and Navigation, to which was referred Assembly Bill No. 807—An act to amend section 10 of chapter 69 of the Statutes of 1929, entitled "An act to provide for the leasing by the State of California of certain tide and submerged lands; to provide the terms, conditions, purposes and restrictions of, and preference rights to, leases thereof," approved April 9, 1929—has had the same under consideration, and respectfully reports the same back, and recommends that it do pass.

Committee membership—9; committee vote: Ayes—6; absent—3.

CLEVELAND, Chairman.

Assembly Bill No. 807 ordered on file for second reading.

Also:

MR. PRESIDENT: Your Committee on Commerce and Navigation, to which was referred Assembly Bill No. 967—An act authorizing and directing the Governor of the State of California to grant to the United States of America an easement, the nature of which is described hereinafter, in and over a certain parcel of real property, heretofore acquired by the State of California in connection with the rectification of the San Joaquin River and Stockton Channel, which said parcel of real property is more particularly described hereinafter, said easement to be used by the United States in connection with the deepening, widening and rectification of the San Joaquin River and Stockton Channel, in accordance with an act of Congress entitled "An act authorizing the construction, repair, and preservation of certain public works on rivers and harbors, and for other purposes," approved by the Presi-

dent on January 21, 1927—has had the same under consideration, and respectfully reports the same back, and recommends that it do pass.

Committee membership—9; committee vote: Ayes—6; absent—3.

CLEVELAND, Chairman.

Assembly Bill No. 967 ordered on file for second reading.

Also:

MR. PRESIDENT: Your Committee on Commerce and Navigation, to which was referred Assembly Bill No. 685—An act authorizing the Department of Finance to convey by deed certain tidelands belonging to the State of California situate in the county of San Diego, State of California—has had the same under consideration, and respectfully reports the same back, and recommends that it do pass.

Committee membership—9; committee vote: Ayes—6; absent—3.

CLEVELAND, Chairman.

Assembly Bill No. 685 ordered on file for second reading.

Also:

MR. PRESIDENT: Your Committee on Commerce and Navigation, to which was referred Assembly Bill No. 1233—An act providing for the creation and organization of a port district, as an agency of the State of California, for the improvement, development, maintenance, control, government and operation of the harbor of San Francisco, and its authorized facilities, and for the development of the commerce, navigation, and fisheries of that harbor, to be known as the Port of San Francisco, and to become the successor of the Board of State Harbor Commissioners; defining the powers, duties, and jurisdiction of said port district; providing for the qualifications, the selection, and certain powers and duties of the officers and employees of said port district; abolishing the Board of State Harbor Commissioners and offices and positions thereunder; transferring certain State property to said port district, in trust for the State, for the uses and purposes of the act; providing for the acquisition, construction, maintenance, management and operation of property by said port district; authorizing said port district to levy taxes and incur indebtedness for certain purposes, and to fix, regulate, and collect for its own purposes all charges for the use or enjoyment of public property under the jurisdiction, possession and control of said port district or managed or operated by it; authorizing the City and County of San Francisco to make contributions to said port district for certain purposes; defining the obligations and privileges of the port district with regard to certain public moneys and certain State bonds, and certain harbor improvement funds and sinking funds connected therewith; providing a procedure for determining the validity of the bonds of said port district; and providing for the extension of said port district and the acquisition of certain State property in the event of any consolidation of the City and County of San Francisco with the county of San Mateo or any part thereof—has had the same under consideration, and respectfully reports the same back with amendments, and recommends that the amendments be adopted, and that it do pass as amended.

Committee membership—9; committee vote: Ayes—6; absent—3.

CLEVELAND, Chairman.

Assembly Bill No. 1233 ordered on file for second reading.

ON DRAINAGE, SWAMP AND OVERFLOWED LANDS.

SENATE CHAMBER, SACRAMENTO, April 14, 1931.

MR. PRESIDENT: Your Committee on Drainage, Swamp and Overflowed Lands, to which was referred Senate Bill No. 812—An act to amend section 3480 of the Political Code, relating to the issuance of bonds in reclamation districts and the calling of special elections for that purpose—has had the same under consideration, and respectfully reports the same back with amendments, and recommends that the amendments be adopted, and that it do pass as amended.

Committee membership—5; committee vote: Ayes—5.

McCORMACK, Chairman.
CRITTENDEN.
EVANS.
MORAN.
SWING.

Senate Bill No. 812 ordered on file for second reading.

ON MOTOR VEHICLES.

SENATE CHAMBER, SACRAMENTO, April 15, 1931.

MR. PRESIDENT: Your Committee on Motor Vehicles, to which was referred Senate Bill No. 900—An act to amend the California Vehicle Act approved May 30, 1923,

and as amended, by amending sections 99, 100, 100½, 101, 102, 103, 104, 106, 108, 110, 111, 111½, 130, adding thereto new sections to be numbered 106½, 111½, 111¾, 111⅘, relating to the use, operation and equipment of motor vehicles operated upon the public highways, requiring lights, reflex mirrors, light indicators, prohibiting certain lights, the sale thereof, the sale of motor vehicles equipped with unlawful lights, regarding the method and requirements for the testing of lights and signals, the approval thereof, authorizing the establishment of official headlamp and brake adjusting stations, and the enforcement of said act—has had the same under consideration, and respectfully reports the same back with amendments, and recommends that the amendments be adopted, and that it do pass as amended.

Committee membership—17; committee vote: Ayes—12; absent—5.

BAKER, Chairman.

Senate Bill No. 900 ordered on file for second reading.

ON FINANCE.

SENATE CHAMBER, SACRAMENTO, April 14, 1931.

MR. PRESIDENT: Your Committee on Finance, to which was referred Senate Bill No. 10—An act to amend section 736b and repeal section 736c of the Political Code, relating to salaries of judges of the superior court—has had the same under consideration, and respectfully reports the same back with amendments, and recommends that the amendments be adopted, and that it do pass as amended.

Committee membership—18; committee vote: Ayes—16; absent—2.

SLATER, Acting Chairman.

Senate Bill No. 10 ordered on file for second reading.

ON ENGROSSMENT, ENROLLMENT AND PRINTING.

SENATE CHAMBER, SACRAMENTO, April 15, 1931.

MR. PRESIDENT: Your Committee on Engrossment, Enrollment and Printing has examined Senate Bill No. 884—An act to amend section 19a42 of the Juvenile Court Law, relating to probation officers in counties of the forty-second class;

Also: Senate Bill No. 885—An act to amend section 2322a42 of the Political Code, relating to the office of agricultural commissioner in counties of the forty-second class;

Also: Senate Bill No. 886—An act to amend section 146a42 of the Weights and Measures Act, relating to sealers of weights and measures in counties of the forty-second class;

And reports that the same have been correctly engrossed.

RILEY, Chairman.

RECESS.

On motion of Senator Breed, at two o'clock and thirty-five minutes p.m., the President of the Senate declared the Senate at recess to meet in the Assembly Chamber to hear an address by United States Senator Samuel M. Shortridge.

RECONVENED.

At four o'clock and three minutes p.m., the Senate reconvened.

Arthur H. Breed, President pro tempore of the Senate, in the chair. Assistant Secretary Francis E. Dalin at the desk.

REPORTS OF STANDING COMMITTEES—(RESUMED).

The following reports of standing committees were received and read:

ON REVISION OF CRIMINAL LAW AND PROCEDURE.

SENATE CHAMBER, SACRAMENTO, April 14, 1931.

MR. PRESIDENT: Your Committee on Revision of Criminal Law and Procedure, to which was referred Senate Bill No. 605—An act to amend section 1329 of the Penal Code, relating to fees of witnesses when from without the county, or without the State of California;

Also: Senate Bill No. 606—An act to amend section 1089 of the Penal Code, relating to number, selection and duties of alternate jurors and to number of peremptory challenges in criminal cases;

Also: Senate Bill No. 607—An act to amend section 484 of the Penal Code, defining theft;

Also: Senate Bill No. 610—An act to amend section 1426 of the Penal Code relating to proceedings in justice's courts and municipal courts;

Also: Senate Bill No. 612—An act to amend section 473 of the Penal Code, relating to and providing for the penalty for the commission of forgery;

Also: Senate Bill No. 614—An act to amend section 689 of the Penal Code, providing that no person can be convicted of a public offense but upon verdict or judgment;

Has had the same under consideration, and respectfully reports the same back, and recommends that they do pass.

Committee membership—9; committee vote: Ayes—8; absent—1.

ROCHESTER, Chairman.

Senate Bills Nos. 605, 606, 607, 610, 612 and 614 ordered on file for second reading.

Also:

MR. PRESIDENT: Your Committee on Revision of Criminal Law and Procedure, to which was referred Senate Bill No. 613—An act to amend section 270a, of the Penal Code, relating to abandonment of wife and omitting to furnish wife with necessities—has had the same under consideration, and respectfully reports the same back with amendments, and recommends that the amendments be adopted, and that it do pass as amended.

Committee membership—9; committee vote: Ayes—8; absent—1.

ROCHESTER, Chairman.

Senate Bill No. 613 ordered on file for second reading.

Also:

MR. PRESIDENT: Your Committee on Revision of Criminal Law and Procedure, to which was referred Assembly Bill No. 332—An act to amend section 647 of the Penal Code, relating to vagrants;

Also: Assembly Bill No. 445—An act to amend section 311 of the Penal Code, relating to lewd conduct or acts and providing penalties therefor; Has had the same under consideration, and respectfully reports the same back, and recommends that they do pass.

Committee membership—9; committee vote: Ayes—7; absent—2.

ROCHESTER, Chairman.

Assembly Bills Nos. 332 and 445 ordered on file for second reading.

Also:

MR. PRESIDENT: Your Committee on Revision of Criminal Law and Procedure, to which was referred Senate Bill No. 641—An act to amend section 197 of the Penal Code, defining justifiable homicide;

Also: Senate Bill No. 642—An act to amend section 2 of chapter 339, Statutes of 1923, entitled "An act to control and regulate the possession, sale and use of pistols, revolvers and other firearms capable of being concealed upon the person; to prohibit the manufacture, sale, possession or carrying of certain other dangerous weapons within this State; to provide for registering all sales of pistols, revolvers or other firearms capable of being concealed upon the person; to prohibit the carrying of concealed firearms except by lawfully authorized persons; to provide for the confiscation and destruction of such weapons in certain cases; to prohibit the ownership, use, or possession of any of such weapons by certain classes of persons; to prescribe penalties for violation of this act and increased penalties for repeated violations hereof; to authorize, in proper cases, the granting of licenses or permits to carry firearms concealed upon the person; to provide for licensing retail dealers in such firearms and regulating sales thereunder; and to repeal chapter 145 of California Statutes of 1917, relating to the same subject," relating to penalties for violations of this act;

Has had the same under consideration, and respectfully reports the same back, and recommends that they do pass.

Committee membership—9; committee vote: Ayes—8; absent—1.

ROCHESTER, Chairman.

Senate Bills Nos. 641 and 642 ordered on file for second reading.

RE-REFERENCE OF ASSEMBLY BILL.

Senator Fellom moved, seconded by Senator Williams, that Assembly Bill No. 130 be re-referred to Committee on Public Health and Quarantine.

Motion carried, and such was the order.

CONSIDERATION OF DAILY FILE.

THIRD READING OF SENATE BILLS—(RESUMED).

Senate Bill No. 709—An act to amend section 4237 of the Political Code, relating to compensation of county and township officers in counties of the eighth class.

Bill read third time.

MOTION TO REFER TO SPECIAL COMMITTEE OF ONE.

During third reading of the bill, Senator Crittenden moved to refer Senate Bill No. 709 to Senator Maloney, as a Special Committee of One, to amend as follows:

AMENDMENT NUMBER ONE.

On page 1, line 6, of the printed bill, after "salaries," insert the following: "fees, and expenses,".

AMENDMENT NUMBER TWO.

On page 4 of the printed bill, strike out lines 51 and 52, and insert in lieu thereof the following: "one hundred sixty dollars per annum; one bookkeeper at a salary of two thousand one hundred dollars per annum; two deputies at a salary of two thousand forty dollars per annum each; four or more".

AMENDMENT NUMBER THREE.

On page 5 of the printed bill, strike out lines 1 to 3, inclusive, and insert in lieu thereof the following: "deputies who shall receive one hundred fifty dollars per month each while actually employed; *provided, however,* that the aggregate pay of such deputies shall not exceed in any one calendar year the sum of three thousand six hundred dollars; one".

AMENDMENT NUMBER FOUR.

On page 5, lines 7 and 8, of the printed bill, strike out "seventy-five", and insert in lieu thereof the following: "sixty-five".

AMENDMENT NUMBER FIVE.

On page 5, line 15, of the printed bill, after the word "month", insert the following: "each".

AMENDMENT NUMBER SIX.

On page 5 of the printed bill, strike out lines 16 and 17, and insert in lieu thereof the following: "dollars per day while employed; *provided, however,* that the aggregate pay of such guard shall not exceed in any one calendar month the sum of one hundred twenty-five dollars."

AMENDMENT NUMBER SEVEN.

On page 5 of the printed bill, strike out lines 35 to 45, inclusive, and insert in lieu thereof the following: "dollars per annum; one fourth assistant district attorney at a salary of two thousand four hundred dollars per annum; one shorthand reporter at a salary of two thousand seven hundred dollars per annum; one county detective at a salary of two thousand four hundred dollars per annum, who shall have all the powers of a peace officer, including deputization, and who shall perform such duties as may be required of him by the district attorney; one secretary at a salary of one thousand five hundred dollars per annum; two stenographers at a salary of one thousand two hundred dollars per annum each."

AMENDMENT NUMBER EIGHT.

On page 6, line 6, of the printed bill, strike out "two thousand one hundred", and insert in lieu thereof the following: "three thousand".

AMENDMENT NUMBER NINE.

On page 6, lines 8 and 9, of the printed bill, strike out "one thousand nine hundred twenty", and insert in lieu thereof the following: "two thousand eight hundred twenty".

AMENDMENT NUMBER TEN.

On page 6 of the printed bill, strike out lines 13 to 20, inclusive, and insert in lieu thereof the following: "thousand nine hundred twenty dollars per annum; one chief jailer who shall receive a salary of two thousand one hundred sixty dollars per annum; three jailers who shall receive a salary of one thousand seven hundred forty dollars per annum each; three bailiffs who shall receive a salary of one thousand six hundred eighty dollars per annum each; one bookkeeper who shall receive a salary of one thousand six hundred eighty dollars per annum; two stenographers who shall receive a salary of one thousand five hundred dollars per annum each; one clerk of the identification bureau who shall receive a salary of one thousand two hundred dollars per annum; one matron of the county jail who shall receive a salary of one thousand two hundred dollars per annum."

AMENDMENT NUMBER ELEVEN.

On page 6 of the printed bill, strike out lines 30 to 52, and on page 7, strike out lines 1 to 5, both inclusive, and insert in lieu thereof the following: "hundred dollars per annum; fourteen field deputies to be employed in the county outside of the city of Stockton, and who shall serve not to exceed eighty days each in any one calendar year, and be paid therefor at the rate of seven dollars per diem each; *provided*, that such deputies shall each furnish at his own expense necessary automobile transportation while so employed; and an emergency deputy or deputies at a salary of five dollars per diem each, which said emergency deputy or deputies shall not receive more than nine thousand six hundred dollars in the aggregate in any one calendar year."

AMENDMENT NUMBER TWELVE.

On page 7 of the printed bill, after line 46, insert as a new paragraph the following: "In counties of this class, the jury commissioner shall be allowed his office expenses not to exceed one hundred fifty dollars per year."

Motion carried.

REPORT OF SPECIAL COMMITTEE OF ONE.

SENATE CHAMBER, SACRAMENTO, April 13, 1931.

MR. PRESIDENT: Your Special Committee of One, to which was referred Senate Bill No. 709, with instructions to amend, respectively reports the same back, amended as per instructions.

MALONEY, Committee.

Report read, and on motion of Senator Crittenden adopted.

Bill ordered to print and re-engrossment.

ADJOURNMENT.

At four o'clock and ten minutes p.m., on motion of Senator Breed, the President declared the Senate adjourned until eleven o'clock a.m., Thursday, April 16, 1931.

HAROLD J. POWERS, Minute Clerk.

IN SENATE.

SENATE CHAMBER,

SACRAMENTO, Thursday, April 16, 1931.

The Senate met at eleven o'clock a.m.

Lieutenant Governor Frank F. Merriam, President of the Senate, in the chair.

Secretary Joseph A. Beek at the desk.

ROLL CALL.

The roll was called, and the following answered to their names:

Senators Allen, Baker, Breed, Bush, Carter, Cassidy, Christian, Cleveland, Clock, Crittenden, Deuel, Duval, Edwards, Evans, Fellom, Harper, Hays, Ingels, Inman, Jones, Maloney, McCormack, McKinley, Mixer, Moran, Nelson, Pedrotti, Rich, Riley, Rochester, Schottky, Sharkey, Slater, Swing, Treacy, Tubbs, Wagy, Williams, and Young—39.

Quorum present.

PRAYER.

Prayer was offered by the Chaplain, Rev. Sherman L. Divine.

READING OF THE JOURNAL.

During the reading of the Journal of Wednesday, April 15, 1931, the further reading was dispensed with, on motion of Senator Slater.

PRIVILEGE OF FLOOR OF SENATE EXTENDED.

On request of Senator Breed, the privilege of the floor of the Senate Chamber for this day was unanimously extended to Mrs. J. A. Beek, and sons, Barton Brewster Beek and Allan Beek, of Balboa, Orange County, California.

On request of Senator Treacy, the privilege of the floor of the Senate Chamber for this day was unanimously extended to Mrs. Roy Fellom and daughter, Lorraine Fellom, of San Francisco.

On request of Senator Clock, the privilege of the floor of the Senate Chamber for this day was unanimously extended to Lloyd C. Leedom of East Long Beach.

On request of Senators Breed and Fellom, the privilege of the floor of the Senate Chamber for this day was unanimously extended to John D. McKee and Gregory Harrison of San Francisco.

On request of Senator McCormack, the privilege of the floor of the Senate Chamber for this day was unanimously extended to Dixon Grammar School: teachers, Mr. C. A. Jacobs and Miss Merle McLennan, and pupils as follows: Dorothy Bello, Madeline Hopkins, Angelina Mello, Jean Miller, Georgana Rohwer, Emma Rose Sisson, Ida Thomsen, Phyllis Watson, Lee Ashby, Arthur Bello, Guthrie Greene, Stuart Grady, Norman Jahn, Richard Johnson, Emory McGrew, John Miller, Karl Muller, Walter Reimers, Robert Shellhamer, Glen Smith, Ellen Dana, Edgar Zienke, Shun Aoyagi, Weston Averill, Walter Hay, Tyrell Hissey, Bruce Holly, Karl Reeb, Eggert Rohwer, Emil Rossi, Clyde Smith, Bill Wilson, Alice Bello, Mary Chiles, Pauline Cross, Zelma Fegley, Gertrude Johnson, Josephine Muller, Rosallyne Reeb, Dorothy Schoener, Rose DeMello, Adam DeMello and Dorothy DeMello.

On request of Senator Schottky, the privilege of the floor of the Senate Chamber for this day was unanimously extended to George E. Ewing of Planada.

On request of Senator Harper, the privilege of the floor of the Senate Chamber for this day was unanimously extended to Allen H. Wright of San Diego.

On request of Senator Bush, the privilege of the floor of the Senate Chamber for this day was unanimously extended to Mr. and Mrs. J. R. Broughton of Modesto.

On request of Senator Bush, the privilege of the floor of the Senate Chamber for this day was unanimously extended to Empire Grammar School, Stanislaus County: Robert A. Hill, principal, and eighth grade pupils as follows: Irvin Wisenor, Dorothy Elsherry, Harold Schmidt, John Zamora, Norman Frantz, Bessie Peters, John Darrimon, Lora Peters, Charline Troxel, Patricia Boyer, Angelo Romano, Marion Showalter, Byron Heiny, Kathryn Kinyon, Warren Wilson, Alice Bauche, Harvey Shirk, Carol Evans, Richard Blanchard, Jeraldine Stratton, Norman McKnight, Crystal Blakesley, Rolland Clapham, Maxine Reager, Allen Thompson, Wilfred Weaver, Arlo Hilkey and Esther Loose; and parents and teachers accompanying pupils as follows: Mrs. Fannie Seerest, Mrs. Crystal Blakesley, Mr. Charles Troxel, Mr. Charles Swanger, Mr. Frank Goodwin, Mr. L. D. Chapin, Mr. Herman Loose and Mr. and Mrs. James Reager.

MESSAGES FROM THE ASSEMBLY.

The following messages from the Assembly were received and read:

ASSEMBLY CHAMBER, SACRAMENTO, April 15, 1931.

MR. PRESIDENT: I am directed to inform your honorable body that the Assembly on this day concurred in Senate amendments to Assembly Bill No. 301—An act to amend section 78 of the Political Code, relating to Senatorial and Assembly districts.

ARTHUR A. OHNIMUS, Chief Clerk.
By A. W. ENGELKE, Assistant Clerk.

Also:

ASSEMBLY CHAMBER, SACRAMENTO, April 15, 1931.

MR. PRESIDENT: I am directed to inform your honorable body that the Assembly on this day passed Senate Concurrent Resolution No. 34—Relative to approving the charter of the city of San Diego, which was submitted to the qualified voters of said city and voted for and ratified by them at the general municipal election held on the seventh day of April, 1931.

ARTHUR A. OHNIMUS, Chief Clerk.
By A. W. ENGELKE, Assistant Clerk.

Senate Concurrent Resolution No. 34 ordered to enrollment.

Also:

ASSEMBLY CHAMBER, SACRAMENTO, April 15, 1931.

MR. PRESIDENT: I am directed to inform your honorable body that the Assembly on this day passed Assembly Bill No. 448—An act to add a new section to the School Code to be numbered 5.721, providing for the granting of leaves with compensation to certificated employees of school districts because of accident, illness, quarantine or temporary inability to perform duties;

Also: Assembly Bill No. 734—An act to establish a standard for fire hose couplings and fire hydrant fittings, to provide for alteration of such existing equipment, to prevent the sale of such equipment as does not conform with such standard, and to prescribe penalties for violations of this act;

Also: Assembly Bill No. 286—An act to amend section 4276 of the Political Code, relating to the salaries and fees of officials in counties of the forty-seventh class;

Also: Assembly Bill No. 1632—An act to add a new section, to be numbered 9a35, to the act entitled "An act to provide for the establishment and maintenance of county free libraries in the State of California, and repealing 'An act entitled 'An act to provide county library systems,' approved April 12, 1909, and all acts and parts of acts in conflict with this act,'" approved February 25, 1911, as amended, relating to libraries in counties of the thirty-fifth class;

Also: Assembly Bill No. 406—An act to amend sections 765, 767, 768 and 773 of chapter 49, Statutes of 1883, entitled "An act to provide for the organization, incorporation, and government of municipal corporations," approved March 13, 1883, relating to cities of the fifth class.

ARTHUR A. OHNIMUS, Chief Clerk.
By A. W. ENGELKE, Assistant Clerk.

Assembly Bill No. 448 read first time, and referred to Committee on Education.

Assembly Bill No. 734 read first time, and referred to Committee on Insurance.

Assembly Bills Nos. 286 and 1632 read first time, and referred to Committee on County Government.

Assembly Bill No. 406 read first time, and referred to Committee on Municipal Corporations.

Also:

ASSEMBLY CHAMBER, SACRAMENTO, April 15, 1931.

MR. PRESIDENT: I am directed to inform your honorable body that the Assembly on this day concurred in Senate amendments to Assembly Bill No. 374—An act to amend section 4245 of the Political Code, relating to salaries and fees of county and township officers, and organization of townships in counties of the sixteenth class;

Also: Assembly Bill No. 1626—An act to validate proceedings had and taken by municipalities under that certain act entitled "An act to amend an act entitled 'An act to provide for the alteration of the boundaries of incorporated towns and cities by the annexation of uninhabited territory thereto, and for the incorporation of such annexed territory in and as a part of such municipality, and for the districting, government and municipal control of annexed territory,' which became a law without the Governor's approval March 2, 1899, by amending section 1 thereof, relating to annexation of uninhabited territory" (approved by the Governor May 23, 1929. In effect August 14, 1929).

ARTHUR A. OHNIMUS, Chief Clerk.
By A. W. ENGELKE, Assistant Clerk.

Also :

ASSEMBLY CHAMBER, SACRAMENTO, April 15, 1931.

MR. PRESIDENT: I am directed to inform your honorable body that the Assembly on this day passed Senate Bill No. 168—An act to amend section 117 of the Political Code, relating to congressional districts.

ARTHUR A. OHNIMUS, Chief Clerk.
By A. W. ENGELKE, Assistant Clerk.

Senate Bill No. 168 ordered to enrollment.

REPORTS OF STANDING COMMITTEES.

The following reports of standing committees were received and read :

ON MUNICIPAL CORPORATIONS.

SENATE CHAMBER, SACRAMENTO, April 16, 1931.

MR. PRESIDENT: Your Committee on Municipal Corporations, to which was referred Senate Concurrent Resolution No. 29—Approving an amendment to the charter of the city of San Diego, a municipal corporation in the county of San Diego, State of California, voted for and ratified by the electors of said city of San Diego at a special municipal election held therein on the twenty-fourth day of March, 1931—has had the same under consideration, and respectfully reports the same back, and recommends that it be adopted.

Committee membership—9; committee vote: Ayes—6; absent—3.

HARPER, Chairman.

Senate Concurrent Resolution No. 29 ordered on file.

Also :

MR. PRESIDENT: Your Committee on Municipal Corporations, to which was referred Senate Bill No. 503—An act to amend an act entitled "An act to provide for the organization, incorporation, and government of municipal corporations," approved March 13, 1883, as amended, by amending sections 806 and 882 thereof, relating to the jurisdiction of courts, in municipal corporations of fifth and sixth classes—has had the same under consideration, and respectfully reports the same back with amendments, and recommends that the amendments be adopted, and that it do pass as amended.

Committee membership—9; committee vote: Ayes—6; absent—3.

HARPER, Chairman.

Senate Bill No. 503 ordered on file for second reading.

Also :

MR. PRESIDENT: Your Committee on Municipal Corporations, to which was referred Senate Bill No. 54—An act to amend section 11 of chapter 247, Statutes of 1913, entitled "An act to provide for the acquisition, installation, construction, reconstruction, extension, repair and maintenance by municipalities of water works, electric power works, gas works, lighting works, and other public works and utilities; for the assessment of the cost and expenses thereof upon the property benefited; and for the issuance of improvement bonds to represent such assessments, and to repeal an act entitled 'An act to provide for the lighting of public streets, lanes, alleys, courts and places in municipalities, and for the assessment of the costs and expenses thereof upon the property benefited thereby,' approved March 21, 1905," approved June 6, 1913, relating to redemption of property sold—has had the same under consideration, and respectfully reports the same back, and recommends that it do pass.

Committee membership—9; committee vote: Ayes—6; absent—3.

HARPER, Chairman.

Senate Bill No. 54 ordered on file for second reading.

Also :

MR. PRESIDENT: Your Committee on Municipal Corporations, to which was referred Senate Bill No. 922—An act to amend an act entitled "An act to provide for the payment by the State or counties, or cities, or cities and counties, of the premium or charge on official bonds when given by surety companies," approved March 25, 1903, as amended—has had the same under consideration, and respectfully reports the same back with amendments, and recommends that the amendments be adopted, and the bill be re-referred to this committee.

Committee membership—9; committee vote: Ayes—6; absent—3.

HARPER, Chairman.

CONSIDERATION OF COMMITTEE AMENDMENTS.

Pursuant to the report of the Committee on Municipal Corporations, the following amendments to Senate Bill No. 922 were read and adopted:

AMENDMENT NUMBER ONE.

In line 1 of the title of the printed bill, insert after "amend", the following: "section 1 of".

AMENDMENT NUMBER TWO.

In line 2 of the title of the printed bill, insert after the comma after "counties", the following: "or school districts, or other special districts,".

AMENDMENT NUMBER THREE.

On page 1, line 1, of the printed bill, strike out "the", and insert in lieu thereof "an".

AMENDMENT NUMBER FOUR.

On page 1, line 2, of the printed bill, insert after the comma after "counties", the following: "or school districts, or other special districts,".

AMENDMENT NUMBER FIVE.

On page 1, line 6, of the printed bill, strike out the figure "1", and insert in lieu thereof the following:

"Section 1. The premium or charge for bonds given by surety companies for state officials, county officials, township officials, school district officials, other special district officials, city officials, or city and county officials, or the deputies, clerks, assistants or subordinate officers of said officials, shall be paid by the state, county, school district, other special district, city, or city and county, respectively; *provided*, that no premium or charge shall exceed one-half of one per cent per annum on the amount of such bond; *and provided, further*, that this act shall not apply to notaries public; *and provided, further*, that in case of township officials the premium shall be paid by the county in which the township is situate."

Bill ordered to print, and re-referred to Committee on Municipal Corporations.

ON FINANCE.

SENATE CHAMBER, SACRAMENTO, April 16, 1931.

MR. PRESIDENT: Your Committee on Finance, to which was referred Senate Bill No. 17—An act appropriating money for the control and conservation of flood waters in the Los Angeles county flood control district—has had the same under consideration, and respectfully reports the same back with amendment, and recommends that the amendment be adopted, and the bill be re-referred to this committee.

Committee membership—18; committee vote: Ayes—14; absent—4.

SWING, Chairman.

CONSIDERATION OF COMMITTEE AMENDMENT.

Pursuant to the report of the Committee on Finance, the following amendment to Senate Bill No. 17 was read and adopted:

AMENDMENT NUMBER ONE.

On page 1, line 13, of the printed bill, as amended March 19, 1931, following the numerals "1932", strike out the period and insert a semicolon and the following: "*and, provided further*, that until the flood control and conservation program of work of said district has been completed, authority is hereby given to insert in the budget for succeeding bienniums such amounts for annual expenditures for such purposes as the director of finance shall deem necessary to carry on such work to completion, and any sum so budgeted shall be expended as herein provided."

Bill ordered to print, and re-referred to Committee on Finance.

Also:

MR. PRESIDENT: Your Committee on Finance, to which was referred Senate Bill No. 415—An act making an appropriation to pay the claim of Southern Pacific Company, a corporation, against the State of California—has had the same under consideration, and respectfully reports the same back, and recommends that it do pass.

Committee membership—18; committee vote: Ayes—14.

SWING, Chairman.

Senate Bill No. 415 ordered on file for second reading.

ON MUNICIPAL CORPORATIONS.

SENATE CHAMBER, SACRAMENTO, April 16, 1931.

MR. PRESIDENT: Your Committee on Municipal Corporations, to which was referred Assembly Bill No. 1103—An act to amend sections 19 and 20 of an act entitled "An act to provide a Central Bureau for the preservation of records of marriages, births and deaths, and to provide for the registration of all births and deaths, the establishment of registration districts under the superintendence of the State Bureau of Vital Statistics; the issuance and registration of burial and disinterment permits and certificates of births and deaths; the appointment of State and local registrars of vital statistics; to prescribe the powers and duties of registrars, coroners, physicians, undertakers, sextons and other persons in relation to such registration and to fix penalties for violation of this act; to create the offices of State and local registrars of vital statistics, to provide for the salary and fees of same; to repeal all acts and parts of acts in conflict herewith," approved May 19, 1915, as amended, to require local registrars to furnish copies of death certificates to county clerks or county registrars of voters without cost—has had the same under consideration, and respectfully reports the same back with amendments, and recommends that the amendments be adopted, and the bill be re-referred to this committee.

Committee membership—9; committee vote: Ayes—6; absent—3.

HARPER, Chairman.

CONSIDERATION OF COMMITTEE AMENDMENTS.

Pursuant to the report of the Committee on Municipal Corporations, the following amendments to Assembly Bill No. 1103 were read and adopted:

AMENDMENT NUMBER ONE.

In line 1 of the title of the printed bill, as amended, before the numeral "19", insert the numeral "18", and a comma.

AMENDMENT NUMBER TWO.

On page 1 of the printed bill, as amended, after the enacting clause, insert the following:

"SECTION 1. Section 18 of the act cited in the title hereof is hereby amended to read as follows:

Sec. 18. The state registrar shall prepare and distribute all forms and blanks for use in registering, recording and preserving the returns, or in otherwise carrying out the purposes of this act; and shall prepare and issue such detailed instructions as may be required to procure the uniform observance of its provisions and the maintenance of a perfect system of registration; and no other forms or blanks shall be used than those prepared by the state registrar. He shall carefully examine the certificates received monthly from the local registrars, and if any such are incomplete or unsatisfactory he shall require such further information to be supplied as may be necessary to make the record complete and satisfactory. And all physicians, midwives, informants, undertakers, clergymen, or judges, and all other persons having knowledge of the facts, are hereby required to supply, upon the forms provided or upon the original certificate, such information as they may possess regarding any birth or death or marriage upon demand of the state registrar, in person, by mail, or through the local registrar; *provided*, that no certificate of birth or death or marriage, after its acceptance for registration by the local registrar, and no other record made in pursuance of this act, shall be altered or changed in any respect, except where supplemental information required for statistical purposes is furnished.

(a) Whenever it may be alleged that the facts are not correctly stated in any certificate of birth, death, or marriage, already registered, the local registrar shall require an affidavit under oath to be made by the person asserting the fact, setting forth the changes necessary to make the record correct, and supported by the affidavit of one other credible person having knowledge of the facts. Having received such affidavits, the local registrar shall file them together with an amended certificate and he shall note the fact of the amendment with its date on the margin of the otherwise unaltered original certificate. He shall transmit the original certificate with the affidavits and amended certificate attached when making his regular monthly returns to the state registrar. He shall also retain copies for his files. If the correction relates to a certificate previously returned to the state registrar the local registrar shall forthwith transmit the affidavits to the state registrar. If the correction is first made in the state bureau of vital statistics the state registrar shall transmit a certified copy of the amended certificate to the local registrar.

The state registrar shall further arrange, bind and permanently preserve the certificates in a systematic manner and shall prepare and maintain a comprehensive and continuous index of all births and deaths registered; said index to be arranged alphabetically, in the case of deaths, by the names of decedents, and in the case of births, by the names of fathers and maiden names of mothers, and in the case of marriages by the names of both grooms and brides. He shall inform all registrars what diseases are to be considered infectious, contagious, or communicable and dangerous to the public health, as decided by the state board of health, in order that

when deaths occur from such diseases proper precautions may be taken to prevent their spread.

On and after the last day of March, 1932, it shall be the duty of the state registrar of vital statistics to make and transmit to the county clerk or registrar of voters of each county, on or before the last day of each month, a list of all those persons over twenty-one years of age whose deaths have occurred within each said county and have been registered with him during the preceding month."

AMENDMENT NUMBER THREE.

On page 1, line 1, of the printed bill, as amended, beginning with the numeral 1, strike out all of the matter down to and including the comma after the word "amended", on page 2, line 6, and insert in lieu thereof:

"2. Section 19 of said act".

AMENDMENT NUMBER FOUR.

On page 2, line 44, of the printed bill, as amended, strike out the word "or", and insert in lieu thereof the word "and".

AMENDMENT NUMBER FIVE.

On page 2, line 47, of the printed bill, as amended, beginning with the word "It", strike out all of the matter down to and including the period on page 3, line 27, and insert in lieu thereof the following:

"SEC. 3. Section 20 of said act is hereby amended to read as follows:

Sec. 20. Each local registrar shall be paid the sum of twenty-five cents for each birth certificate and each death certificate properly and completely made out and registered with him, and correctly recorded and promptly returned by him to the state registrar, as required by this act, out of which fees he shall pay the sub-registrar the sum of fifteen cents in cases where the certificate is registered with the subregistrar; *provided, however*, that said fees shall not be paid unless a copy of each certificate of birth and death is transmitted at the same time to the county recorder for a special county record as provided for in section 4 of this act. And in case no births and no deaths were registered during any month, the local registrar shall be entitled to be paid the sum of twenty-five cents for each report to that effect but only if such report be made promptly as required by this act. All amounts shall be paid by the treasurer of the county in which the registration district is located, upon warrants drawn by the auditor. And the state registrar shall quarterly certify to the auditors of the several counties the number of births and deaths properly registered, with the names of the local registrars and the amounts due each at the rates fixed herein; *provided*, that no fee shall be paid by the county to, or for the services of, any local registrar who is also clerk or health officer of any city, town, or county and whose salary as such clerk or health officer is by law his sole compensation for his services."

Bill ordered to print, and re-referred to Committee on Municipal Corporations.

Also:

MR. PRESIDENT: Your Committee on Municipal Corporations, to which was referred Assembly Bill No. 228—An act to amend sections 3, 5, 6, 7, 10, 17, 21, 23, 24, 25, 26, 60, 61, 63 and 66 of an act entitled "An act to provide for work in and upon streets, avenues, lanes, alleys, courts, places and sidewalks within municipalities, and upon property and rights of way owned by municipalities or of which a municipality has possession and the right of use under the provisions of section 14 of article I of the constitution, and for establishing and changing the grades of any such streets, avenues, lanes, alleys, courts, places, sidewalks, properties or rights of way, and providing for the issuance and payment of street improvement bonds to represent certain assessments for the cost thereof, and providing a method for the payment of such bonds," approved April 7, 1911, Statutes 1911, page 730, as amended, and to add sections 1a, 65a, relating to street improvements, and methods of paying for the same;

Also: Assembly Bill No. 236—An act to amend section 5 of an act entitled "An act to provide for the issuance of improvement bonds to represent and be secured by certain assessments made for the cost of certain work and improvements made in and upon streets, avenues, lanes, alleys, courts, places and sidewalks within municipalities and upon property and rights of way owned by municipalities, to provide for the collection of such assessments, the sale of the property affected thereby and for the payment of the bonds so issued," approved June 11, 1915, Statutes 1915, page 1441;

Also: Assembly Bill No. 908—An act to amend sections 1, 2, 3, 4, 5, and 7, and add new sections to be numbered 5a and 7a to an act entitled "An act providing for the issuance of improvement bonds to represent certain special assessments for public improvements, and providing for the effect and enforcement of such bonds," approved April 27, 1911, as amended, relating to street improvement bonds;

Has had the same under consideration, and respectfully reports the same back with amendments, and recommends that the amendments be adopted and the bill be re-referred to this committee.

Committee membership—9; committee vote: Ayes—6; absent—3.

HARPER, Chairman.

CONSIDERATION OF COMMITTEE AMENDMENTS.

Pursuant to the report of the Committee on Municipal Corporations, the following amendments to Assembly Bill No. 228 were read and adopted:

AMENDMENT NUMBER ONE.

In line 2 of the title of the printed bill, as amended, after the word "60", insert "and"; and after "61", strike out the following: "63 and 66".

AMENDMENT NUMBER TWO.

In line 15 of the title of the printed bill, as amended, after "1a," insert the following: "20k, 30a and".

AMENDMENT NUMBER THREE.

In lines 16 and 17 of the title of the printed bill, as amended, strike out the following: "street improvements, and methods of paying for the same.", and insert in lieu thereof the following: "the doing of work upon streets, avenues, lanes, alleys, courts, places and sidewalks, and the disposal of certain of said works and the method of providing for the payment for such works."

AMENDMENT NUMBER FOUR.

On page 1, line 1, of the printed bill, as amended, after the word "Section", strike out "a1", and insert in lieu thereof "1".

AMENDMENT NUMBER FIVE.

On page 2, line 13, of the printed bill, as amended, after "rights of way", insert the following: "; and for laying and installing water pipes and gas pipes together with appurtenances and for the transfer of such improvements to private owners and for disposition of funds derived from such transfer;"

AMENDMENT NUMBER SIX.

On page 2, line 17, of the printed bill, as amended, after the word "Section", strike out "a2", and insert in lieu thereof "2".

AMENDMENT NUMBER SEVEN.

On page 2, line 37, of the printed bill, as amended, after "way", strike out "or".

AMENDMENT NUMBER EIGHT.

On page 3, line 15, of the printed bill, as amended, strike out the word "property", and insert in lieu thereof "territory".

AMENDMENT NUMBER NINE.

On page 3, line 43, of the printed bill, as amended, strike out "a3", and insert in lieu thereof "3".

AMENDMENT NUMBER TEN.

On page 5, line 18, of the printed bill, as amended, strike out "Section 1", and insert in lieu thereof "Sec. 4."

AMENDMENT NUMBER ELEVEN.

On page 6, line 32, of the printed bill, as amended, after "Sec.", strike out "1a", and insert in lieu thereof "5".

AMENDMENT NUMBER TWELVE.

On page 7, line 47, of the printed bill, as amended, after "Sec.", strike out "1b", and insert in lieu thereof "6".

AMENDMENT NUMBER THIRTEEN.

On page 8, line 9, of the printed bill, as amended, strike out "1c. That section", and insert in lieu thereof the following: "7. Section".

AMENDMENT NUMBER FOURTEEN.

On page 8, line 26, of the printed bill, as amended, strike out "proposed", and insert in lieu thereof "proposes".

AMENDMENT NUMBER FIFTEEN.

On page 9, line 27, of the printed bill, as amended, strike out "1d. That a", and insert in lieu thereof "8. A".

AMENDMENT NUMBER SIXTEEN.

On page 9, line 27, of the printed bill, as amended, after the word "section", strike out "be", and insert in lieu thereof "is hereby".

AMENDMENT NUMBER SEVENTEEN.

On page 9, line 49, of the printed bill, as amended, strike out "1c. That a", and insert in lieu thereof "9. A".

AMENDMENT NUMBER EIGHTEEN.

On page 9, line 49, of the printed bill, as amended, after the word "section", strike out the word "be", and insert in lieu thereof "is hereby".

AMENDMENT NUMBER NINETEEN.

On page 11, line 30, of the printed bill, as amended, strike out "2", and insert in lieu thereof "10".

AMENDMENT NUMBER TWENTY.

On page 12, line 1, of the printed bill, as amended, strike out "3", and insert in lieu thereof "11".

AMENDMENT NUMBER TWENTY-ONE.

On page 13 of the printed bill, as amended, strike out lines 42 to 52, inclusive, and on page 14 of the printed bill, strike out lines 1 to 13, inclusive.

AMENDMENT NUMBER TWENTY-TWO.

On page 14, line 14, of the printed bill, as amended, strike out "4a", and insert in lieu thereof "12".

AMENDMENT NUMBER TWENTY-THREE.

On page 14, line 33, of the printed bill, as amended, strike out "5", and insert in lieu thereof "13".

AMENDMENT NUMBER TWENTY-FOUR.

On page 14 of the printed bill, as amended, strike out lines 35 to 52, inclusive, and on page 15 of the printed bill strike out lines 1 to 29, inclusive, and insert in lieu thereof the following:

"SEC. 25. The warrant shall be returned to the superintendent of streets on or after thirty (30) days after the date of recording same, with the written statement of all payments received upon the assessment, signed by the contractor of his assigns. Thereupon, the superintendent of streets shall file the statement so made with the record of the warrant and assessment by attaching it in the same book and immediately following the record of the assessment. Upon such filing, the warrant shall be redelivered to the contractor or his assigns.

The said superintendent of streets is authorized at any time to receive the amount due upon any assessment and warrant issued by him and giving good and sufficient discharge therefor: *provided*, a bond has not issued to represent said assessment; *provided, further*, that when suit shall have been brought to collect the amount due upon any assessment as herein provided, the plaintiff shall file with the superintendent of streets a written notice of the pendency of said action showing the particular assessments affected by said action or actions; and after the filing of said notice, the said superintendent of streets shall not receive any money on account of said assessment, and thereafter he shall have no authority to cancel said assessment or give discharge thereof without the written consent of the owner or collector in section 27 hereof, any property upon which the assessment described in said notice is a lien. In case any warrant is lost, upon proof of such loss, a duplicate can be issued upon which collections may be made with the same effect as on the original. After the filing of the written statement of payments as aforesaid, all amounts remaining due thereon shall draw interest at the rate of one per cent (1%) per month until paid, said interest to be computed from the date of the filing of the contractor's statement and if such amount be not paid within six (6) months thereafter, there shall be added thereto a penalty of five per cent (5%) of the principal amounts then due thereon.

Notwithstanding the provisions of sections 23 and 24 and the preceding provisions of this section of this act relative to the collection of the assessments by the contractor or his assigns, the city council may, by ordinance, provide that all payments made upon any assessment and warrant within thirty (30) days from the recordation thereof, shall be made to the superintendent of streets, who shall mail a statement to each owner of real property within the assessment district whose name appears on the last equalized assessment roll, at the address appearing on said roll or on file in the office of the city clerk, or to both such addresses, if they are not the same, and that such statement shall contain a designation of the property assessed by street number, or some other description sufficient to enable the property owner to identify the property, a statement of the amount of the assessment, and the time and place of payment, the effect of failure to pay within such time and that, if bonds are to be issued, a statement of that fact, designating the act pursuant to which such bonds are to be issued; *provided*, that if the superintendent of streets be so authorized by ordinance to collect said assessments, said ordinance shall also provide that said superintendent of streets shall furnish to the contractor or his assigns a good and sufficient surety bond conditioned for the full and prompt payment by the superintendent of streets to the contractor or his assigns of all assessments so collected by said superintendent of streets, said bond shall be in an

amount not less than ten (10) per cent of the total amount of the assessment shown on the assessment roll if such total amount does not exceed two hundred and fifty thousand (250,000) dollars and shall be in the amount of twenty-five thousand (25,000) dollars if the total amount of the assessments shown on the assessment roll exceeds the sum of two hundred and fifty thousand (250,000) dollars. The premium on such bond shall be payable as a part of the incidental expenses of the proceeding."

AMENDMENT NUMBER TWENTY-FIVE.

On page 15, line 30, of the printed bill, as amended, strike out "5a", and insert in lieu thereof "14".

AMENDMENT NUMBER TWENTY-SIX.

On page 16, line 1, of the printed bill, as amended, strike out "6", and insert in lieu thereof "15".

AMENDMENT NUMBER TWENTY-SEVEN.

On page 17, line 10, of the printed bill, as amended, strike out "7", and insert in lieu thereof "16".

AMENDMENT NUMBER TWENTY-EIGHT.

On page 17, line 17, of the printed bill, as amended, strike out "8", and insert in lieu thereof "17".

Bill ordered to print, and re-referred to Committee on Municipal Corporations.

CONSIDERATION OF COMMITTEE AMENDMENTS.

Pursuant to the report of the Committee on Municipal Corporations, the following amendments to Assembly Bill No. 236 were read and adopted:

AMENDMENT NUMBER ONE.

In line 10 of the title of the printed bill, after "1441", insert the following: "as amended, relating to the time for the issuance of bonds under the improvement bond act of 1915".

AMENDMENT NUMBER TWO.

On page 1, line 10, of the printed bill, after "1441", insert "as amended".

AMENDMENT NUMBER THREE.

On page 1, line 12, of the printed bill, strike out "of", and "by the city", and in line 13, strike out the words "council and".

AMENDMENT NUMBER FOUR.

On page 1, line 18, of the printed bill, strike out "the street opening act of 1903".

AMENDMENT NUMBER FIVE.

On page 3, lines 25 and 26, of the printed bill, strike out "issued to the contractor".

Bill ordered to print, and re-referred to Committee on Municipal Corporations.

CONSIDERATION OF COMMITTEE AMENDMENTS.

Pursuant to the report of the Committee on Municipal Corporations, the following amendments to Assembly Bill No. 908 were read and adopted:

AMENDMENT NUMBER ONE.

In line 1 of the title of the printed bill, as engrossed, after "add", strike out "a", and insert in lieu thereof "two".

AMENDMENT NUMBER TWO.

On page 1, line 1, of the printed bill, as engrossed, strike out "a1", and insert in lieu thereof "1".

AMENDMENT NUMBER THREE.

On page 1, line 7, of the printed bill, as engrossed, strike out "1923", and insert in lieu thereof "1903".

AMENDMENT NUMBER FOUR.

On page 2, line 15, of the printed bill, as engrossed, strike out "1", and insert in lieu thereof "2".

AMENDMENT NUMBER FIVE.

On page 2, line 27, of the printed bill, as engrossed, strike out "2", and insert in lieu thereof "3".

AMENDMENT NUMBER SIX.

On page 2, line 39, of the printed bill, as engrossed, after "to", insert "represent".

AMENDMENT NUMBER SEVEN.

On page 3, line 3, of the printed bill, as engrossed, after "second", insert "day of".

AMENDMENT NUMBER EIGHT.

On page 3, line 19, of the printed bill, as engrossed, strike out "3", and insert in lieu thereof "4".

AMENDMENT NUMBER NINE.

On page 3, line 37, of the printed bill, as engrossed, after "of", insert "the".

AMENDMENT NUMBER TEN.

On page 5, lines 6, 7, 8 and 9, of the printed bill, as engrossed, strike out the following: "with interest thereon calculated up to the due date of the next maturing interest coupon, together with interest for six months at the rate of ----- per cent per annum.", and insert in lieu thereof the following: "together with the amount of interest as shown on the two interest coupons maturing first after the date of such payment and all penalties accrued and unpaid."

AMENDMENT NUMBER ELEVEN.

On page 5, line 39, of the printed bill, as engrossed, strike out "4", and insert in lieu thereof "5".

AMENDMENT NUMBER TWELVE.

On page 6, lines 9, 10 and 11, of the printed bill, as engrossed, strike out the following: "with interest thereon calculated up to the due date of the next maturing interest coupon at the rate named in the bond,".

AMENDMENT NUMBER THIRTEEN.

On page 6, line 12, of the printed bill, as engrossed, strike out "next numbered", and insert in lieu thereof "two".

AMENDMENT NUMBER FOURTEEN.

On page 6, line 13, of the printed bill, as engrossed, strike out the word "coupon", and insert in lieu thereof the following: "coupons maturing first after the date of such payment".

AMENDMENT NUMBER FIFTEEN.

On page 6, line 23, of the printed bill, as engrossed, strike out "4a", and insert in lieu thereof "6".

AMENDMENT NUMBER SIXTEEN.

On page 6, line 23, of the printed bill, as engrossed, after the word "section", strike out "to be", and insert in lieu thereof "is hereby".

AMENDMENT NUMBER SEVENTEEN.

On page 6, line 27, of the printed bill, as engrossed, strike out "4a", and insert in lieu thereof "4".

AMENDMENT NUMBER EIGHTEEN.

On page 7, line 11, of the printed bill, as engrossed, after "(\$10)", insert ")".

AMENDMENT NUMBER NINETEEN.

On page 7, line 28, of the printed bill, as engrossed, strike out "5", and insert in lieu thereof "7".

AMENDMENT NUMBER TWENTY.

On page 8, line 12, of the printed bill, as engrossed, strike out "6", and insert in lieu thereof "8".

AMENDMENT NUMBER TWENTY-ONE.

On page 8, lines 27 and 28, of the printed bill, as engrossed, strike out the following: "of intention as".

Bill ordered to print, and re-referred to Committee on Municipal Corporations.

Also:

MR. PRESIDENT: Your Committee on Municipal Corporations, to which was referred Assembly Bill No. S29—An act to amend the title, to amend sections 1, 1a, 2, 3, 4, 5, 10, 14, 18, 21 and 22 and to add a new section to be numbered section 20a, to an act entitled "An act to provide for the laying out, opening, extending, widening, or straightening, in whole or in part, of public highways, roads, streets, squares, lanes, alleys, courts, and places, within municipalities, or within unincorporated territory and one or more municipalities, or lying within two or more municipalities; for the condemnation of property necessary or convenient for such purposes, or of any interest therein, and for the establishment of assessment districts and the assess-

ment of property therein to pay the expense of such improvement, and providing for aid from the county or municipalities toward the expense of such improvement," approved March 24, 1903, as amended, relating to street improvements—has had the same under consideration, and respectfully reports the same back with amendments, and recommends that the amendments be adopted, and that it do pass as amended.

Committee membership—9; committee vote: Ayes—6; absent—3.

HARPER, Chairman.

Assembly Bill No. 829 ordered on file for second reading.

Also:

MR. PRESIDENT: Your Committee on Municipal Corporations, to which was referred Assembly Bill No. 120—An act to amend section 718 of the Civil Code, relating to the leasing of municipal property;

Also: Assembly Bill No. 183—An act to amend an act entitled "An act providing for the incorporation, government and management of metropolitan water districts, authorizing such districts to incur bonded debt and to acquire, construct, operate and manage works and property, providing for the taxation of property therein and the performance of certain functions relating thereto by officers of counties, providing for the addition of area thereto and the exclusion of area therefrom and authorizing municipal corporations to aid and participate in the incorporation of such districts," approved May 10, 1927, as amended, designated the "Metropolitan Water District Act," by amending sections 2, 5, 5½, 6, 7, 8 and 9, all relating to the incorporation, powers, government and management of metropolitan water districts, and the addition of area thereto and declaring same an urgency measure;

Also: Assembly Bill No. 824—An act granting to the city of Los Angeles certain real property of the State lying within the boundaries of said city, acquired for highway purposes under the jurisdiction of the California Highway Commission, and authorizing the Director of Finance to convey title to said property in the name of the State to said city;

Also: Assembly Bill No. 825—An act to amend section 12 of an act entitled "An act to provide for the formation of districts within municipalities for the acquisition or construction of public improvements, works and public utilities; for the issuance, sale and payment of bonds of such districts to meet the cost of such improvements; and for the acquisition or construction of such improvements," approved May 24, 1927, relating to municipal improvement districts; Has had the same under consideration, and respectfully reports the same back, and recommends that they do pass.

Committee membership—9; committee vote: Ayes—6; absent—3.

HARPER, Chairman.

Assembly Bills Nos. 120, 183, 824 and 825 ordered on file for second reading.

Also:

MR. PRESIDENT: Your Committee on Municipal Corporations, to which was referred Assembly Bill No. 827—An act to provide for the maintenance by municipalities of lighting systems along public streets, alleys and other public places within municipalities or forming the exterior boundaries thereof, and for the lighting thereof by electric current or other illuminating agent; and for the assessment of the cost and expense thereof upon the property benefited and the manner of collecting such assessments;

Also: Assembly Bill No. 894—An act to amend chapter 880, Statutes of 1929, entitled "An act providing for the organization, operation and maintenance of transportation districts, whether said district lie entirely within unincorporated territory of a county or the territory of a municipality, or lie within such unincorporated territory and one or more municipalities, or lie within two or more municipalities; for the acquisition, construction and operation of any transportation facility within the district, the use of existing State acquisition and improvement statutes for such acquisition, construction and operation, for the dissolution of such districts, for the appointment and powers of an advisory board, for the disposition of any property or transportation facility, for the handling of the moneys of the district, for the use for its purposes by the district of lands dedicated to public uses, and defining the powers and duties of legislative bodies of municipalities and counties in connection with the use of this act," approved June 19, 1929, by adding two new sections thereto to be known as sections 4a and 9a;

Has had the same under consideration, and respectfully reports the same back, and recommends that they do pass.

Committee membership—9; committee vote: Ayes—6; absent—3.

HARPER, Chairman.

Assembly Bills Nos. 827 and 894 ordered on file for second reading.

ON JUDICIARY.

SENATE CHAMBER, SACRAMENTO, April 16, 1931.

MR. PRESIDENT: Your Committee on Judiciary, to which was referred Senate Bill No. 122—An act to add a new section to be numbered 426b to the Code of Civil Procedure, relating to the pleadings in divorce actions based on extreme cruelty and adultery—has had the same under consideration, and respectfully reports the same back with amendments, and recommends that the amendments be adopted, and that it do pass as amended.

Committee membership—17; committee vote: Ayes—15; absent—2.

CHRISTIAN, Chairman.

Senate Bill No. 122 ordered on file for second reading.

Also:

MR. PRESIDENT: Your Committee on Judiciary, to which was referred Senate Bill No. 375—An act permitting boards of supervisors of the respective counties, and the city council of every incorporated city, and the board of education of every school district, and the board of directors of every duly organized irrigation, reclamation water conservatory or flood control district, to require answers to a standard form of questionnaire from persons proposing to bid on any public work—has had the same under consideration, and respectfully reports the same back with amendments, and recommends that the amendments be adopted, and that it do pass as amended.

Committee membership—17; committee vote: Ayes—14; absent—3.

CHRISTIAN, Chairman.

Senate Bill No. 375 ordered on file for second reading.

Also:

MR. PRESIDENT: Your Committee on Judiciary, to which was referred Assembly Bill No. 247—An act to amend sections 542a, 542b, 544 and 560 of the Code of Civil Procedure, relating to attachment—has had the same under consideration, and respectfully reports the same back with amendments, and recommends that the amendments be adopted, and that it do pass as amended.

Committee membership—17; committee vote: Ayes—14; absent—3.

CHRISTIAN, Chairman.

Assembly Bill No. 247 ordered on file for second reading.

Also:

MR. PRESIDENT: Your Committee on Judiciary, to which was referred Senate Bill No. 504—An act to amend section 394 of the Code of Civil Procedure, relating to the place of trial of actions or proceedings to which a county, city and county or city is a party:

Also: Senate Bill No. 509—An act to amend section 1248 of the Code of Civil Procedure, relating to what must be ascertained and assessed in condemnation suits;

Also: Senate Bill No. 937—An act to amend section 1980 of the Civil Code, relating to contracts for personal service;

Has had the same under consideration, and respectfully reports the same back with amendments, and recommends that the amendments be adopted, and the bills be re-referred to this committee.

Committee membership—17; committee vote: Ayes—14; absent—3.

CHRISTIAN, Chairman.

CONSIDERATION OF COMMITTEE AMENDMENT.

Pursuant to the report of the Committee on Judiciary, the following amendment to Senate Bill No. 504 was read and adopted:

AMENDMENT NUMBER ONE.

On page 2 of the printed bill, strike out lines 1 to 8, inclusive, and insert in lieu thereof the following: "in which such defendant city is situated; *provided, however,* that any action or proceeding against a city, county, or city and county for injury occurring therein, to person or property or person and property caused by the negligence or alleged negligence of such city, county, or city and county, or its agents or employees, shall be commenced and tried in such county, or city and county, or if a city is a defendant, in such city or in the county in which such city is situated. In any action or".

Bill ordered to print, and re-referred to Committee on Judiciary.

CONSIDERATION OF COMMITTEE AMENDMENT.

Pursuant to the report of the Committee on Judiciary, the following amendment to Senate Bill No. 509 was read and adopted:

AMENDMENT NUMBER ONE.

On page 2 of the printed bill, strike out lines 11 to 16, inclusive, and insert in lieu thereof the following: "of such property; and, if water or the use of water or any water right is sought to be condemned for the purpose of diversion from or use outside of the watershed of the stream system in which the same is located, the value thereof shall be ascertained and assessed upon evidence of the value of such water or water right for all the uses and purposes for which the same may be suitable, useful, fitted or adapted, including the value thereof to the plaintiff for the use or uses to which the plaintiff proposes to devote the same."

Bill ordered to print, and re-referred to Committee on Judiciary.

CONSIDERATION OF COMMITTEE AMENDMENTS.

Pursuant to the report of the Committee on Judiciary, the following amendments to Senate Bill No. 937 were read and adopted:

AMENDMENT NUMBER ONE.

On page 1, line 6, of the printed bill, strike out the word "five", and insert in lieu thereof the word "ten".

AMENDMENT NUMBER TWO.

On page 1, line 10, of the printed bill, strike out the semicolon following the letters "pensation", and insert in lieu thereof a period.

AMENDMENT NUMBER THREE.

On page 1 of the printed bill, strike out all of line 10, commencing with the word "provided", and all of lines 11 to 17, inclusive.

Bill ordered to print, and re-referred to Committee on Judiciary.

Also:

MR. PRESIDENT: Your Committee on Judiciary, to which was referred Assembly Bill No. 562—An act to amend section 710 of the Code of Civil Procedure, relating to the collection of moneys due from a judgment debtor—has had the same under consideration, and respectfully reports the same back with amendments, and recommends that the amendments be adopted, and the bill be re-referred to this committee.

Committee membership—17; committee vote: Ayes—14; absent—3.

CHRISTIAN, Chairman.

CONSIDERATION OF COMMITTEE AMENDMENTS.

Pursuant to the report of the Committee on Judiciary, the following amendments to Assembly Bill No. 562 were read and adopted:

AMENDMENT NUMBER ONE.

On page 1, line 5, of the printed bill, at the end of the line, insert the following: "controller of the State of California, or any".

AMENDMENT NUMBER TWO.

On page 1, line 6, of the printed bill, insert after "thereof," the following: "or with the auditor of any county, city and county, city or other municipal or public corporation,".

AMENDMENT NUMBER THREE.

On page 1 of the printed bill, strike out lines 8 to 19, inclusive, and insert in lieu thereof the following: "(and in case there)".

AMENDMENT NUMBER FOUR.

On page 2, line 3, of the printed bill, after "California," insert the following: "department, board, commission or officer thereof, or".

AMENDMENT NUMBER FIVE.

On page 2, line 14, of the printed bill, after "Such", insert the following: "abstract or".

Bill ordered to print, and re-referred to Committee on Judiciary.

Also:

MR. PRESIDENT: Your Committee on Judiciary, to which was referred Assembly Bill No. 555—An act to amend section 413 of the Code of Civil Procedure, relating to the publication of summonses;

Also: Assembly Bill No. 559—An act to add a new section to the Code of Civil Procedure to be numbered 1179a, relating to proceedings for forcible entry, forcible detainer or unlawful detainer;

Has had the same under consideration, and respectfully reports the same back, and recommends that they do pass.

Committee membership—17; committee vote: Ayes—14; absent—3.

CHRISTIAN, Chairman.

Assembly Bills Nos. 555 and 559 ordered on file for second reading.

Also:

MR. PRESIDENT: Your Committee on Judiciary, to which was referred Assembly Bill No. 1185—An act to amend sections 2 and 9 of an act entitled "An act to control and regulate the possession, sale and use of pistols, revolvers and other firearms capable of being concealed upon the person; to prohibit the manufacture, sale, possession or carrying of certain other dangerous weapons within this state; to provide for registering all sales of pistols, revolvers or other firearms capable of being concealed upon the person; to prohibit the carrying of concealed firearms except by lawfully authorized persons; to provide for the confiscation and destruction of such weapons in certain cases; to prohibit the ownership, use, or possession of any of such weapons by certain classes of persons; to prescribe penalties for violations of this act and increased penalties for repeated violations hereof; to authorize, in proper cases, the granting of licenses or permits to carry firearms concealed upon the person; to provide for licensing retail dealers in such firearms and regulating sales thereunder; and to repeal chapter 145 of California Statutes of 1917, relating to the same subject," approved June 13, 1923, as amended;

Also: Assembly Bill No. 1625—An act for the prevention of fraud upon proprietors of hotels, inns, boarding houses and lodging houses, and guests and prospective guests thereof;

Also: Assembly Bill No. 1392—An act to amend section 902 of the Code of Civil Procedure, relating to writs of execution;

Also: Assembly Bill No. 1694—An act to amend section 111 of the Penal Code, relating to trial of convicts and hearings of writs of habeas corpus;

Has had the same under consideration, and respectfully reports the same back, and recommends that they do pass.

Committee membership—17; committee vote: Ayes—14; absent—3.

CHRISTIAN, Chairman.

Assembly Bills Nos. 1185, 1625, 1392 and 1694 ordered on file for second reading.

ON ENGROSSMENT, ENROLLMENT AND PRINTING.

SENATE CHAMBER, SACRAMENTO, April 16, 1931.

MR. PRESIDENT: Your Committee on Engrossment, Enrollment and Printing has examined Senate Bill No. 108—An act regarding certificates of registration as "registered sanitarians" for persons performing the duties of sanitary inspectors or sanitary officers, prescribing terms and conditions under which such inspectors or officers may be employed, and providing penalties for the violation of the provisions hereof;

Also: Senate Bill No. 159—An act relating to certificates of registration of inspectors and sanitary officers as "registered sanitarians"; empowering the State Board of Public Health to certify approved schools, conduct examinations, and to issue or deny "registered sanitarian" certificates; and providing penalties for violation of this act;

Also: Senate Bill No. 210—An act to amend section 12 of chapter 690, Statutes of 1913, entitled the Direct Primary Law, as amended, relating to direct primary elections;

Also: Senate Bill No. 887—An act to amend section 4271 and to repeal section 4267a of the Political Code, relating to compensation of county and township officers in counties of the forty-second class;

Also: Senate Bill No. 919—An act to amend section 4233 and to repeal section 4233a of the Political Code, relating to the salaries, fees and expenses of officers in counties of the fourth class;

Also: Senate Bill No. 943—An act to amend section 2979a of the Political Code, relating to health officers;

And reports that the same have been correctly engrossed.

CASSIDY, Vice Chairman.

Also:

MR. PRESIDENT: Your Committee on Engrossment, Enrollment and Printing has examined Senate Joint Resolution No. 16—Relative to accepting amendments to permit from the government of the United States for the construction of approach roads and toll collection areas over certain rights of way leading to the Golden Gate Bridge and relating to the retrocession by the Congress of the United States of jurisdiction over said rights of way as relocated and said toll areas, bridge ends and bridge—and reports that the same has been correctly engrossed.

CASSIDY, Vice Chairman.

Also:

MR. PRESIDENT: Your Committee on Engrossment, Enrollment and Printing has examined Senate Bill No. 449—An act to amend section 6.470, 6.472, 6.473, 6.476 and 6.477 of, and to add sections 6.470-1 and 6.470-2 to, the School Code, and to repeal chapter 582, Statutes of 1929, entitled "An act to provide for the purchase of school supplies for school districts and defining the powers and duties of superintendents of schools of county and other officers in relation thereto," approved May 31, 1929, all relating to the purchase of standard school supplies by the county superintendent of schools:

Also: Senate Bill No. 760—An act to amend chapter 586 of the Statutes of 1913, known as the "Water Commission Act," approved June 16, 1913, as amended, by amending section 36f thereof, relating to the adjudication of appropriative water rights and by adding thereto a new section to be numbered 36g, relating to modification of court decrees as to quantities of water awarded;

And reports that the same have been correctly re-engrossed.

CASSIDY, Vice Chairman.

ON OIL INDUSTRIES.

SENATE CHAMBER, SACRAMENTO, April 16, 1931.

MR. PRESIDENT: Your Committee on Oil Industries, to which was referred Assembly Bill No. 1212—An act to amend an act entitled "An act to reserve all minerals in State lands; to provide for examination, classification and report on the mineral and other character of State lands; to provide for the granting of permits and leases to prospect for and take any such minerals; to provide for the rents and royalties to be paid, and granting certain preference rights; to provide for the making of rules, regulations and contracts necessary to carry out the purposes of this act; and repealing acts or parts of acts in conflict herewith; providing for an appropriation to defray the cost of administering this act," as approved May 25, 1921, and as amended June 1, 1923, January 17, 1929, and May 28, 1929, by amending the title and sections 1, 3, 4, 5, 7, 8, 9, 10, 11, 12, 13, 14, 15, 17, 18, 19 and 20 thereof, relating to the reservation to the State of all coal, oil, shale, gas, phosphate, sodium and other mineral deposits in lands belonging to the State, and providing for the development and production of such minerals under a system of permits and leases authorizing prospecting for, mining and removing such deposits from state lands and providing a procedure for the granting of such permits and leases and the administration and supervision of the prospecting for, mining and removing of such deposits by permits and leases of the State, prohibiting certain practices in connection with such prospecting for, mining and removal, providing penalties therefor, providing for the powers of the Chief of the Division of State Lands relative to said lands and relative to prospecting for, mining and removing of minerals therefrom, and ratifying permits and leases issued prior to March 15, 1931, and by repealing sections 17a, 18a, 23, 24 and 25 thereof, relating to certain powers and duties of the officers of the State relative to State lands and mineral deposits therein, and prohibiting prospecting for, mining and removing minerals from certain State lands—has had the same under consideration, and respectfully reports the same back with amendments, and recommends that the amendments be adopted, and the bill be re-referred to this committee.

Committee membership—8; committee vote: Ayes—5; absent—3.

SHARKEY, Chairman.

CONSIDERATION OF COMMITTEE AMENDMENTS.

Pursuant to the report of the Committee on Oil Industries, the following amendments to Assembly Bill No. 1212 were read and adopted:

AMENDMENT NUMBER ONE.

In line 14 of the title of the printed bill, as amended in the Senate April 3, 1931, insert the word "and", just before the figure "19", and strike out after the figure "19", the following: "and 20".

AMENDMENT NUMBER TWO.

In line 14 of the title of the printed bill, as amended in the Senate April 3, 1931, after the word "and", and before the word "ratifying", insert the word "by".

AMENDMENT NUMBER THREE.

In line 13 of the title of the printed bill, as amended in the Senate April 3, 1931, after the second comma, insert "20,".

AMENDMENT NUMBER FOUR.

On page 3, line 45, of the printed bill, as amended in the Senate April 3, 1931, strike out the word "therefore", and insert in lieu thereof "theretofore".

AMENDMENT NUMBER FIVE.

On page 3, line 49, of the printed bill, as amended in the Senate April 3, 1931, after the word "of", insert the following: "the next succeeding paragraph of this section of".

AMENDMENT NUMBER SIX.

On page 3, line 49, of the printed bill, as amended in the Senate April 3, 1931, after the period, insert a new paragraph reading as follows:

"Nothing contained in this act shall authorize the chief of the division of state lands to hereafter grant, nor shall he, nor any officer of any political subdivision of the state, nor of any municipality, grant any permit to prospect for oil, gas or any other hydrocarbon substance, nor any lease, except a lease issued under the provisions of section 5 of this act to the holder of a permit theretofore issued under the provisions of this act on an application filed with the division of state lands on or prior to January 17, 1929, upon or within any river bed or lake bed or any tide or submerged lands nor within any park, nor upon or within any lands used by the State of California for the maintenance or operation of any state office, building or institution. Nothing herein contained shall, however, be deemed to repeal or in any way affect the provisions of chapter 227 of the statutes of 1923."

AMENDMENT NUMBER SEVEN.

On page 4 of the printed bill, as amended in the Senate April 3, 1931, strike out all that portion of line 17, beginning with the word "placing".

AMENDMENT NUMBER EIGHT.

On page 4, line 50, of the printed bill, as amended in the Senate April 3, 1931, after the word "may", insert the following: "with the approval of the chief of the division of state lands".

AMENDMENT NUMBER NINE.

On page 5, line 50, of the printed bill, as amended in the Senate April 3, 1931, strike out the word "prospective", and insert in lieu thereof the word "prospecting".

AMENDMENT NUMBER TEN.

On page 7, line 15, of the printed bill, as amended in the Senate April 3, 1931, after the word "any", insert the word "valid".

AMENDMENT NUMBER ELEVEN.

On page 7, line 16, of the printed bill, as amended in the Senate April 3, 1931, after the word "issued", insert the following: "and not then canceled or in default".

AMENDMENT NUMBER TWELVE.

On page 7, line 41, of the printed bill, as amended in the Senate April 3, 1931, strike out "or for so long as oil", and all of lines 42, 43 and 44, and insert in lieu thereof "upon such terms and conditions as may be prescribed by the chief of the division of state lands, unless otherwise provided by law at the time of the expiration of such periods."

AMENDMENT NUMBER THIRTEEN.

On page 9, line 20, of the printed bill, as amended in the Senate April 3, 1931, strike out everything after the second comma, and all of line 21.

AMENDMENT NUMBER FOURTEEN.

On page 9, line 32, of the printed bill, as amended in the Senate April 3, 1931, strike out the word "has", and insert in lieu thereof the word "may".

AMENDMENT NUMBER FIFTEEN.

On page 9, line 34, of the printed bill, as amended in the Senate April 3, 1931, strike out "combinations", and insert in lieu thereof "combination".

AMENDMENT NUMBER SIXTEEN.

On page 9, line 37, of the printed bill, as amended in the Senate April 3, 1931, after the word "without", insert "the".

AMENDMENT NUMBER SEVENTEEN.

On page 9, line 37, of the printed bill, as amended in the Senate April 3, 1931, after the word "discovery", insert "of oil or gas".

AMENDMENT NUMBER EIGHTEEN.

On page 9, line 38, of the printed bill, as amended in the Senate April 3, 1931, after the word "fact", insert "that valuable deposits of oil or gas have been discovered in any of the lands contained in said unit or combination".

AMENDMENT NUMBER NINETEEN.

On page 9, line 38, of the printed bill, as amended in the Senate April 3, 1931, strike out "approval had from", and insert in lieu thereof "upon such conditions and considerations as may be prescribed for the best interests of the state by".

AMENDMENT NUMBER TWENTY.

On page 10, line 42, of the printed bill, as amended in the Senate April 3, 1931, strike out the comma.

AMENDMENT NUMBER TWENTY-ONE.

On page 11, line 42, of the printed bill, as amended in the Senate April 3, 1931, strike out all of said line down to and including the word "with", and insert in lieu thereof the following: "conditions and agreements of which have been performed in the manner and at the times provided for in such permit or lease".

AMENDMENT NUMBER TWENTY-TWO.

On page 11, line 48, of the printed bill, as amended in the Senate April 3, 1931, after the period insert the following: "Nothing herein contained is intended to cure, or shall be construed as curing any default of any permittee or lessee in the performance of any of his obligations under any permit or lease ratified by this act, subsequent to the issuance thereof."

AMENDMENT NUMBER TWENTY-THREE.

On page 12, line 9, of the printed bill, as amended in the Senate April 3, 1931, strike out "with", and insert in lieu thereof "upon".

AMENDMENT NUMBER TWENTY-FOUR.

On page 12, line 10, of the printed bill, as amended in the Senate April 3, 1931, strike out "consent", the first time it occurs, and insert in lieu thereof "request".

AMENDMENT NUMBER TWENTY-FIVE.

On page 12, line 13, of the printed bill, as amended in the Senate April 3, 1931, after the word "leases", insert a comma.

AMENDMENT NUMBER TWENTY-SIX.

On page 12, line 14, of the printed bill, as amended in the Senate April 3, 1931, after the word "leases", insert the following: " , provided, that no such increase shall include any increase of the width of any such permit or lease along the mean high tide land of the Pacific ocean, not extend the total length thereof to more than three thousand three hundred feet; and provided, further, that if any such increase shall cause the inclusion in any permit or lease of any land within a known geological structure the royalty to be paid to the state by the permittee or lessee may be increased by the chief of the division of state lands, at the time of such inclusion, from the five per cent royalty provided for in this act to a higher royalty as to the land so included, as a condition precedent to its inclusion,".

Bill ordered to print, and re-referred to Committee on Oil Industries.

ON REVENUE AND TAXATION.

SENATE CHAMBER, SACRAMENTO, April 16, 1931.

MR. PRESIDENT: Your Committee on Revenue and Taxation, to which was referred Senate Constitutional Amendment No. 10—A resolution proposing to transfer the cost and expense of maintaining the public schools to the State and authorizing the Legislature to provide therefor, by proposing to the people of the State of California an amendment to the constitution of said State by adding a new section to article IX of said constitution, which new section shall be known as section 6a;

Also: Assembly Bill No. 217—An act to amend section 3817 of the Political Code, relating to penalties on redemption of real estate from sale for delinquent taxes: Has had the same under consideration, and respectfully reports the same back with amendments, and recommends that the amendments be adopted, and be re-referred to this committee.

Committee membership—13; committee vote: Ayes—12; absent—1.

NELSON, Chairman.

CONSIDERATION OF COMMITTEE AMENDMENTS.

Pursuant to the report of the Committee on Revenue and Taxation, the following amendments to Senate Constitutional Amendment No. 10 were read and adopted:

AMENDMENT NUMBER ONE.

Strike out the words "Introduced by Senator Swing", and insert in lieu thereof "Introduced by Senators Swing and Crittenden."

AMENDMENT NUMBER TWO.

On page 2, line 12, of the printed amended bill, after the word "shall", insert ", in the manner hereinafter provided,".

AMENDMENT NUMBER THREE.

On page 2, line 23, of the printed amended bill, after the word "schools", strike out the comma, and insert a period, and strike out the balance of line 23 and line 24, down to and including the period following the word "purpose".

AMENDMENT NUMBER FOUR.

On page 2, line 31, of the printed amended bill, strike out the word "and", after the word "manner", and insert in lieu thereof a comma.

AMENDMENT NUMBER FIVE.

On page 2, line 31, of the printed amended bill, after the word "basis", insert "and for such purpose".

AMENDMENT NUMBER SIX.

On page 2, line 32, of the printed amended bill, strike out the period following the word "provide", and insert in lieu thereof a comma.

AMENDMENT NUMBER SEVEN.

On page 2, line 32, of the printed amended bill, after the word "provide", strike out the balance of line 32, and all of lines 33, 34 and 35, and insert in lieu thereof the following: "unrestricted by any other provision of this constitution."

In providing the funds to pay said cost of operating and maintaining such elementary and high schools and in exercising the powers and authority conferred in and by this section, the Legislature shall provide for shifting not less than one-sixth of said cost of operating and maintaining such schools annually to the sources provided and authorized in and by the next succeeding paragraph, so that within a period of six years from and after the date this provision takes effect said entire cost of operating and maintaining such elementary and high schools shall be obtained and provided from the source and in the manner provided in the next succeeding paragraph hereof."

AMENDMENT NUMBER EIGHT.

On page 2, line 37, of the printed amended bill, after the comma following the word "schools", insert the following: "in addition to the funds now authorized to be provided and paid by other provisions of this constitution,".

AMENDMENT NUMBER NINE.

On page 2, line 40, of the printed amended bill, after the word "tax", strike out the balance of line 40 and line 41, down to and including the word "schools".

AMENDMENT NUMBER TEN.

On page 2 of the printed amended bill, following line 51, insert the following: "The Legislature shall provide, and it is hereby empowered so to do, a limitation against increases in taxes on real property which otherwise might result from such additional state payments."

AMENDMENT NUMBER ELEVEN.

On page 3, line 10, of the printed amended bill, after the word "thereof", insert the following: "and for the payment of the principal and interest due and to become due upon the bonded indebtedness of any such school district now or to be hereafter authorized."

Senate Constitutional Amendment No. 10 ordered to print, and re-referred to Committee on Revenue and Taxation.

CONSIDERATION OF COMMITTEE AMENDMENTS.

Pursuant to the report of the Committee on Revenue and Taxation, the following amendments to Assembly Bill No. 217 were read and adopted:

AMENDMENT NUMBER ONE.

On page 2, line 1, of the printed bill, as amended April 6th, strike out the words "for a period of two years".

AMENDMENT NUMBER TWO.

On page 2, line 2, of the printed bill, as amended April 6th, strike out the word "of", and in lieu thereof insert the word "for".

AMENDMENT NUMBER THREE.

On page 2, line 7, of the printed bill, as amended April 6th, strike out all the words after the word "redemption", down to and including the word "redeemed", in line 11.

AMENDMENT NUMBER FOUR.

On page 2, line 12, of the printed bill, as amended April 6th, strike out the year "1993", and insert in lieu thereof the year "1893".

Bill ordered to print, and re-referred to Committee on Revenue and Taxation.

Also:

MR. PRESIDENT: Your Committee on Revenue and Taxation, to which was referred Senate Bill No. 356—An act to repeal sections 2653 and 2654 of the Political Code, relating to a property tax for road purposes;

Also: Assembly Bill No. 1360—An act to authorize and direct the county of Lake to apportion and credit to the Upper Lake Union School District Fund and to the Lucerne School District Special Fund certain revenue collected in taxes;

Has had the same under consideration, and respectfully reports the same back, and recommends that they do pass.

Committee membership—13; committee vote: Ayes—12; absent—1.

NELSON, Chairman.

Senate Bills Nos. 356 and 1360 ordered on file for second reading.

Also:

MR. PRESIDENT: Your Committee on Revenue and Taxation, to which was referred Assembly Constitutional Amendment No. 28—A resolution proposing to the people of the State of California an amendment of section 4 of article XIII of the constitution of the State of California, relating to the exemption of vessels engaged in commerce from taxation—has had the same under consideration, and respectfully reports the same back, and recommends that it be adopted.

Committee membership—13; committee vote: Ayes—12; absent—1.

NELSON, Chairman.

Assembly Constitutional Amendment No. 28 ordered on file.

ON GOVERNMENTAL EFFICIENCY.

SENATE CHAMBER, SACRAMENTO, April 15, 1931.

MR. PRESIDENT: Your Committee on Governmental Efficiency, to which was referred Senate Bill No. 532—An act to amend section 1 of chapter 374, Statutes of 1929, entitled "An act providing for the compilation of, printing, binding, publishing, and distribution of a legislative manual, State Blue Book, or roster, repealing all conflicting acts," approved May 21, 1929, relating to the time of publication—has had the same under consideration, and respectfully reports the same back with amendments, and recommends that the amendments be adopted, and be re-referred to the Committee on Finance.

Committee membership—11; committee vote: Ayes—10; absent—1.

CRITTENDEN, Chairman.

CONSIDERATION OF COMMITTEE AMENDMENTS.

Pursuant to the report of the Committee on Governmental Efficiency, the following amendments to Senate Bill No. 532 were read and adopted:

AMENDMENT NUMBER ONE.

Strike out the title of the printed bill, and insert in lieu thereof the following:

"An act to provide for the compilation, printing, binding, publishing, and distribution of a legislative manual and state blue book, or roster and appendix thereto, repealing all conflicting acts and making an appropriation to carry out the provisions hereof."

AMENDMENT NUMBER TWO.

On page 1 of the printed bill, strike out lines 1 to 11, inclusive, and insert in lieu thereof the following:

"SECTION 1. The secretary of state is hereby authorized to compile, or cause to be compiled, published and distributed under the direction of the department of finance, eight thousand copies of a legislative manual, state blue book or roster, and ten thousand copies of an appendix thereto which shall be encyclopaedic in its treatment of the natural resources and products of the counties, cities and towns of California. The volume shall be ready to distribute during the next fiscal year, and at the same time biennially thereafter.

SEC. 2. The legislative manual and state blue book or roster shall be distributed as follows: to the governor of the state, one hundred copies; to each elective state officer, United States senator and representative in congress from California, state senator and member of the Assembly, forty copies; to each justice of the supreme court and district courts of appeal, ten copies; to the state library, fifty copies; to the governor and secretary of state of every state in the Union, one copy each; to the congressional library at Washington, D. C., five copies. The appendix, "Counties, cities and towns of California," shall be distributed as follows: to the governor, twenty-five copies; to each elective state officer, United States senator and representative in congress from California, state senator and member of the Assembly, ten copies; to each justice of the supreme court and district courts of appeal, the governor and secretary of state of each state in the Union, one copy; to the state library and congressional library at Washington, D. C., ten copies.

The remainder of the volumes of the appendix shall be sold by the secretary of state at a price to be fixed by the department of finance and the amount so received shall be deposited in the state treasury to the credit of the "legislative manual fund" which fund is hereby created. The moneys in said fund shall be available for the printing and publication of a subsequent edition or editions of such appendix if the first edition is exhausted and, in the judgment of the secretary of state, there exists a sufficient demand for such subsequent edition or editions, the latter to be sold by him at a price to be fixed by the department of finance.

SEC. 3. All other acts and parts of acts in conflict with the provisions of this act are hereby repealed.

SEC. 4. Out of any money in the state treasury not otherwise appropriated there is hereby appropriated the sum of twenty-seven thousand five hundred dollars, or so much thereof as may be necessary to carry out the purposes of this act."

Bill ordered to print, and re-referred to Committee on Finance.

Also:

MR. PRESIDENT: Your Committee on Governmental Efficiency, to which was referred Senate Bill No. 276—An act to add a new article to chapter III of title I of part III of the Political Code, to be numbered article IIa, embracing sections 377 to 377n, inclusive, relating to a Department of Professional and Vocational Standards—has had the same under consideration, and respectfully reports the same back with amendments, and recommends that the amendments be adopted, and be re-referred to this committee.

Committee membership—11; committee vote: Ayes—10; absent—1.

CRITTENDEN, Chairman.

CONSIDERATION OF COMMITTEE AMENDMENTS.

Pursuant to the report of the Committee on Governmental Efficiency, the following amendments to Senate Bill No. 276 were read and adopted:

AMENDMENT NUMBER ONE.

On page 4 of the printed bill, between lines 4 and 5 on said page, insert the following:

"377j¹. The governor shall have power to remove from office at any time, any member of any board appointed by him in division two, for continued neglect of duties required by law, or for incompetence, unprofessional or dishonorable conduct. Nothing in this section contained shall be deemed or construed as a limitation or restriction on the power of the governor, conferred on him by any other provision of law, to remove any member of any board in either division number one or division number two of the department."

Bill ordered to print, and re-referred to Committee on Governmental Efficiency.

Also:

MR. PRESIDENT: Your Committee on Governmental Efficiency, to which was referred Assembly Bill No. 1088—An act to amend section 3692 of the Political Code, relating to the powers and duties of the State Board of Equalization—has had the same under consideration, and respectfully reports the same back with amendments, and recommends that the amendments be adopted, and be re-referred to this committee.

Committee membership—11; committee vote: Ayes—10; absent—1.

CRITTENDEN, Chairman.

CONSIDERATION OF COMMITTEE AMENDMENTS.

Pursuant to the report of the Committee on Governmental Efficiency, the following amendments to Assembly Bill No. 1088 were read and adopted:

AMENDMENT NUMBER ONE.

On page 3, line 24, of the printed bill, strike out the comma after the word "not", and insert in lieu thereof a period.

AMENDMENT NUMBER TWO.

On page 3 of the printed bill, strike out all of line 24 after the period following the word "not".

AMENDMENT NUMBER THREE.

On page 3 of the printed bill, strike out all of lines 25 and 26.

Bill ordered to print, and re-referred to Committee on Governmental Efficiency.

Also:

MR. PRESIDENT: Your Committee on Governmental Efficiency, to which was referred Assembly Bill No. 1683—An act to amend sections 3 and 7 of chapter 598, Statutes 1913, entitled "An act to regulate the practice of optometry; to provide for the appointment of a Board of Optometry, define its duties and powers and prescribing a penalty for the violation of this act," approved June 16, 1913, relating to the term of office, renewal period and disposition of fees;

Also: Assembly Bill No. 662—An act to add section 373j to the Political Code, relating to the Department of Natural Resources;

Has had the same under consideration, and respectfully reports the same back, and recommends that they do pass.

Committee membership—11; committee vote: Ayes—10; absent—1.

CRITTENDEN, Chairman.

Assembly Bills Nos. 1683 and 662 ordered on file for second reading.

Also:

MR. PRESIDENT: Your Committee on Governmental Efficiency, to which was referred Senate Bill No. 939—An act to add a new section to the Political Code to be numbered 695, relating to a Bureau of Publications and Documents in the Department of Finance;

Also: Senate Bill No. 679—An act to provide for the sanitary inspection of slaughterhouses, the inspection of animals or meats intended for human consumption, to provide rules and regulations therefor, to provide penalties for the violation hereof and to repeal the California Meat Inspection Law, approved June 3, 1921;

Has had the same under consideration, and respectfully reports the same back with amendments, and recommends that the amendments be adopted, and that they do pass as amended.

Committee membership—11; committee vote: Ayes—10; absent—1.

CRITTENDEN, Chairman.

Senate Bills Nos. 939 and 679 ordered on file for second reading.

Also:

MR. PRESIDENT: Your Committee on Governmental Efficiency, to which was referred Assembly Bill No. 1202—An act to amend section 2 of an act entitled "An act to regulate contracts on behalf of the State in relation to the erection, construction, alteration, repair or improvement of any State structure, building, road, or other State improvement of any kind and to repeal an act entitled 'An act to regulate contracts on behalf of the State in relation to erections and buildings,' approved March 28, 1876," approved March 22, 1909, as amended, relating to advertisement of work;

Also: Assembly Bill No. 616—An act to amend chapter 801, Statutes of 1929, entitled "An act regulating the practice of civil engineering," approved June 14, 1929, by amending sections 1, 11, 12, 13, 14, 15, 16, and 17 thereof, relating to the purpose of the act and to the registration of practitioners thereunder, and by adding a new section thereto, to be numbered 1a, embracing a definition of terms;

Has had the same under consideration, and respectfully reports the same back with amendments, and recommends that the amendments be adopted, and that they do pass as amended.

Committee membership—11; committee vote: Ayes—10; absent—1.

CRITTENDEN, Chairman.

Assembly Bills Nos. 1202 and 616 ordered on file for second reading.

Also:

MR. PRESIDENT: Your Committee on Governmental Efficiency, to which was referred Senate Concurrent Resolution No. 28—Relating to a survey and an estimate of the cost of reconstructing the committee rooms in the State Capitol building—has had the same under consideration, and respectfully reports the same back, and recommends that it be adopted.

Committee membership—11; committee vote: Ayes—10; absent—1.

CRITTENDEN, Chairman.

Senate Concurrent Resolution No. 28 ordered on file.

Also:

MR. PRESIDENT: Your Committee on Governmental Efficiency, to which was referred Senate Bill No. 944—An act to amend an act entitled "An act to authorize the counties of the State of California to establish retirement systems for their employees," approved May 20, 1919, by adding a new section thereto to be designated section 3½, relating to the exclusion of certain employees—has had the same under consideration, and respectfully reports the same back, and recommends that it do pass.

Committee membership—11; committee vote: Ayes—10; absent—1.

CRITTENDEN, Chairman.

Senate Bill No. 944 ordered on file for second reading.

INTRODUCTION, FIRST READING AND REFERENCE OF BILLS.

The following resolutions were offered:

By Senator Rochester: Senate Constitutional Amendment No. 30—A resolution to propose to the people of the State of California an amendment to the constitution of the State of California by adding a new section thereto to be numbered section 26 of article VI, relating to the nomination and election of judges.

Referred to Committee on Constitutional Amendments.

By Senator Allen: Senate Joint Resolution No. 17—Relative to memorializing Congress to provide compensation, in lieu of taxes, for certain lands of the United States within the borders of the several states.

CONSIDERATION OF SENATE JOINT RESOLUTION NUMBER SEVENTEEN.

Senator Allen asked for, and was granted, unanimous consent for the consideration of Senate Joint Resolution No. 17, without reference to committee, for purpose of adoption.

SENATE JOINT RESOLUTION No. 17.

Relative to memorializing Congress to provide compensation, in lieu of taxes, for certain lands of the United States within the borders of the several states.

WHEREAS, The United States government has withdrawn and set apart within permanent national parks or forests, enormous tracts of land, approximately 19,000,000 acres in the State of California alone; and

WHEREAS, Among other reasons, this has been made possible by the owners of timber land trading in their "cut-over" lands to the government for selected "cuttings"; and

WHEREAS, The United States government pays no taxes on such lands, resulting in throwing a heavy tax burden on privately owned property in the same political subdivision; now, therefore, be it

Resolved, by the Senate and Assembly, jointly, That Congress is urgently requested to appropriate sufficient money so that a sum of five cents per acre per year may be paid, in lieu of taxes, to the political subdivisions in which such lands belonging to the United States are situated; and be it further

Resolved, That a copy of this resolution be sent to the President of the United States, the Vice President, the Speaker of the House of Representatives and each

of the members from California of the Senate and House of Representatives of the United States.

Resolution read.

The question being on the adoption of the resolution.

The roll was called, and Senate Joint Resolution No. 17 adopted by the following vote:

AYES—Senators Allen, Baker, Breed, Carter, Cassidy, Christian, Cleveland, Crittenden, Edwards, Evans, Fellom, Harper, Ingels, Inman, Jones, Maloney, McCormack, Mixer, Moran, Nelson, Pedrotti, Rich, Riley, Rochester, Schottky, Sharkey, Slater, Swing, Treacy, Tubbs, Wagy, Williams, and Young—33.

NOES—None.

Senate Joint Resolution No. 17 ordered transmitted to the Assembly.

REQUEST FOR PERMISSION TO INTRODUCE A BILL.

The following request for permission to introduce a bill was presented:

By Senator Crittenden:

SENATE CHAMBER, SACRAMENTO, April 16, 1931.

MR. PRESIDENT: In accordance with the provisions of section 2, article IV of the constitution, I request permission to introduce a bill, the title of which is set forth below:

An act to amend section 1540 of the Penal Code, relating to duties of coroner.

Request referred to Committee on Rules.

CONSIDERATION OF DAILY FILE.

THIRD READING OF SENATE BILLS.

SENATE CONCURRENT RESOLUTION No. 32.

Relative to leaves of absence of the Governor, Lieutenant Governor and the members of the Senate and Assembly of the forty-ninth session of the Legislature of the State of California.

Resolved by the Senate, the Assembly concurring. That leave of absence from the State of California for a longer period than 60 days, during their term of office, is hereby granted to His Excellency James Rolph, Jr., Governor of the State of California; to Frank F. Merriam, Lieutenant Governor of the State of California; and to the following members of the Senate and Assembly of the forty-ninth session of the Legislature of the State of California:

Senators: James M. Allen, C. C. Baker, Arthur H. Breed, David F. Bush, Henry E. Carter, Bert A. Cassidy, E. H. Christian, George C. Cleveland, Ralph H. Clock, B. S. Crittenden, Charles H. Deuel, Walter H. Duval, Nelson T. Edwards, H. J. Evans, Roy Fellom, William E. Harper, Ray W. Hays, R. R. Ingels, J. M. Inman, Herbert C. Jones, Thomas A. Maloney, Thomas McCormack, J. W. McKinley, Frank W. Mixer, John L. Moran, H. C. Nelson, J. L. Pedrotti, W. P. Rich, Joe Riley, George W. Rochester, Andrew R. Schottky, Will R. Sharkey, Herbert W. Slater, Ralph E. Swing, Timothy E. Treacy, Tallant Tubbs, J. I. Wagy, Dan E. Williams and Sanborn Young.

Assemblymen: Emory J. Arnold, Willard E. Badham, Willis M. Baum, George M. Biggar, Roy Bishop, George R. Bliss, William G. Bonelli, George B. Bowers, Archibald E. Brook, C. Todd Clark, Harold C. Cloudman, F. C. Cloudsley, Lawrence Cobb, Edward Craig, Frank Lee Crist, Melvyn I. Cronin, Ernest C. Crowley, Charles W. Dempster, H. E. Dillinger, Robert P. Easley, Dan W. Emmett, Walter W. Feeley, B. J. Feigenbaum, Charles W. Fisher, Robert F. Fisher, John E. Frazier, George F. Gillett, Joseph P. Gilmore, Milton M. Golden, Frank L. Gordon, Sam M. Greene, Fred C. Hawes, J. P. Hayes, Ed. L. Head, Ben A. Hill, William W. Hoffman, Arthur R. Honnold, William B. Hornblower, Frederick F. Houser, Frank S. Israel, Chris N. Jespersen, Augustus F. Jewett, Isaac Jones, William P. Jost, Sarah E. Kellogg, Chester M. Kline, Edgar C. Levey, Walter J. Little, Harry Lyons, Edwin A. McDaniel, Henry McGuinness, M. S. Meeker, Eleanor Miller, James A. Miller, Harry F. Morrison, Roy J. Nielsen, Charles A. Oliva, Harry L. Parkman, Robert Lincoln Patterson, Lucius Powers, Jr., James L. Quigley, James K. Reid, Charles F. Reindollar, Harry B. Riley, Frederick M. Roberts, C. Ray Robinson, Samuel E. Robinson, Eugene W. Roland, Hubert B. Scudder, Jerrold L. Seawell, Harry F. Sewell, Bert B. Snyder, James E. Stockwell, Clarence N. Wakefield, Percy G. West, George H. Wilber, Ray Williamson, Clifford Wixson, T. M. Wright, and E. H. Zion.

Resolution read.

The question being on the adoption of the resolution.

The roll was called, and Senate Concurrent Resolution No. 32 adopted by the following vote:

AYES—Senators Allen, Baker, Breed, Carter, Cassidy, Christian, Cleveland, Clock, Evans, Fellom, Harper, Hays, Ingels, Jones, Maloney, McCormack, Mixter, Moran, Nelson, Pedrotti, Rich, Riley, Rochester, Schottky, Sharkey, Slater, Swing, Treacy, Tubbs, Wagy, Williams, and Young—32.

NOES—None.

Senate Concurrent Resolution No. 32 ordered transmitted to the Assembly.

ASSISTANT SECRETARY FRANCIS E. DALIN AT THE DESK.

Senate Bill No. 742—An act to amend chapter 586, Statutes of 1913, known as the Water Commission Act, approved June 16, 1913, as amended, by amending sections 37, 37*a*, 37*c* and 37*f* thereof and by adding thereto two new sections to be numbered 37*g* and 37*h*, all relating to the distribution of water in accordance with the rights thereto as determined by court decree or written agreement.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Senate Bill No. 742 passed by the following vote:

AYES—Senators Allen, Baker, Breed, Carter, Cassidy, Christian, Cleveland, Clock, Crittenden, Deuel, Edwards, Evans, Fellom, Harper, Hays, Ingels, Inman, Jones, Maloney, McCormack, Mixter, Moran, Nelson, Pedrotti, Rich, Riley, Rochester, Schottky, Sharkey, Slater, Swing, Treacy, Tubbs, Wagy, Williams, and Young—36.

NOES—None.

Title read and approved.

Bill ordered transmitted to the Assembly.

Senate Bill No. 711—An act to amend section 2322*c*10 of the Political Code, relating to the office of agricultural commissioner in counties of the tenth class.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Senate Bill No. 711 passed by the following vote:

AYES—Senators Allen, Baker, Carter, Christian, Cleveland, Clock, Crittenden, Deuel, Edwards, Evans, Fellom, Harper, Hays, Ingels, Jones, Maloney, McCormack, Mixter, Moran, Rich, Riley, Rochester, Schottky, Sharkey, Slater, Swing, Treacy, Tubbs, Wagy, and Williams—30.

NOES—None.

Title read and approved.

Bill ordered transmitted to the Assembly.

Senate Bill No. 712—An act to amend section 19*r*10 of the Juvenile Court Law, relating to probation officers in counties of the tenth class.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Senate Bill No. 712 passed by the following vote:

AYES—Senators Allen, Baker, Carter, Christian, Clock, Crittenden, Deuel, Edwards, Evans, Fellom, Harper, Hays, Ingels, Inman, Jones, Maloney, McCormack,

Mixter, Moran, Rich, Riley, Rochester, Schottky, Sharkey, Slater, Treacy, Tubbs, Waggy, Williams, and Young—30.

NOES—None.

Title read and approved.

Bill ordered transmitted to the Assembly.

Senate Bill No. 710—An act to amend section 16.10 of the Weights and Measures Act, relating to sealers of weights and measures in counties of the tenth class.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Senate Bill No. 710 passed by the following vote:

AYES—Senators Allen, Baker, Breed, Carter, Cassidy, Christian, Cleveland, Clock, Crittenden, Deuel, Edwards, Evans, Fellom, Harper, Hays, Ingels, Inman, Jones, Maloney, McCormack, Mixter, Moran, Rich, Riley, Rochester, Schottky, Sharkey, Slater, Swing, Treacy, Tubbs, Waggy, and Young—33.

NOES—None.

Title read and approved.

Bill ordered transmitted to the Assembly.

Senate Bill No. 708—An act to add a new section to be numbered 9a10 to the act entitled "An act to provide for the establishment and maintenance of county free libraries in the State of California, and repealing 'An act entitled "An act to provide county library systems," approved April 12, 1909, and all acts and parts of acts in conflict with this act," approved February 25, 1911, as amended, relating to libraries in counties of the tenth class.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Senate Bill No. 708 passed by the following vote:

AYES—Senators Allen, Baker, Breed, Carter, Cassidy, Christian, Cleveland, Clock, Crittenden, Deuel, Edwards, Evans, Fellom, Harper, Hays, Ingels, Inman, Maloney, McCormack, Mixter, Moran, Rich, Riley, Rochester, Schottky, Sharkey, Slater, Treacy, Tubbs, Waggy, and Young—31.

NOES—None.

Title read and approved.

Bill ordered transmitted to the Assembly.

Senate Bill No. 740—An act to amend section 4253 and to repeal section 4252a of the Political Code, relating to compensation of county and township officers in counties of the twenty-fourth class; and to repeal section 9a19 of chapter 68, Statutes of 1911, entitled "An act to provide for the establishment and maintenance of county free libraries in the State of California, and repealing 'An act entitled "An act to provide county library systems," approved April 12, 1909, and all acts and parts of acts in conflict with this act," "

Bill read third time.

MOTION TO REFER TO SPECIAL COMMITTEE OF ONE.

During third reading of the bill, Senator McCormack moved to refer Senate Bill No. 740 to Senator Hays, as a Special Committee of One, to amend as follows:

AMENDMENT NUMBER ONE.

On page 5, line 3, of the printed bill, strike out "five hundred", and insert in lieu thereof the following: "six hundred fifty".

AMENDMENT NUMBER TWO.

On page 5, line 5, of the printed bill, strike out "five hundred", and insert in lieu thereof the following: "six hundred fifty".

AMENDMENT NUMBER THREE.

On page 5, line 20, of the printed bill, strike out "five hundred", and insert in lieu thereof the following: "six hundred fifty".

AMENDMENT NUMBER FOUR.

On page 5, line 21, of the printed bill, strike out "five hundred", and insert in lieu thereof the following: "six hundred fifty".

Motion carried.

REPORT OF SPECIAL COMMITTEE OF ONE.

SENATE CHAMBER, SACRAMENTO, April 16, 1931.

MR. PRESIDENT: Your Special Committee of One, to which was referred Senate Bill No. 740, with instructions to amend, respectfully reports the same back, amended as per instructions.

HAYS, Committee.

Report read, and on motion of Senator McCormack adopted.

Bill ordered to print, and re-engrossment.

Senate Bill No. 902—An act to amend section 8 of the Workmen's Compensation, Insurance and Safety Act of 1917, relating to and defining employees and excluding from the provisions of the act any person engaged in selling, offering for sale or delivering to the public any newspaper, magazine or periodical.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Senate Bill No. 902 passed by the following vote:

AYES—Senators Allen, Baker, Breed, Carter, Cleveland, Clock, Crittenden, Deuel, Edwards, Evans, Harper, Hays, Ingels, Inman, Jones, Maloney, McCormack, McKinley, Mixter, Moran, Pedrotti, Rich, Riley, Rochester, Schottky, Sharkey, Slater, Swing, Treacy, Tubbs, Waggy, Williams, and Young—33.

NOES—None.

Title read and approved.

Bill ordered transmitted to the Assembly.

Senate Bill No. 189—An act to amend section 690 of the Code of Civil Procedure, relating to property exempt from execution.

Bill read third time.

MOTION TO REFER TO SPECIAL COMMITTEE OF ONE.

During third reading of the bill, Senator Rochester moved to refer Senate Bill No. 189 to Senator Carter, as a Special Committee of One, to amend as follows:

AMENDMENT NUMBER ONE.

On page 1, line 21, of the printed bill, after the word "wagons", insert "one motor vehicle and/or trailer not exceeding in value the sum of five hundred dollars necessary in his business:".

AMENDMENT NUMBER TWO.

On page 2, line 16, of the printed bill, after the word "bicycle", insert the words "or one motor vehicle not exceeding in value five hundred dollars".

AMENDMENT NUMBER THREE.

On page 2, line 35, of the printed bill, after the word "equipments", insert "or one motor vehicle not exceeding in value five hundred dollars."

AYES AND NOES DEMANDED.

A roll call was demanded by Senators Christian, Riley, and McKinley, on Senator Rochester's motion to refer Senate Bill No. 189 to Senator Carter, as a Special Committee of One, for amendment.

The roll was called.

CALL OF THE SENATE.

Pending the announcement of the vote, Senator Rochester moved a call of the Senate.

Motion carried.

The Secretary was directed to call the roll.

The roll was called, and the following answered to their names:

Senators Allen, Baker, Breed, Bush, Carter, Christian, Crittenden, Deuel, Duval, Evans, Fellom, Harper, Hays, Ingels, Inman, Jones, Maloney, McCormack, McKinley, Mixer, Pedrotti, Rich, Riley, Rochester, Schottky, Sharkey, Slater, Swing, Treacy, Tubbs, Waggy, and Williams—32.

The Secretary announced the absentees.

Time, twelve o'clock and forty-seven minutes p.m.

The President directed the Sergeant-at-Arms to close the doors.

The Sergeant-at-Arms, having been furnished with the names of the absentees, was directed to bring them to the bar of the Senate.

PROCEEDINGS UNDER CALL OF THE SENATE.

CONSIDERATION OF DAILY FILE.

THIRD READING OF SENATE BILLS—(RESUMED).

Senate Bill No. 547—An act to amend section 159 of the California Vehicle Act, relating to the Motor Vehicle Fund.

Bill read third time.

MOTION TO REFER TO SPECIAL COMMITTEE OF ONE.

During third reading of the bill, Senator Breed moved to refer Senate Bill No. 547 to Senator Nelson, as a Special Committee of One, to amend as follows:

AMENDMENT NUMBER ONE.

On page 1 of the printed bill, between the enacting clause and line 1, insert the following:

"SECTION 1. Section 159 of the California vehicle act as amended by chapter 253, statutes of 1929, is hereby amended to read as follows:"

AMENDMENT NUMBER TWO.

On page 1, line 1, of the printed bill, after the figure "159", insert the words "Motor vehicle fund."

AMENDMENT NUMBER THREE.

On page 1, line 27, of the printed bill, strike out the words "board of control", and insert in lieu thereof the words "department of finance".

AMENDMENT NUMBER FOUR.

On page 2, line 14, of the printed bill, strike out the words "in said counties respectively;" and insert in lieu thereof a comma.

AMENDMENT NUMBER FIVE.

On page 2, line 19, of the printed bill, after the word "ordinance", add the words "or resolution".

AMENDMENT NUMBER SIX.

On page 2 of the printed bill, strike out lines 28 to 30, both inclusive, and insert in lieu thereof the following: "is hereby empowered to expend any portion of the amounts paid to the said".

AMENDMENT NUMBER SEVEN.

On page 2, line 35, of the printed bill, after the word "ordinance", add the words "or resolution".

AMENDMENT NUMBER EIGHT.

On page 2, line 38, of the printed bill, after the word "ordinance", add the words "or resolution".

AMENDMENT NUMBER NINE.

On page 2, line 42, of the printed bill, strike out the word "ordinance", and insert the word "resolution".

AMENDMENT NUMBER TEN.

On page 2, line 44, of the printed bill, after the word "California", add the words "or to the account of the secretary of agriculture of the United States".

AMENDMENT NUMBER ELEVEN.

On page 2, line 44, of the printed bill, strike out the word "ordinance", and insert in lieu thereof the word "resolution".

AMENDMENT NUMBER TWELVE.

On page 2, line 47, of the printed bill, after the word "commission", add the words "or said secretary of agriculture".

AMENDMENT NUMBER THIRTEEN.

On page 2, line 47, of the printed bill, after the word "expended", strike out the words "by said commission".

AMENDMENT NUMBER FOURTEEN.

On page 2, line 48, of the printed bill, strike out the word "ordinance", and insert in lieu thereof the word "resolution".

AMENDMENT NUMBER FIFTEEN.

On page 4, line 2, of the printed bill, strike out the words "state board of control", and insert in lieu thereof the words "department of finance".

Motion carried.

REPORT OF SPECIAL COMMITTEE OF ONE.

SENATE CHAMBER, SACRAMENTO, April 16, 1931.

MR. PRESIDENT: Your Special Committee of One, to which was referred Senate Bill No. 547, with instructions to amend, respectfully reports the same back, amended as per instructions.

NELSON, Committee.

Report read, and on motion of Senator Breed adopted.

Bill ordered to print and re-engrossment.

Senate Bill No. 689—An act to amend sections 3463, 3464, 3465 and 3466 of the Political Code, relating to reclamation districts.

Bill read third time.

MOTION TO REFER TO SPECIAL COMMITTEE OF ONE.

During third reading of the bill, Senator Crittenden moved to refer Senate Bill No. 689 to Senator McCormack, as a Special Committee of One, to amend as follows:

AMENDMENT NUMBER ONE.

On page 2, line 19, of the printed bill, as amended in Senate April 9, 1931, after the word "order", insert the word "determining".

AMENDMENT NUMBER TWO.

On page 3, line 25, of the printed bill, as amended in Senate April 9, 1931, after the semicolon following the word "place", insert the following: "and for the issuance of receipts for said bonds by said depository, which shall be known as 'ownership certificates', and which shall describe said bonds and the coupons attached thereto, the amount, due dates, coupons and original numbers thereof, and which shall be transferable by delivery."

AMENDMENT NUMBER THREE.

On page 3, line 34, of the printed bill, as amended in Senate April 9, 1931, after the word "basis", insert the following: "and, if deemed desirable, in the order of maturity of the original issue of bonds."

AMENDMENT NUMBER FOUR.

On page 4 of the printed bill, as amended in Senate April 9, 1931, commencing on line 2 thereof, strike out the following: "Where title to any lands has vested in the county treasurer, as trustee", and insert in lieu thereof, the following: "Where lands have been sold to the county treasurer, as trustee, and the right to redeem has expired,".

AMENDMENT NUMBER FIVE.

On page 4, line 17, of the printed bill, as amended in Senate April 9, 1931, after the word "deeded", insert the following: "to the county treasurer, as trustee."

AMENDMENT NUMBER SIX.

On page 4, line 18, of the printed bill, as amended in Senate April 9, 1931, strike out the word "commission", and insert in lieu thereof the words "reclamation board".

Motion carried.

REPORT OF SPECIAL COMMITTEE OF ONE.

SENATE CHAMBER, SACRAMENTO, April 15, 1931.

MR. PRESIDENT: Your Special Committee of One, to which was referred Senate Bill No. 689, with instructions to amend, respectfully reports the same back, amended as per instructions.

MCCORMACK, Committee.

Report read, and on motion of Senator Crittenden adopted.

Bill ordered to print, and re-engrossment.

CONSIDERATION OF DAILY FILE.

THIRD READING OF ASSEMBLY BILLS.

Assembly Bill No. 362—An act to amend section 4252 of the Political Code, relating to compensation of county officers and employees in counties of the twenty-third class.

Bill read third time.

MOTION TO REFER TO SPECIAL COMMITTEE OF ONE.

During third reading of the bill, Senator Sharkey moved to refer Assembly Bill No. 362 to Senator Swing, as a Special Committee of One, to amend as follows:

AMENDMENT NUMBER ONE.

On page 6, line 14, of the printed bill, as amended in the Assembly, March 6, 1931, strike out "first and second classes", and insert in place thereof the words "first, second and third classes."

Motion carried.

REPORT OF SPECIAL COMMITTEE OF ONE.

SENATE CHAMBER, SACRAMENTO, April 16, 1931.

MR. PRESIDENT: Your Special Committee of One, to which was referred Assembly Bill No. 362, with instructions to amend, respectfully reports the same back, amended as per instructions.

SWING, Committee.

Report read, and on motion of Senator Sharkey adopted.

Bill ordered to print.

Assembly Bill No. 1322—An act to add a new section to be numbered 9a23 to an act entitled "An act to provide for the establishment and maintenance of county free libraries in the State of California, and repealing 'An act entitled "An act to provide county library systems," approved April 12, 1909, and all acts and parts of acts in conflict with this act,' " approved February 25, 1911, as amended, relating to libraries in counties of the twenty-third class.

Bill read third time.

MOTION TO REFER TO SPECIAL COMMITTEE OF ONE.

During third reading of the bill, Senator Sharkey moved to refer Assembly Bill No. 1322 to Senator Swing, as a Special Committee of One, to amend as follows:

AMENDMENT NUMBER ONE.

On page 1, line 3, of the printed bill, strike out the word "twenty-fifth", and substitute in place thereof the word "twenty-third."

REPORT OF SPECIAL COMMITTEE OF ONE.

SENATE CHAMBER, SACRAMENTO, April 16, 1931.

MR. PRESIDENT: Your Special Committee of One, to which was referred Assembly Bill No. 1322, with instructions to amend, respectfully reports the same back, amended as per instructions.

SWING, Committee.

Report read, and on motion of Senator Sharkey adopted.

Bill ordered to print.

RE-REFERENCE OF ASSEMBLY BILL.

On motion of Senator Swing, Assembly Bill No. 1215 was ordered re-referred to Committee on Finance.

FURTHER PROCEEDINGS UNDER CALL OF THE SENATE DISPENSED WITH.

At twelve o'clock and fifty-nine minutes p.m., further proceedings under the call of the Senate were dispensed with, on motion of Senator Rochester.

The Secretary was directed to call the roll on Senator Rochester's motion to refer Senate Bill No. 189 to Senator Carter, as a Special Committee of One, for amendment.

The roll was called.

CALL OF THE SENATE.

Pending the announcement of the vote, Senator Christian moved a call of the Senate.

Motion carried.

The Secretary was directed to call the roll.

The roll was called, and the following answered to their names:

Senators Allen, Baker, Breed, Bush, Carter, Christian, Crittenden, Deuel, Duval, Evans, Fellom, Harper, Hays, Ingels, Inman, Jones, Maloney, McCormack, McKinley, Mixer, Pedrotti, Rich, Riley, Rochester, Schottky, Sharkey, Slater, Swing, Treacy, Tubbs, Waggy, and Williams—32.

The Secretary announced the absentees.

Time, one o'clock and one minute p.m.

The President directed the Sergeant-at-Arms to close the doors.

The Sergeant-at-Arms, having been furnished with the names of the absentees, was directed to bring them to the bar of the Senate.

PROCEEDINGS UNDER CALL OF THE SENATE.

CONSIDERATION OF DAILY FILE.

THIRD READING OF SENATE BILLS—(RESUMED).

Senate Bill No. 159—An act relating to certificates of registration of inspectors and sanitary officers as "registered sanitarians"; empowering the State Board of Public Health to certify approved schools, conduct examinations, and to issue or deny "registered sanitarian" certificates; and providing penalties for violation of this act.

Bill read third time.

MOTION TO REFER TO SPECIAL COMMITTEE OF ONE.

During third reading of the bill, Senator Evans moved to refer Senate Bill No. 159 to Senator Hays, as a Special Committee of One, to amend as follows:

AMENDMENT NUMBER ONE.

On page 3, line 15, of the printed bill, insert a comma after "health", and strike out lines 16 and 17, and insert in lieu thereof the following: "and audited and paid in accordance with law."

Motion carried.

REPORT OF SPECIAL COMMITTEE OF ONE.

SENATE CHAMBER, SACRAMENTO, April 16, 1931.

MR. PRESIDENT: Your Special Committee of One, to which was referred Senate Bill No. 159, with instructions to amend, respectfully reports the same back, amended as per instructions.

HAYS, Committee.

Report read, and on motion of Senator Evans adopted.

Bill ordered to print, and re-engrossment.

MOTION BY SENATOR SHARKEY.

Senator Sharkey moved that the Senate hereafter recess at twelve o'clock and thirty minutes p.m.

Motion carried.

RE-REFERENCE OF SENATE CONSTITUTIONAL AMENDMENT NUMBER TWENTY.

Senator Inman moved that Senate Constitutional Amendment No. 20 be withdrawn from Committee on Governmental Efficiency, and re-referred to Committee on Constitutional Amendments.

Motion carried, and such was the order.

FURTHER PROCEEDINGS UNDER CALL OF THE SENATE DISPENSED WITH.

At one o'clock and eight minutes p.m., further proceedings under the call of the Senate were dispensed with, on motion of Senator Christian.

The Secretary was directed to call the roll on Senator Rochester's motion to refer Senate Bill No. 189 to Senator Carter as a Special Committee of One for amendment.

The roll was called.

CALL OF THE SENATE.

Pending the announcement of the vote, Senator Rochester moved a call of the Senate.

Motion carried.

The Secretary was directed to call the roll.

The roll was called, and the following answered to their names:

Senators Allen, Baker, Breed, Bush, Carter, Cassidy, Christian, Crittenden, Duval, Duval, Edwards, Evans, Fellom, Harper, Hays, Ingels, Inman, Jones, Maloney, McCormack, McKinley, Mixer, Moran, Nelson, Pedrotti, Rich, Riley, Rochester, Schottky, Sharkey, Slater, Swing, Treacy, Tubbs, Wagy, and Williams—36.

The Secretary announced the absentees.

Time, one o'clock and eleven minutes p.m.

The President directed the Sergeant-at-Arms to close the doors.

The Sergeant-at-Arms, having been furnished with the names of the absentees, was directed to bring them to the bar of the Senate.

FURTHER PROCEEDINGS UNDER CALL OF THE SENATE DISPENSED WITH.

At one o'clock and forty minutes p.m., further proceedings under the call of the Senate were dispensed with, on motion of Senator Rochester.

The Secretary was directed to call the roll on Senator Rochester's motion to refer Senate Bill No. 189 to Senator Carter as a Special Committee of One for amendment.

The roll was called, and Senator Rochester's motion carried by the following vote:

AYES—Senators Breed, Carter, Clock, Crittenden, Evans, Fellom, Harper, Inman, Jones, Maloney, McKinley, Mixer, Pedrotti, Rochester, Sharkey, Swing, Treacy, Tubbs, Williams, and Young—20.

NOES—Senators Allen, Baker, Bush, Cassidy, Christian, Cleveland, Duval, Duval, Edwards, Hays, Ingels, McCormack, Moran, Nelson, Rich, Riley, Schottky, Slater, and Wagy—19.

REPORT OF SPECIAL COMMITTEE OF ONE.

SENATE CHAMBER, SACRAMENTO, April 16, 1931.

MR. PRESIDENT: Your Special Committee of One, to which was referred Senate Bill No. 189, with instructions to amend, respectfully reports the same back, amended as per instructions.

CARTER, Committee.

Report read, and on motion of Senator Rochester adopted.

Bill ordered to print, and re-engrossment.

RECESS.

On motion of Senator Breed, at one o'clock and forty-three minutes p.m., the President of the Senate declared recess until three o'clock p.m.

RECONVENED.

At three o'clock p.m., the Senate reconvened.

Lieutenant Governor Frank F. Merriam, President of the Senate, in the chair.

Assistant Secretary Francis E. Dalin at the desk.

MESSAGES FROM THE ASSEMBLY.

The following messages from the Assembly were received and read:

ASSEMBLY CHAMBER, SACRAMENTO, April 16, 1931.

MR. PRESIDENT: I am directed to inform your honorable body that the Assembly on this day adopted Assembly Concurrent Resolution No. 19—Relative to the American Legislator's Association, and the Interstate Legislative Reference Bureau.

ARTHUR A. OHNIMUS, Chief Clerk.

By FRED J. DESCH, Assistant Clerk.

Assembly Concurrent Resolution No. 19 read, and referred to Committee on Rules.

Also:

ASSEMBLY CHAMBER, SACRAMENTO, April 16, 1931.

MR. PRESIDENT: I am directed to inform your honorable body that the Assembly on April 15, 1931, passed Assembly Bill No. 21—An act to amend section 1161 of the Code of Civil Procedure, relating to unlawful detainer.

ARTHUR A. OHNIMUS, Chief Clerk.

By FRED J. DESCH, Assistant Clerk.

Assembly Bill No. 21 read first time, and referred to Committee on Judiciary.

Also:

ASSEMBLY CHAMBER, SACRAMENTO, April 16, 1931.

MR. PRESIDENT: I am directed to inform your honorable body that the Assembly on this day concurred in Senate amendments to Assembly Bill No. 651—An act to amend section 11 of chapter 387, Statutes of 1913, entitled "An act providing for the organization of water districts by the board of supervisors of the different counties of the State upon petition therefor by the landowners; providing for the joint government and control thereof by the landowners thereof and the board of supervisors of the county in which the same are formed; providing for the duties in connection therewith of the county officials of each county in which any of the lands contained in said district are located; providing for the acquisition and construction by said district of irrigation works, for the irrigation of the lands embraced therein and for the distribution thereof of water for irrigation purposes; providing for the payment of the debts thereof by a tax levied on the lands embraced therein; providing for the issuance and sale of bonds thereby; providing for the transfer of the properties of such districts to any reclamation, drainage or irrigation project and the extension of contracts providing for such transfer in exchange for the right to receive and use water; providing for the approval of the California Bond Certification Commission of such contracts or transfers; providing that said bonds and contracts or transfers may be investigated by the California Bond Certification Commission; providing for the approval of said bonds and such transfers, or contracts providing therefor by the California Bond Certification Commission in case said investigation is favorably reported and that thereafter said bonds may be lawfully purchased, or received in

pledge as security for any money or deposits or for the performance of any act, by banks, banking institutions, insurance companies, trust companies, guardians, executors, administrators and special administrators; providing in certain cases for the transfer of districts from the supervisions of one county board of supervisors to another; providing for the dissolution of said districts for nonuser of corporate power; and providing for the annexation of lands to and the exclusion of lands from such districts," approved June 13, 1913, as amended, relating to the sale of lands in water districts of which the district was purchaser at a delinquent tax sale.

ARTHUR A. OHNIMUS, Chief Clerk.

By FRED J. DESCH, Assistant Clerk.

Also:

ASSEMBLY CHAMBER, SACRAMENTO, April 16, 1931.

MR. PRESIDENT: I am directed to inform your honorable body that the Assembly on this day concurred in Senate amendments to Assembly Bill No. 1865—An act to amend section 1918 of the Code of Civil Procedure, relating to the manner of proving official documents;

Also: Assembly Bill No. 619—An act to amend section 4300f of the Political Code, relating to jurors' fees;

Also: Assembly Bill No. 618—An act to amend section 4307 of the Political Code, relating to county charges;

Also: Assembly Bill No. 1096—An act to amend chapter 70, Statutes of 1929, entitled "An act creating the Department of Agriculture Fund, specifying what moneys are to be credited to this fund, providing that all moneys remaining in certain special funds at the time this act takes effect shall be credited to said fund, providing that separate record of income and disbursements be kept of all moneys accruing to this fund and providing for a revolving fund," approved April 9, 1929, by adding a new section thereto to be known as section 6, providing for the payment into the "Department of Agriculture Fund," of moneys received by the Department of Agriculture under section 2319i of the Political Code;

Also: Assembly Bill No. 1177—An act to amend sections 2, 3, 4, 6, 7, 8, 12, 18, 20, and 21 of, and to add two new sections to be numbered 12¹/₂ and 22a to the General Dairy Law of California, approved June 15, 1923, as amended;

Also: Assembly Bill No. 147—An act to amend section 4 of chapter 740, Statutes of 1927, entitled "An act to authorize and control the deposit in banks of money belonging to or in the custody of any county, city and county, city, town, municipality or other political subdivision within this State, and to repeal all acts or parts of acts in conflict with this act," approved May 24, 1927, relating to the deposit of bonds of metropolitan water districts, municipal water districts and bridge and highway districts as security;

Also: Assembly Bill No. 1007—An act to repeal sections 322 and 322a of the Civil Code, relating to corporations.

ARTHUR A. OHNIMUS, Chief Clerk.

By FRED J. DESCH, Assistant Clerk.

REPORTS OF STANDING COMMITTEES—(RESUMED).

The following reports of standing committees were received and read:

ON ENGROSSMENT, ENROLLMENT AND PRINTING.

SENATE CHAMBER, SACRAMENTO, April 16, 1931.

MR. PRESIDENT: Your Committee on Engrossment, Enrollment and Printing has examined Senate Bill No. 283—An act to amend section 44 of the California Vehicle Act, relating to the registration of vehicles—and reports that the same has been correctly engrossed.

RILEY, Chairman.

ON FINANCE.

SENATE CHAMBER, SACRAMENTO, April 16, 1931.

MR. PRESIDENT: Your Committee on Finance, to which was referred Senate Bill No. 51—An act relating to and providing for the construction of flood control works on the Santa Ana River system and for the prevention of floods and conserving of the flood waters of said river and its tributaries and making an appropriation therefor—has had the same under consideration, and respectfully reports the same back with amendments, and recommends that the amendments be adopted, and the bill be re-referred to this committee.

Committee membership—18; committee vote: Ayes—14; absent—4.

(Signed out)

SWING, Chairman.

CLOCK.

EDWARDS.

INMAN.

MORAN.

RICH.

SHARKEY.

TUBBS.

CONSIDERATION OF COMMITTEE AMENDMENTS.

Pursuant to the report of the Committee on Finance, the following amendments to Senate Bill No. 51 were read and adopted:

AMENDMENT NUMBER ONE.

On page 2, line 31, of the printed amended bill, after the word "paid", reinsert a period, strike out the semicolon and the word "provided"; also lines 32, 33, 34, 35, 36, 37 and 38 down to and including the period following the word "provided", and insert the following: "and thereafter said controller shall draw his warrant for such sums in favor of the said county treasurer as shall be provided and authorized in the budget."

AMENDMENT NUMBER TWO.

On page 2 of the printed amended bill, after line 42, insert the following: "If the work of controlling and conserving the flood waters of the Santa Ana river system shall not have been completed with the appropriation hereinbefore made, authority is hereby given to insert in the budget for succeeding bienniums such amounts for annual expenditures for such purpose as the director of finance shall deem necessary to carry on such work to completion, and any such sums so budgeted shall be paid to the said county treasurer of San Bernardino county and expended as herein provided."

Bill ordered to print, and re-referred to Committee on Finance.

ON CONSTITUTIONAL AMENDMENTS.

SENATE CHAMBER, SACRAMENTO, April 16, 1931.

MR. PRESIDENT: Your Committee on Constitutional Amendments, to which was referred Senate Constitutional Amendment No. 29—A resolution to propose to the people of the State of California, an amendment to the constitution of said State by adding to article XIII thereof, a new section to be numbered 11½, relating to the taxation of personal incomes—has had the same under consideration, and respectfully reports the same back, and recommends that it do pass, and be re-referred to Committee on Revenue and Taxation.

Committee membership—9; committee vote: Ayes—7; absent—2.

ALLEN, Chairman.

Senate Constitutional Amendment No. 29 ordered re-referred to Committee on Revenue and Taxation.

Also:

MR. PRESIDENT: Your Committee on Constitutional Amendments, to which was referred Assembly Constitutional Amendment No. 2—A resolution proposing to the people of the State of California an amendment to the constitution of said State by adding to article IV thereof a new section to be numbered 31b, relating to the release of lien for taxes in certain cases—has had the same under consideration, and respectfully reports the same back, and recommends that it do pass, and be re-referred to Committee on Revenue and Taxation.

Committee membership—9; committee vote: Ayes—7; absent—2.

ALLEN, Chairman.

Assembly Constitutional Amendment No. 2 ordered re-referred to Committee on Revenue and Taxation.

Also:

MR. PRESIDENT: Your Committee on Constitutional Amendments, to which was referred Assembly Constitutional Amendment No. 33—A resolution proposing to the people of the State of California, an amendment to the constitution of said State by amending section 16½ of article XI of the constitution of the State of California, relating to the deposit of public moneys in banks—has had the same under consideration, and respectfully reports the same back, and recommends that it do pass, and be re-referred to Committee on Municipal Corporations.

Committee membership—9; committee vote: Ayes—7; absent—2.

ALLEN, Chairman.

Assembly Constitutional Amendment No. 33 ordered re-referred to Committee on Municipal Corporations.

CONSIDERATION OF DAILY FILE.
SECOND READING OF SENATE BILLS.

Senate Bill No. 185—An act to amend section 9 of chapter 34, Statutes of 1927, entitled the State Bar Act, approved March 31, 1927, as amended, relating to the Board of Governors.

Bill read second time, ordered engrossed, and on file for third reading.

Senate Bill No. 209—An act to amend sections 204, 204a, 204b, 204c, 204d, and 204e of the Code of Civil Procedure, relating to jury commissioners and a jury commissioner.

COMMITTEE AMENDMENTS.

During the second reading of the bill, the following committee amendments were offered:

AMENDMENT NUMBER ONE.

On page 1 of the title of the amended printed bill, strike out the following: "sections 204, 204a, 204b, 204c, 204d", and the remainder of the title, and insert in lieu thereof the following: "section 204c of the Code of Civil Procedure, relating to jury commissioner in counties, or cities and counties, where there is a secretary of the judges of the superior court."

Amendment adopted.

AMENDMENT NUMBER TWO.

On page 1 of the amended printed bill, strike out all of lines 1 to 21, both inclusive.

Amendment adopted.

AMENDMENT NUMBER THREE.

Strike out all of pages 2, 3 and 4 of the amended printed bill, and insert in lieu thereof the following:

"SECTION 1. Section 204e of the Code of Civil Procedure is hereby amended as follows:

204e. In any county or city and county where there is a secretary of the judges of the superior court in said county, or city and county, a majority of the said judges may in their discretion require such secretary to perform the duties of jury commissioner in addition to his regular duties as secretary. In such case the salary of the secretary of the said judges shall be six hundred dollars per month, except in counties, or cities and counties, having a population of less than five hundred thousand, as ascertained and determined in the manner provided by section 4005c of the Political Code, in which counties, or cities and counties, the salary of the secretary shall be five hundred dollars per month.

On the authorization of the judges in such a case, the secretary shall have two assistant secretaries, who shall assist also in the performance of the duties of jury commissioner and one whose salary shall be three hundred dollars per month and the other two hundred fifty dollars per month. The salaries herein authorized shall be paid out of the same fund that salaries of county officers are paid."

Amendment adopted.

Bill read second time, ordered to print, engrossment, and on file for third reading.

Senate Bill No. 9—An act declaring the bridge across the Yuba River at the city of Marysville and the bridge across the Feather River between the city of Marysville and the city of Yuba City to be State highways and parts of the State highway system.

Bill read second time, ordered engrossed, and on file for third reading.

Senate Bill No. 812—An act to amend section 3480 of the Political Code, relating to the issuance of bonds in reclamation districts and the calling of special elections for that purpose.

COMMITTEE AMENDMENTS.

During the second reading of the bill, the following committee amendments were offered:

AMENDMENT NUMBER ONE.

In line 1 of the title of the printed bill, strike out "3480 of", and insert in lieu thereof the following: "3489 of, and to add section 3489b to".

Amendment adopted.

AMENDMENT NUMBER TWO.

In the title of the printed bill, strike out lines 2 and 3, and insert in lieu thereof the following: "relating to the reorganization of, and the inclusion of lands in, swamp land or reclamation districts".

Amendment adopted.

AMENDMENT NUMBER THREE.

On page 1, line 1, of the printed bill, strike out "3480", and insert in lieu thereof the following: "3489".

Amendment adopted.

AMENDMENT NUMBER FOUR.

On page 1 of the printed bill, strike out line 3, and insert in lieu thereof the following:

"3489. Reclamation districts formed, organized or created into districts under special or general laws heretofore or now in force, may reorganize and consolidate in the manner following: Whenever the owners of a majority of the acreage of the land in each of two or more reclamation districts desire to consolidate and reorganize, they may do so by filing a notice with the county recorder of the county in which the greater portion of the lands of the combined districts is situated, setting forth that they desire to consolidate and reorganize.

The notice must give the exterior boundaries of the said districts, the name and number of each of them, the number of acres of land that each contains, and must be signed by the persons owning the majority of the acreage of the land in each district, and shall designate the number of acres owned by each signer and the district in which the same is situated. The county recorder shall record said notice in a book kept for the purpose of recording papers in relation to reclamation districts. He shall make a certified copy of said notice, and forward the same to the state land register, who shall designate a number for the reorganized district, after which time the district shall be known by such number, and shall be under the operation of and governed by the provisions of this code, and all proceedings thereafter shall be the same as though said district was organized upon an original petition and granted by the board of supervisors.

Provided, however, that such consolidation and reorganization shall in no manner invalidate the indebtedness of the original districts; and all the laws, rules and regulations for the assessing, levying and collecting taxes or assessments in said districts shall remain and be in full force and all assessments and collections required for the payment of the then outstanding indebtedness in said districts, shall be the same as though they had not consolidated and reorganized until such indebtedness shall be paid and liquidated; *provided, however,* that the provisions of this code relative to assessments and issuing and sale of bonds are hereby made applicable to such districts.

Provided, that the reorganization and consolidation of any two or more districts under the provisions of this act shall not be so construed as to legalize any indebtedness or any act of any of said districts or the officers thereof, prior to the act of reorganization and consolidation; *provided, further,* that no land not included in some of the original districts shall be included in the reorganization and consolidation without the consent of the owner.

SEC. 2. A new section is hereby added to the Political Code of the State of California to be numbered 3489b and to read as follows:

3489b. The owners of a majority of acres of land in compact form, capable of being embraced in a swamp-land or reclamation district, and not a part of another district desiring to have their lands included within a swamp-land or reclamation district may apply in writing to the board of trustees of such district to have their lands included within such district.

Upon the filing of such application, the trustees of such district shall file with the board of supervisors of the county in which the district, or greater portion thereof is situated, a petition to include said lands within said swamp-land or reclamation district.

Said petition must also set forth the following:

(1) A description of the lands sought to be included within the boundaries of such district.

(2) A description of the exterior boundaries of such district after the lands described in said petition are included therein.

(3) The names of each and every owner of a record of the lands sought to be included within the exterior boundaries of such district.

(4) The benefits said lands will derive from the works of reclamation of such district.

(5) The amount each or any tract of said lands should be charged under any existing assessment or assessments for the construction of works of reclamation unpaid at the time of the filing of said petition.

(6) The amount said lands or any part thereof should be charged under any previous assessment or assessments for works of reclamation which assessment or assessments have been paid in full prior to the time of the filing of said petition.

(7) In the event an assessment has been levied on the lands of such district pursuant to subdivision *b* of section 3456 of the Political Code of the State of California, prior to the filing of said petition:

(a) The assessment value per acre of each tract sought to be included in such district.

(b) The total assessment valuation of each of said tracts sought to be included in such district.

(8) The sum of money that would be due for calls theretofore made and paid on any assessment or assessments still a lien upon the lands in such district.

(9) The sum of money that would be due upon said lands sought to be included, upon any assessment or assessments theretofore levied in such district and which have been paid in full prior to the filing of said petition.

(10) The sum due upon a call for the current year made before the hearing of said petition upon an assessment for maintenance and repairs, on each tract of land sought to be included.

There shall be attached to and made a part of said petition a written request to have the lands included within such district, and a consent to the statements contained in said petition signed by the landowners making the request to have said lands included in said district.

Upon the filing of said petition with the clerk of the board of supervisors of the county in which the district or the county in which the greater portion thereof is situated, said clerk shall give notice of the filing of said petition and of the time when the said petition will be presented to the board of supervisors, and when the board of supervisors will consider objections, if any, to said petition for the inclusion of said lands. The hearing upon said petition by said board of supervisors shall be held not less than fifteen (15) days after the day said petition is filed with the clerk of the board of supervisors. Said notice shall be given by said clerk by posting copies thereof in three (3) public places in the county in which said district, or in the county in which the greater portion thereof, is situated. Said notice shall be in substantially the following form:

"NOTICE TO THE LANDOWNERS OF RECLAMATION DISTRICT NO. -----.

Notice is hereby given that there has been filed with the county clerk of the county of -----, a petition for the inclusion, within the boundaries of reclamation district No. ----- of the following described tract of land situate, lying and being in the county of ----- and more particularly described as follows, to wit:

(Description).

That the board of supervisors of the county of ----- will hold a meeting at its office in the city of -----, county of -----, State of California, on the ----- day of -----, 19--, at ----- o'clock --m. at which time any person interested may appear and object to the inclusion of said lands within said reclamation district No. -----".

That at said hearing the board of supervisors shall hear such evidence as may be offered in respect to said petition and shall thereafter grant or deny the said petition or may grant said petition as to a part of the lands sought to be included and deny said petition as to the remainder of said lands sought to be included.

The order of said board of supervisors granting said petition shall:

(1) Describe the exterior boundaries of such district after the inclusion of any of the lands described in said petition.

(2) State the amount of the assessment levied on each tract of said lands being included within the boundaries of such district under any and all existing, outstanding and unpaid assessment or assessments for the construction of works of reclamation.

(3) Prescribe the sum to be paid by the owners of the respective tracts of said lands being included within the boundaries of such district upon calls made on assessments theretofore made and paid upon other lands in said district.

(4) State the assessment valuation per acre and the total assessment valuation of each tract of said lands being included within the boundaries of such district under any existing assessment for repairs and maintenance theretofore levied in such district under the provisions of subdivision *b* section 3456 of the Political Code of the State of California.

(5) Prescribe the sum to be paid by the owners of the respective tracts of land being included within the boundaries of such district for calls made during the year in which said petition was filed under assessments for repairs and maintenance.

(6) Prescribe the sum to be paid by the owners of the respective tracts of land being included within the boundaries of such district upon the assessment or assessment for reclamation work theretofore levied and wholly paid prior to the inclusions of said lands within such district.

(7) Prescribe the sum due upon each tract of said lands being included within the boundaries of said district upon a call made upon an assessment for maintenance and repairs.

(8) If it be deemed advisable, require the payment of any sums on account of the assessment or assessments in such installments as said board may determine. The amount and time of payment of the installments shall be specified in said order.

The owners of the tracts of land sought to be included and described in the order of the board of supervisors shall within thirty (30) days pay to the county treasurer of the county in which such district or the greater portion thereof is situated the sums of money fixed in said order as being due upon assessments, if any such sums are due, and upon the presentation to the board of supervisors of the receipt of the county treasurer showing the payment of said sum, said board shall make its order including said lands within such district and shall set forth in said order a description of the exterior boundaries of such district after the inclusion of said lands.

Upon the board of supervisors making the order including lands within such district, the board of trustees of such district shall file a certified copy of said petition, together with a certified copy of the order of the board of supervisors including said lands within such district, in the office of the county recorder of the county in which said lands are situated and also with the registrar of the state land office. The board of trustees of such district shall file with the county treasurer or other officer having custody of the assessment list or lists of such district certified copies of the petition and orders of the board of supervisors and it shall be the duty upon such filing of the county treasurer or other officer having custody of the assessment lists to enter said lands and amounts set forth in the order of, and fixed by the board of supervisors upon the assessment list or lists of such district.

Upon the filing of the certified copy of the petition for inclusions of lands in such district, together with a certified copy of the order of the board of supervisors including said lands, all assessments on said land as fixed by the board of supervisors shall become a lien upon said lands and shall be collected in the same manner as assessments are collected in swamp-land and reclamation districts; *provided, however*, that if the order of the board of supervisors shall direct that the amount due at the time of the inclusions of the lands shall be payable in installments, then in the event of default of the payment of any installment the same shall become delinquent and shall be subject to the same penalties and collectible in the same manner as any other swamp land or reclamation district assessments.

All payments made to the county treasurer pursuant to the order of said board of supervisors shall be credited to the proper fund or funds of such district.

Any proceeding under this section shall not be deemed to invalidate or act as a reapportionment of any existing assessment or assessments in such district."

Amendment adopted.

Bill read second time, ordered to print, engrossment, and on file for third reading.

Senate Bill No. 900—An act to amend the California Vehicle Act, approved May 30, 1923, and as amended, by amending sections 99, 100, 100½, 101, 102, 103, 104, 106, 108, 110, 111, 111½, 130, adding thereto new sections to be numbered 106½, 111½, 111¾, 111⅔, relating to the use, operation and equipment of motor vehicles operated upon the public highways, requiring lights, reflex mirrors, light indicators, prohibiting certain lights, the sale thereof, the sale of motor vehicles equipped with unlawful lights, regarding the method and requirements for the testing of lights and signals, the approval thereof, authorizing the establishment of official headlamp and brake adjusting stations, and the enforcement of said act.

COMMITTEE AMENDMENTS.

During the second reading of the bill, the following committee amendments were offered:

AMENDMENT NUMBER ONE.

In line 2 of the title of the printed bill, strike out "100.", and in line 3 of the title, same page, strike out "110." and "111.", and in line 4 of the title, same page, strike out "111 $\frac{1}{2}$."

Amendment adopted.

AMENDMENT NUMBER TWO.

On page 1 of the printed bill, strike out, commencing with line 13, down to and including line 11, page 4.

Amendment adopted.

AMENDMENT NUMBER THREE.

On page 4, line 12, of the printed bill, strike out "3.", and insert "2".

Amendment adopted.

AMENDMENT NUMBER FOUR.

On page 4, line 21, of the printed bill, strike out "auxilairy", and insert "auxiliary".

Amendment adopted.

AMENDMENT NUMBER FIVE.

On page 5, line 2, of the printed bill, strike out the letter "s", at the end of the word "centers", and also in same line, strike out the letter "s", at the end of the word "lamps".

Amendment adopted.

AMENDMENT NUMBER SIX.

On page 5, line 19, of the printed bill, strike out "4.", and insert "3".

Amendment adopted.

AMENDMENT NUMBER SEVEN.

On page 6, line 31, of the printed bill, strike out the word "devision", and insert "division".

Amendment adopted.

AMENDMENT NUMBER EIGHT.

On page 7, line 5, of the printed bill, strike out "5.", and insert "4".

Amendment adopted.

AMENDMENT NUMBER NINE.

On page 9, line 13, of the printed bill, strike out "January", and insert "July".

Amendment adopted.

AMENDMENT NUMBER TEN.

On page 9, line 16, of the printed bill, strike out "driver's", and insert "front".

Amendment adopted.

AMENDMENT NUMBER ELEVEN.

On page 9, line 18, of the printed bill, strike out "6.", and insert "5".

Amendment adopted.

AMENDMENT NUMBER TWELVE.

On page 9, line 37, of the printed bill, strike out "7.", and insert "6".

Amendment adopted.

AMENDMENT NUMBER THIRTEEN.

On page 10, line 20, of the printed bill, strike out "8.", and insert "7".

Amendment adopted.

AMENDMENT NUMBER FOURTEEN.

On page 10, lines 41 and 42, of the printed bill, strike out "January 31", and insert "July 1".

Amendment adopted.

AMENDMENT NUMBER FIFTEEN.

On page 10, line 46, of the printed bill, strike out "9," and insert "8."

Amendment adopted.

AMENDMENT NUMBER SIXTEEN.

On page 11, line 5, of the printed bill, strike out "10," and insert "9."

Amendment adopted.

AMENDMENT NUMBER SEVENTEEN.

On page 11, line 33, of the printed bill, strike out "thirty", and insert "twenty".

Amendment adopted.

AMENDMENT NUMBER EIGHTEEN.

On page 11, line 39, of the printed bill, strike out down to and including line 25, page 12.

Amendment adopted.

AMENDMENT NUMBER NINETEEN.

On page 12, line 26, of the printed bill, strike out "13," and insert "10,".

Amendment adopted.

AMENDMENT NUMBER TWENTY.

On page 12, line 34, of the printed bill, strike out "14," and insert "11."

Amendment adopted.

AMENDMENT NUMBER TWENTY-ONE.

On page 12, line 36, of the printed bill, strike out "on complaint".

Amendment adopted.

AMENDMENT NUMBER TWENTY-TWO.

On page 12 of the printed bill, between lines 47 and 48, insert the following:
"The division, after the approval of any lighting or signal device, may order a retest of the same and if such retest discloses same does not comply with the provisions of this act, the division shall revoke its certificate of approval and notify the person who submitted the device for testing, of such revocation. The costs of such retest, together with the expense of any investigation for the purpose of obtaining information on lighting or signal devices shall be paid out of the funds of the division."

Amendment adopted.

AMENDMENT NUMBER TWENTY-THREE.

On page 12 of the printed bill, strike out commencing with line 48, down to and including line 3, page 13.

Amendment adopted.

AMENDMENT NUMBER TWENTY-FOUR.

On page 13, line 4, of the printed bill, strike out "16," and insert "12,".

Amendment adopted.

AMENDMENT NUMBER TWENTY-FIVE.

On page 13, line 32, of the printed bill, strike out "17," and insert "13,".

Amendment adopted.

AMENDMENT NUMBER TWENTY-SIX.

On page 14, line 30, of the printed bill, after the word "lamps", insert "on new vehicles sold after July 1, 1932".

Amendment adopted.

Bill read second time, ordered to print, engrossment, and on file for third reading.

Senate Bill No. 10—An act to amend section 736*b* and repeal section 736*c* of the Political Code, relating to salaries of judges of the superior court.

COMMITTEE AMENDMENTS.

During the second reading of the bill, the following committee amendments were offered:

AMENDMENT NUMBER ONE.

In line 3 of the title of the printed bill, insert after "court", the following: "and make an appropriation to cover increases in the payments by the state therefor".

Amendment adopted.

AMENDMENT NUMBER TWO.

On page 2 of the printed bill, after line 10, add the following:

"Sec. 3. In addition to any other appropriation made by law for support of the superior courts during the eighty-third and eighty-fourth fiscal years, the sum of one hundred ninety thousand (\$190,000) dollars is hereby appropriated out of moneys in the state treasury, of which sum the sum of one hundred thousand dollars is appropriated from the appropriation "for extra compensation and traveling expenses of judges assigned by the judicial council, one hundred forty-five thousand dollars (\$145,000)," made by chapter _____ of the statutes of 1931, and the balance thereof, the sum of sixty thousand (\$60,000) dollars, out of moneys in the general fund not otherwise appropriated, to cover the increase of the state's payment toward the salaries of judges of the superior court herein provided."

Amendment adopted.

Bill read second time, ordered to print, engrossment, and on file for third reading.

Senate Bill No. 605—An act to amend section 1329 of the Penal Code, relating to fees of witnesses when from without the county, or without the State of California.

Bill read second time, ordered engrossed, and on file for third reading.

Senate Bill No. 606—An act to amend section 1089 of the Penal Code, relating to number, selection and duties of alternate jurors and to number of peremptory challenges in criminal cases.

Bill read second time, ordered engrossed, and on file for third reading.

Senate Bill No. 607—An act to amend section 484 of the Penal Code, defining theft.

Bill read second time, ordered engrossed, and on file for third reading.

Senate Bill No. 610—An act to amend section 1426 of the Penal Code, relating to proceedings in justice's court and municipal courts.

Bill read second time, ordered engrossed, and on file for third reading.

Senate Bill No. 612—An act to amend section 473 of the Penal Code, relating to and providing for the penalty for the commission of forgery.

Bill read second time, ordered engrossed, and on file for third reading.

Senate Bill No. 614—An act to amend section 689 of the Penal Code, providing that no person can be convicted of a public offense but upon verdict or judgment.

Bill read second time, ordered engrossed, and on file for third reading.

Senate Bill No. 641—An act to amend section 197 of the Penal Code, defining justifiable homicide.

Bill read second time, ordered engrossed, and on file for third reading.

Senate Bill No. 642—An act to amend section 2 of chapter 339, Statutes of 1923, entitled "An act to control and regulate the possession, sale and use of pistols, revolvers and other firearms capable of being concealed upon the person; to prohibit the manufacture, sale, possession or carrying of certain other dangerous weapons within this State; to provide for registering all sales of pistols, revolvers or other firearms capable of being concealed upon the person; to prohibit the carrying of concealed firearms except by lawfully authorized persons; to provide for the confiscation and destruction of such weapons in certain cases; to prohibit the ownership, use, or possession of any of such weapons by certain classes of persons; to prescribe penalties for violation of this act and increased penalties for repeated violations hereof; to authorize, in proper cases, the granting of licenses or permits to carry firearms concealed upon the person; to provide for licensing retail dealers in such firearms and regulating sales thereunder; and to repeal chapter 145 of California Statutes of 1917, relating to the same subject," relating to penalties for violations of this act.

Bill read second time, ordered engrossed, and on file for third reading.

CONSIDERATION OF DAILY FILE.

SECOND READING OF ASSEMBLY BILLS.

Assembly Bill No. 965—An act to amend sections 2, 3 and 4 of, and to add sections 7, 8, 9, 10, 11, 12, 13, 14, 15 and 16 to, an act entitled "An act to define personal property brokers and regulate their charges and business," approved April 16, 1909, as amended, relating to charges of personal property brokers, and the licensing of such brokers.

Bill read second time, and ordered on file for third reading.

Assembly Bill No. 26—An act to amend section 585 of the Code of Civil Procedure, relating to judgments.

Bill read second time, and ordered on file for third reading.

Assembly Bill No. 72—An act to amend section 1607 of the Penal Code, relating to the medical treatment of prisoners.

Bill read second time, and ordered on file for third reading.

Assembly Bill No. 1024—An act to amend section 1204 of the Code of Civil Procedure, relating to preferred labor claims, raising the preference under assignments for the benefit of creditors and receiverships to not exceeding \$300 for each worker for work done within 90 days and providing procedure for the enforcement of such claims.

COMMITTEE AMENDMENTS.

During the second reading of the bill, the following committee amendments were offered:

AMENDMENT NUMBER ONE.

In line 4 of the title of the printed amended bill, strike out the word "two", and insert in lieu thereof the word "three".

Amendment adopted.

AMENDMENT NUMBER TWO.

On page 1, line 16, of the printed amended bill, strike out the word "three", and insert in lieu thereof the word "two".

Amendment adopted.

AMENDMENT NUMBER THREE.

On page 2, line 14, of the printed amended bill, strike out the words "and in such action".

Amendment adopted.

Bill read second time, ordered to print, and on file for third reading.

Assembly Bill No. 1025—An act to amend sections 950 and 951 of the Probate Code, relating to preferred labor claims, raising the preference in claims against the estate of deceased persons to not exceeding \$300 for each worker for work done within 90 days prior to such death and providing procedure for the enforcement of such claims.

COMMITTEE AMENDMENTS.

During the second reading of the bill, the following committee amendments were offered :

AMENDMENT NUMBER ONE.

In line 4 of the title of the printed amended bill, strike out the word "three", and insert in lieu thereof the word "two".

Amendment adopted.

AMENDMENT NUMBER TWO.

On page 2, line 10, of the printed amended bill, strike out the word "three", and insert in lieu thereof the word "two".

Amendment adopted.

AMENDMENT NUMBER THREE.

On page 2, line 31, of the printed amended bill, strike out the word "three", and insert in lieu thereof the word "two".

Amendment adopted.

Bill read second time, ordered to print, and on file for third reading.

Assembly Bill No. 1026—An act to amend sections 1206, 1207, and 1208 of the Code of Civil Procedure, relating to preferred labor claims, raising the preference in claims under attachments, garnishments and executions to not exceeding \$300 for each worker for work done within 90 days prior to the levy and providing procedure for the enforcement of such claims.

COMMITTEE AMENDMENTS.

During the second reading of the bill, the following committee amendments were offered :

AMENDMENT NUMBER ONE.

In line 4 of the title of the printed amended bill, strike out the word "three", and insert in lieu thereof the word "two".

Amendment adopted.

AMENDMENT NUMBER TWO.

On page 1, line 8, of the printed amended bill, strike out the comma following the word "therefor".

Amendment adopted.

AMENDMENT NUMBER THREE.

On page 1, line 16, of the printed amended bill, strike out the word "three", and insert in lieu thereof the word "two".

Amendment adopted.

AMENDMENT NUMBER FOUR.

On page 3, line 25, of the printed amended bill, strike out the word "general", and insert in lieu thereof the words "senior attaching plaintiff or judgment".

Amendment adopted.

Bill read second time, ordered to print, and on file for third reading.

Assembly Bill No. 58—An act providing for cooperative construction or improvement of highways by the State and a county or counties, and repealing an act entitled "An act providing for the construction and maintenance by the State of State aid highways in counties and towns," approved June 5, 1913, and all other acts or parts of acts in conflict herewith.

Bill read second time, and ordered on file for third reading.

Assembly Bill No. 1734—An act to amend section 7 of an act entitled "An act providing for the dissolution and winding up of savings banks, trust companies, and banks of deposit, and providing for the disposition of all funds deposited therein and not claimed within five years after such banks have ceased to do business, or after the commencement of proceedings to dissolve," approved March 31, 1891.

Bill read second time, and ordered on file for third reading.

Assembly Bill No. 700—An act to amend the title of and to revise chapter 448, Statutes of 1929, entitled "An act to provide relief for owners of crops damaged by protected game animals, approved May 24, 1929," limiting the operation of this act to deer and providing an alternative method for the issuance of permits for taking deer destructive to crops.

Bill read second time, and ordered on file for third reading.

Assembly Bill No. 1891—An act creating a game refuge and fowl sanctuary to be known as the San Leandro Bay Game Refuge and Sanctuary, providing for the conservation and protection of all birds within such district, and providing penalties for violation of the act.

Bill read second time, and ordered on file for third reading.

Assembly Bill No. 807—An act to amend section 10 of chapter 69 of the Statutes of 1929, entitled "An act to provide for the leasing by the State of California of certain tide and submerged lands; to provide the terms, conditions, purposes, and restrictions of, and preference rights to, leases thereof," approved April 9, 1929.

Bill read second time, and ordered on file for third reading.

Assembly Bill No. 967—An act authorizing and directing the Governor of the State of California to grant to the United States of America an easement, the nature of which is described hereinafter, in and over a certain parcel of real property, heretofore acquired by the State of California in connection with the rectification of the San Joaquin River and Stockton Channel, which said parcel of real property is more particularly described hereinafter, said easement to be used by the United States in connection with the deepening, widening and rectification of the San Joaquin River and Stockton Channel, in accordance with an act of Congress entitled "An act authorizing the construction, repair, and preservation of certain public works on rivers and harbors,

and for other purposes." approved by the President on January 21, 1927.

Bill read second time, and ordered on file for third reading.

Assembly Bill No. 685—An act authorizing the Department of Finance to convey by deed certain tidelands belonging to the State of California situate in the county of San Diego, State of California.

Bill read second time, and ordered on file for third reading.

Assembly Bill No. 332—An act to amend section 647 of the Penal Code, relating to vagrants.

Bill read second time, and ordered on file for third reading.

Assembly Bill No. 445—An act to amend section 311 of the Penal Code, relating to lewd conduct or acts and providing penalties therefor.

Bill read second time, and ordered on file for third reading.

REPORTS OF STANDING COMMITTEES—(RESUMED).

The following report of standing committee was received and read:

ON ENGROSSMENT, ENROLLMENT AND PRINTING.

SENATE CHAMBER, SACRAMENTO, April 16, 1931.

MR. PRESIDENT: Your Committee on Engrossment, Enrollment and Printing has examined Senate Bill No. 83—An act to prohibit the employment of aliens by contractors and subcontractors on all public work, except in certain cases of extraordinary emergency, providing for the reporting of such cases of extraordinary emergency and the keeping of records of citizenship of workers employed upon public work and the inspection of such records by the proper officials, providing for a forfeiture for each calendar day, or portion thereof, any alien is knowingly permitted to work on public work and for a stipulation to this effect in the contract, and providing other penalties for violation of the provisions thereof—and reports that the same has been correctly re-engrossed.

RILEY, Chairman.

CONSIDERATION OF DAILY FILE.

THIRD READING OF SENATE BILLS—(RESUMED).

Senate Bill No. 419—An act to add a new section to be numbered 10 to chapter 326, Statutes of 1925, entitled "An act to authorize and empower the State Director of Education, with the approval of the State Board of Control, to sell and convey the lands and buildings of the San Diego State Teachers College, and from the proceeds of such sale to purchase and improve a new and suitable site for said school, to erect and construct upon the site so purchased buildings and other structures and improvements necessary and proper for said school, to purchase furniture, fixtures, apparatus, and other things necessary for said school, and to rent such temporary buildings and grounds as may be necessary for the use of said school until the completion of the new school buildings," providing for a readjustment of the western boundary of the site of the San Diego State Teachers College.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Senate Bill No. 419 passed by the following vote:

AYES—Senators Baker, Breed, Bush, Carter, Cassidy, Clock, Deuel, Duval, Evans, Fellom, Harper, Hays, Ingels, Inman, McKinley, Mixer, Moran, Pedrotti, Riley, Rochester, Sharkey, Slater, Wagy, and Williams—24.

NOES—None.

Title read and approved.

Bill ordered transmitted to the Assembly.

Senate Bill No. 577—An act defining the obligations of any person, company, association or corporation owning or operating any railroad or railway track or tracks upon public highways, roads, streets, avenues, boulevards, lanes, alleys, courts, places, public ways, or other property or rights of way of the public in connection with paving, repaving, repairing, macadamizing, remacadamizing or otherwise improving thereof; requiring any such person, company, association or corporation to restore pavements disturbed by it and to put its track and track structures in good operating condition; superseding all acts inconsistent therewith and repealing all other acts and parts of acts in conflict therewith.

Bill read third time.

MOTION TO RE-REFER SENATE BILL.

Senator Fellom moved that Senate Bill No. 577 be re-referred to Committee on Municipal Corporations.

POINT OF ORDER.

Senator Mixter raised the point of order that Senator Fellom was discussing the merits of Senate Bill No. 577 and not the motion to re-refer it to the Committee on Municipal Corporations.

DECISION ON POINT OF ORDER.

The President announced his decision and declared the point of order not well taken.

AYES AND NOES DEMANDED.

A roll call was demanded by Senators Fellom, Treacy and Riley on Senator Fellom's motion to re-refer Senate Bill No. 577 to Committee on Municipal Corporations.

The roll was called, and Senator Fellom's motion to re-refer Senate Bill No. 577 to Committee on Municipal Corporations lost by the following vote:

AYES—Senators Bush, Clock, Fellom, Maloney, Riley, Slater, Treacy, and Tubbs—8.

NOES—Senators Allen, Baker, Breed, Carter, Cassidy, Christian, Cleveland, Crittenden, Deuel, Duval, Edwards, Evans, Harper, Hays, Ingels, McCormack, McKinley, Mixter, Moran, Pedrotti, Swing, Wagy, and Young—23.

The question being on the passage of the bill.

The roll was called, and Senate Bill No. 577 passed by the following vote:

AYES—Senators Allen, Baker, Breed, Carter, Cassidy, Christian, Cleveland, Crittenden, Deuel, Edwards, Evans, Harper, Maloney, McCormack, Mixter, Nelson, Pedrotti, Rochester, Wagy, Williams, and Young—21.

NOES—Senators Bush, Clock, Fellom, Hays, Ingels, Inman, Jones, Moran, Rich, Riley, Schottky, Slater, Swing, Treacy, and Tubbs—15.

Title read and approved.

Bill ordered transmitted to the Assembly.

Senate Bill No. 808—An act to amend sections 1094 and 1096 of the Political Code, relating to elections.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Senate Bill No. 808 passed by the following vote:

AYES—Senators Allen, Baker, Breed, Bush, Carter, Cassidy, Christian, Cleveland, Clock, Crittenden, Deuel, Edwards, Evans, Fellom, Harper, Hays, Ingels, Inman, Jones, Maloney, McCormack, Mixter, Moran, Nelson, Pedrotti, Rich, Riley, Schottky, Slater, Swing, Treacy, Tubbs, Wagy, Williams, and Young—35.

NOES—None.

Title read and approved.

Bill ordered transmitted to the Assembly.

Senate Bill No. 565—An act granting certain lands and salt marsh and tidelands of the State of California to the city of Oakland, including the management, use and control thereof.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Senate Bill No. 565 passed by the following vote:

AYES—Senators Allen, Baker, Breed, Bush, Carter, Cassidy, Christian, Crittenden, Edwards, Evans, Fellom, Harper, Hays, Ingels, Inman, Maloney, McCormack, Mixter, Moran, Nelson, Pedrotti, Rich, Riley, Schottky, Sharkey, Slater, Swing, Treacy, Tubbs, Wagy, Williams, and Young—32.

NOES—None.

Title read and approved.

Bill ordered transmitted to the Assembly.

SECRETARY JOSEPH A. BEEK AT THE DESK.

Senate Bill No. 884—An act to amend section 19x38 of the Juvenile Court Law, relating to probation officers in counties of the thirty-eighth class.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Senate Bill No. 884 passed by the following vote:

AYES—Senators Allen, Baker, Breed, Bush, Carter, Cassidy, Christian, Cleveland, Clock, Crittenden, Evans, Fellom, Harper, Hays, Ingels, Inman, Maloney, McCormack, Mixter, Moran, Nelson, Pedrotti, Rich, Riley, Rochester, Sharkey, Slater, Swing, Treacy, Tubbs, Wagy, Williams, and Young—33.

NOES—None.

Title read and approved.

Bill ordered transmitted to the Assembly.

Senate Bill No. 885—An act to amend section 2322x38 of the Political Code, relating to the office of agricultural commissioner in counties of the thirty-eighth class.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Senate Bill No. 885 passed by the following vote:

AYES—Senators Allen, Baker, Bush, Cassidy, Cleveland, Clock, Deuel, Evans, Fellom, Harper, Hays, Ingels, Inman, Jones, Maloney, McCormack, Mixter, Moran, Nelson, Pedrotti, Rich, Rochester, Schottky, Sharkey, Slater, Swing, Treacy, Tubbs, Wagy, Williams, and Young—31.

NOES—None.

Title read and approved.

Bill ordered transmitted to the Assembly.

Senate Bill No. 886—An act to amend section 1642 of the Weights and Measures Act, relating to sealers of weights and measures in counties of the forty-second class.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Senate Bill No. 886 passed by the following vote:

AYES—Senators Allen, Baker, Cassidy, Cleveland, Crittenden, Deuel, Evans, Fellom, Harper, Hays, Ingels, Inman, Jones, McCormack, Mixter, Moran, Nelson, Pedrotti, Rich, Riley, Rochester, Sharkey, Slater, Swing, Treacy, Tubbs, Wagy, and Williams—28.

NOES—None.

Title read and approved.

Bill ordered transmitted to the Assembly.

SENATE JOINT RESOLUTION No. 16.

Relative to accepting amendments to permit from the government of the United States for the construction of approach roads and toll collection areas over certain rights of way leading to the Golden Gate Bridge and relating to the retrocession by the Congress of the United States of jurisdiction over said rights of way as relocated and said toll areas, bridge ends and bridge.

WHEREAS, On February 13, 1931, the Secretary of War, pursuant to authority vested in him by the laws of the United States, granted to the Golden Gate Bridge and Highway District certain rights of way upon which are to be located the approach roads, toll areas and bridge ends of the proposed Golden Gate Bridge; and

WHEREAS, The said grant has been accepted by the Golden Gate Bridge and Highway District and also by the Legislature of the State of California under the terms of Senate Joint Resolution No. 11; and

WHEREAS, It has become advisable to realign and change the location of a certain portion of the right of way for an approach road across the Fort Baker Military Reservation in the county of Marin; and

WHEREAS, On the first day of April, 1931, the Secretary of War did grant to the Golden Gate Bridge and Highway District an amended permit providing that the location of the center line of such right of way in the Fort Baker Military Reservation might be changed to the location shown upon the map attached to said amended permit of April 1, 1931; and

WHEREAS, It was however in said permit expressly provided that said amendment should not become effective and the original permit should remain unchanged thereby unless and until the said district should have accepted the said amendment and unless and until the State of California should have with respect to said amendment taken the same formal action which it was required to take with respect to the original permit and which is set forth in paragraph 11 and subparagraphs 11a, 11b and 11c of said instrument as a condition precedent to the taking effect thereof; now, therefore, be it

Resolved by the Senate and Assembly of the State of California, jointly. That said amendment dated April 1, 1931, to said permit dated February 13, 1931, granted by the Secretary of War to the Golden Gate Bridge and Highway District, be and the same hereby is, together with each, all, every and singular the terms, conditions, limitations, reservations and requirements therein contained, accepted by and on behalf of the State of California; and be it further

Resolved. That the State of California does hereby make application to Congress for a retrocession of jurisdiction over the rights of way as relocated and amended by said amended permit of April 1, 1931, in lieu of and superseding the application for retrocession of jurisdiction over the right of way heretofore granted across the Fort Baker Military Reservation in the original permit of February 13, 1931, in case the said relocated right of way is finally granted to the Golden Gate Bridge and Highway District; and be it further

Resolved. That the State of California will, in case such retrocession of jurisdiction is granted by Congress, accept such retrocession of jurisdiction, and will assume the responsibility for managing, controlling, policing, and regulating traffic thereon, all subject to the following limitations and to such other limitations as Congress may prescribe:

(a) That nothing in said permit contained shall be construed to give to the State of California or any of its agents, authority at any time to regulate traffic of military personnel or vehicles upon the said bridge or roads. All traffic upon said roads and upon said bridge shall be free from any tolls, charges or any form of obstruction by State or other agencies, against military and naval personnel and their dependents, civilians of the Army and Navy traveling on government business under military authority, and government traffic.

(b) That whenever in the judgment of the Secretary of War or his authorized representative any emergency exists which justifies it, he may assume exclusive control and management of said bridge and roads and may then in his discretion prohibit, limit or regulate traffic thereon.

(c) That nothing in said permit contained shall be construed to confer upon the State courts the right to try persons subject to military law for crimes or offenses committed on said roads, or upon said bridge within the boundaries of the respective military reservations involved, but the courts of the United States or military tribunals as now or hereafter provided by law, shall retain exclusive jurisdiction to try such persons for such offenses.

Be it further

Resolved, That the State of California does hereby agree to make such relocated right of way in the Fort Baker Military Reservation in said amended permit described a part of the system of public highways of the State; and be it further

Resolved, That copies of this resolution be transmitted to the President of the United States, to the Secretary of War, to each house of Congress, and to the Senators and Representatives in Congress of the State of California.

Resolution read.

The question being on the adoption of the resolution.

The roll was called, and Senate Joint Resolution No. 16 adopted by the following vote:

AYES—Senators Allen, Baker, Breed, Bush, Carter, Cassidy, Cleveland, Clock, Crittenden, Deuel, Evans, Fellom, Harper, Hays, Ingels, Inman, Jones, Maloney, McCormack, Mixer, Moran, Nelson, Pedrotti, Rich, Riley, Rochester, Schottky, Sharkey, Slater, Swing, Treacy, Tubbs, Wagy, and Williams—34.

NOES—None.

Senate Joint Resolution No. 16 ordered transmitted to the Assembly.

Senate Bill No. 210—An act to amend section 12 of chapter 690, Statutes of 1913, entitled the Direct Primary Law, as amended, relating to direct primary elections.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Senate Bill No. 210 passed by the following vote:

AYES—Senators Allen, Baker, Breed, Bush, Carter, Cassidy, Cleveland, Clock, Crittenden, Edwards, Evans, Fellom, Harper, Hays, Ingels, Inman, Jones, Maloney, McCormack, Mixer, Moran, Pedrotti, Rich, Riley, Rochester, Schottky, Sharkey, Slater, Treacy, Tubbs, Wagy, and Williams—32.

NOES—None.

Title read and approved.

Bill ordered transmitted to the Assembly.

REPORTS OF STANDING COMMITTEES—(RESUMED).

The following reports of standing committees were received and read:

ON JUDICIARY.

SENATE CHAMBER, SACRAMENTO, April 16, 1931.

MR. PRESIDENT: Your Committee on Judiciary, to which was referred Senate Bill No. 161—An act to add a new section to the Civil Code to be known as section 3045, covering the lien of an attorney at law—has had the same under consideration, and respectfully reports the same back with amendments, and recommends that the amendments be adopted, and that it do pass as amended.

Committee membership—17; committee vote: Ayes—14; absent—3.

CHRISTIAN, Chairman.

Senate Bill No. 161 ordered on file for second reading.

ON INSURANCE.

SENATE CHAMBER, SACRAMENTO, April 16, 1931.

MR. PRESIDENT: Your Committee on Insurance, to which was referred Senate Bill No. 487—An act to amend section 602a of the Political Code, relating to liability reserves of insurance companies and to the powers and duties of the Insurance Commissioner.

Also: Senate Bill No. 857—An act to amend sections 30 and 31 of the Workmen's Compensation, Insurance and Safety Act, and to add a new section thereto to be numbered 31a;

Also: Senate Bill No. 931—An act to amend section 30 of and to add a new section to be numbered section 30a to the Workmen's Compensation, Insurance and Safety Act of 1917, relating to deductions from employees' wages. Has had the same under consideration, and respectfully reports the same back with amendments, and recommends that the amendments be adopted, and that they do pass as amended.

Committee membership—11; committee vote: Ayes—6; absent—5.

TUBBS, Chairman.

Senate Bills Nos. 487, 857 and 931 ordered on file for second reading.

MESSAGES FROM THE ASSEMBLY.

The following messages from the Assembly were received and read:

ASSEMBLY CHAMBER, SACRAMENTO, April 16, 1931.

MR. PRESIDENT: I am directed to inform your honorable body that the Assembly on this day passed Assembly Bill No. 1000—An act adding new chapters, numbered 1 to 15, inclusive, to title I of part IV of division I of the Civil Code, embracing sections 277 to 404.2, inclusive, relating to corporations;

Also: Assembly Bill No. 1899—An act authorizing and directing the Director of Education, with the approval of the Director of Finance, to grant to the Central Pacific Railway Company certain lands belonging to the State of California situated in Siskiyou County; and to repeal an act entitled "An act authorizing the State Department of Education, with the approval of the State Board of Control, to grant to the California Highway Commission certain lands belonging to the State of California situated in Siskiyou County," approved June 3, 1927;

Also: Assembly Bill No. 1017—An act to amend section 564 of the Code of Civil Procedure, relative to receivers;

Also: Assembly Bill No. 6—An act to amend section 720 of and to add a new section to be numbered 723 to the Code of Civil Procedure, relating to proceedings supplemental to execution, and to the qualifications and powers of referees in such proceedings;

Also: Assembly Bill No. 1126—An act to amend sections 4 and 6 of chapter 493, Statutes of 1917, entitled "An act providing for the leasing of certain State lands and making an appropriation for the purposes of this act," approved May 17, 1917, relating to the termination of leases on State lands;

Also: Assembly Bill No. 1539—An act granting certain tidelands and submerged lands of the State of California to the county of Santa Barbara in said State upon certain trusts and conditions.

ARTHUR A. OHNIMUS, Chief Clerk.
By FRED J. DESCH, Assistant Clerk.

Assembly Bill No. 1000 read first time, and referred to Committee on Judiciary.

Assembly Bill No. 1899 read first time, and referred to Committee on Governmental Efficiency.

Assembly Bills Nos. 1017 and 6 read first time, and referred to Committee on Judiciary.

Assembly Bill No. 1126 read first time, and referred to Committee on Governmental Efficiency.

Assembly Bill No. 1539 read first time, and referred to Committee on Commerce and Navigation.

Also:

ASSEMBLY CHAMBER, SACRAMENTO, April 16, 1931.

MR. PRESIDENT: I am directed to inform your honorable body that the Assembly on this day passed Assembly Bill No. 446—An act to add new sections to the School Code to be numbered 5.722 and 5.723, providing for the granting of leaves of absence to certificated employees of school districts for the purpose of permitting study or travel by such employees;

Also: Assembly Bill No. 466—An act making it unlawful for an attorney at law to employ any person who is not an attorney to solicit claims for personal injuries or for death, prohibiting any person not an attorney at law from soliciting such claims, limiting the use of written statements taken from an injured person, and providing the penalties therefor, also establishing presumptions as to certain settlements, compromises, releases, discharges and satisfactions and as to contracts with attorneys;

Also: Assembly Bill No. 1005—An act adding chapter 3 to title IX of part II of the Code of Civil Procedure, consisting of sections 724.1 to 724.5, inclusive, relating to the sale of franchises on execution;

Also: Assembly Bill No. 548—An act to amend section 453a of the Political Code, and to repeal section 462 of said Code, relating to funds in the State treasury, and to provide for the transfer of special deposits made to the general fund under 453a of the Political Code to the "Special Deposit Fund."

ARTHUR A. OHNIMUS, Chief Clerk.
By FRED J. DESCH, Assistant Clerk.

Assembly Bill No. 446 read first time, and referred to Committee on Education.

Assembly Bills Nos. 466 and 1005 read first time, and referred to Committee on Judiciary.

Assembly Bill No. 548 read first time, and referred to Committee on Governmental Efficiency.

ADJOURNMENT.

At five o'clock and one minute p.m., on motion of Senator Breed, the President declared the Senate adjourned until eleven o'clock a.m., Friday, April 17, 1931.

HAROLD J. POWERS, Minute Clerk.

IN SENATE.

SENATE CHAMBER,
SACRAMENTO, Friday, April 17, 1931.

The Senate met at eleven o'clock a.m.

Lieutenant Governor Frank F. Merriam, President of the Senate, in the chair.

Secretary Joseph A. Beek at the desk.

ROLL CALL.

The roll was called, and the following answered to their names:

Senators Baker, Breed, Bush, Carter, Cassidy, Clock, Crittenden, Deuel, Edwards, Evans, Fellom, Harper, Hays, Ingels, Inman, Jones, Maloney, Mixer, Moran, Nelson, Pedrotti, Rich, Schottky, Sharkey, Slater, Swing, Treacy, Tubbs, Wagy, Williams, and Young—31.

Quorum present.

PRAYER.

Upon invitation of the President, prayer was offered by Rev. William F. Ehmann.

READING OF THE JOURNAL.

During the reading of the Journal of Thursday, April 16, 1931, the further reading was dispensed with, on motion of Senator Slater.

PRIVILEGE OF FLOOR OF SENATE EXTENDED.

On request of Senator Cassidy, the privilege of the floor of the Senate Chamber for this day was unanimously extended to Willa Jane Hellwig of Alvarado, grand matron, Order of Eastern Star; Gladys Fitch Pierce, Santa Barbara, past grand matron, Order of Eastern Star; and Jane Cassidy, of Auburn, deputy grand matron, Order of Eastern Star.

LEAVES OF ABSENCE.

Senator McCormack was, on motion of Senator Hays, granted leave of absence for this day.

Senator Duval was, on motion of Senator Young, granted leave of absence for this day.

Senator Christian was, on motion of Senator Breed, granted leave of absence for this day.

Senator Rochester was, on motion of Senator Carter, granted leave of absence for this day.

Senator Riley was, on motion of Senator Slater, granted leave of absence for this day.

Senator Allen was, on motion of Senator Maloney, granted leave of absence for this day.

Senators McKinley and Cleveland were, on motion of Senator Evans, granted leave of absence for this day.

REPORTS OF STANDING COMMITTEES.

The following reports of standing committees were received and read :

ON ENGROSSMENT, ENROLLMENT AND PRINTING.

SENATE CHAMBER, SACRAMENTO, April 17, 1931.

MR. PRESIDENT: Your Committee on Engrossment, Enrollment and Printing has examined Senate Bill No. 66—An act to amend section 4041.10 of the Political Code, relating to the changing of boundaries of election precincts;

Also: Senate Bill No. 195—An act to amend section 16a of the Narcotic Rehabilitation Act, approved April 9, 1927, as amended, relating to escapes from a State Narcotic Hospital;

Also: Senate Bill No. 408—An act to amend section 347½ of the Penal Code, relating to the sale and use of drugs;

Also: Senate Bill No. 806—An act to amend sections 1195b, 1205, 1210 and 1261, of the Political Code, relating to registration of electors and conduct of elections, and to repeal section 1262, of the Political Code, relating to tally lists;

And reports that the same have been correctly enrolled, and presented to the Governor on the seventeenth day of April, 1931, at ten o'clock and fifteen minutes a.m.

DEUEL, Vice Chairman.

Also:

MR. PRESIDENT: Your Committee on Engrossment, Enrollment and Printing has examined Senate Bill No. 610—An act to amend section 1426 of the Penal Code, relating to proceedings in justice's court and municipal courts;

Also: Senate Bill No. 612—An act to amend section 473 of the Penal Code, relating to and providing for the penalty for the commission of forgery;

Also: Senate Bill No. 614—An act to amend section 689 of the Penal Code, providing that no person can be convicted of a public offense but upon verdict or judgment;

Also: Senate Bill No. 641—An act to amend section 197 of the Penal Code, defining justifiable homicide;

Also: Senate Bill No. 642—An act to amend section 2 of chapter 339, Statutes of 1923, entitled "An act to control and regulate the possession, sale and use of pistols, revolvers and other firearms capable of being concealed upon the person; to prohibit the manufacture, sale, possession or carrying of certain other dangerous weapons within this State; to provide for registering all sales of pistols, revolvers or other firearms capable of being concealed upon the person; to prohibit the carrying of concealed firearms except by lawfully authorized persons; to provide for the confiscation and destruction of such weapons in certain cases; to prohibit the ownership, use, or possession of any of such weapons by certain classes of persons; to prescribe penalties for violation of this act and increased penalties for repeated violations hereof; to authorize, in proper cases, the granting of licenses or permits to carry firearms concealed upon the person; to provide for licensing retail dealers in such firearms and regulating sales thereunder; and to repeal chapter 145 of California Statutes of 1917, relating to the same subject," relating to penalties for violations of this act;

And reports that the same have been correctly engrossed.

DEUEL, Vice Chairman.

Also:

MR. PRESIDENT: Your Committee on Engrossment, Enrollment and Printing has examined Senate Bill No. 9—An act declaring the bridge across the Yuba River at the city of Marysville and the bridge across the Feather River between the city of Marysville and the city of Yuba City to be State highways and parts of the State highway system;

Also: Senate Bill No. 185—An act to amend section 9 of chapter 34, Statutes of 1927, entitled "The State Bar Act," approved March 31, 1927, as amended, relating to the Board of Governors;

Also: Senate Bill No. 311—An act to provide for the impounding and utilization of the waters of the American River for flood control, river flow control and equation, domestic use, irrigation, reclamation, power development, or any one or more of such or other public uses; authorizing the State Department of Finance to acquire for the State property useful in connection therewith; defining the powers and duties of State officers and departments and of public and private agencies in relation thereto; authorizing the leasing of property of the State for any one or more of such uses and specifying certain terms and conditions to which said lease shall be subject;

Also: Senate Bill No. 605—An act to amend section 1329 of the Penal Code, relating to fees of witnesses when from without the county, or without the State of California;

Also: Senate Bill No. 606—An act to amend section 1089 of the Penal Code, relating to number, selection and duties of alternate jurors and to number of peremptory challenges in criminal cases;

Also: Senate Bill No. 607—An act to amend section 484 of the Penal Code, defining theft;

And reports that the same have been correctly engrossed.

DEUEL, Vice Chairman.

Also:

MR. PRESIDENT: Your Committee on Engrossment, Enrollment and Printing has examined Senate Concurrent Resolution No. 28—Relating to a survey and an estimate of the cost of reconstructing the committee rooms in the State Capitol building;

Also: Senate Concurrent Resolution No. 29—Approving an amendment to the charter of the city of San Diego, a municipal corporation in the county of San Diego, State of California, voted for and ratified by the electors of said city of San Diego at a special municipal election held therein on the twenty-fourth day of March, 1931;

And reports that the same have been correctly engrossed.

DEUEL, Vice Chairman.

ON LABOR AND CAPITAL.

SENATE CHAMBER, SACRAMENTO, April 16, 1931.

MR. PRESIDENT: Your Committee on Labor and Capital, to which was referred Assembly Bill No. 713—An act to add a new section to the Civil Code to be numbered 2016, defining the liability of the master to his servant when requiring such servant to wear a uniform or special dress in performing the duties of the employment—has had the same under consideration, and respectfully reports the same back with amendments, and recommends that the amendments be adopted, and be re-referred to this committee.

Committee membership—9; committee vote: Ayes—5; absent—4.

MALONEY, Chairman.

CONSIDERATION OF COMMITTEE AMENDMENTS.

Pursuant to the report of the Committee on Labor and Capital, the following amendment to Assembly Bill No. 713 was read and adopted:

AMENDMENT NUMBER ONE.

Strike out of the original bill, as printed and introduced, lines 10, 11 and in line 12, down to and including the word "servant", and insert in lieu thereof the following: "and such uniform or special dress is similar in respect to material, color and style to that worn in other employments of like character in the city or locality where the master is conducting the employment,".

Bill ordered to print, and re-referred to Committee on Labor and Capital.

Also:

MR. PRESIDENT: Your Committee on Labor and Capital, to which was referred Assembly Bill No. 450—An act to amend section 8, of chapter 202, Statutes of 1919, entitled "An act to regulate the payment of wages or compensation for labor or service in private employments, establishing regular pay days, providing penalties for the violation of its provisions, authorizing the Commissioner of the Bureau of Labor Statistics to enforce this act, defining the duties of district attorneys relative to its enforcement, providing for the collection of certain penalties by civil action at the direction of said commissioner and for the disposition of penalties so collected; repealing an act entitled 'An act providing for the time of payment of wages,' approved May 1, 1911, as amended April 28, 1915, and repealing an act entitled 'An act to regulate the payment of wages or compensation of employees in private employments; to provide for regular pay days in such employments; providing a

penalty for the violation thereof; and authorizing the Commissioner of the Bureau of Labor Statistics to enforce the provisions of this act," approved June 8, 1915," approved May 6, 1919, as amended, relating to the enforcement of the act and permitting individual actions for wages and penalties;

Also; Assembly Bill No. 451—An act to add a new section, to be numbered section 5a, to chapter 202, Statutes of 1919, entitled "An act to regulate the payment of wages or compensation for labor or service in private employments, establishing regular pay days, providing penalties for the violation of its provisions, authorizing the Commissioner of the Bureau of Labor Statistics to enforce this act, defining the duties of district attorneys relative to its enforcement, providing for the collection of certain penalties by civil action at the direction of said commissioner and for the disposition of penalties so collected; repealing an act entitled 'An act providing for the time of payment of wages,' approved May 1, 1911, as amended April 28, 1915, and repealing an act entitled 'An act to regulate the payment of wages or compensation of employees in private employments; to provide for regular pay days in such employments; providing a penalty for the violation thereof; and authorizing the Commissioner of the Bureau of Labor Statistics to enforce the provisions of this act,' approved June 8, 1915," approved May 6, 1919, as amended, providing for the payment of undisputed wage claims without condition, within the time prescribed by the said law, leaving to the worker all remedies he may be entitled to as to any additional balance he may claim;

Has had the same under consideration, and respectfully reports the same back with amendments, and recommends that the amendments be adopted, and that they do pass as amended.

Committee membership—9; committee vote: Ayes—5; absent—4.

MALONEY, Chairman.

Assembly Bills Nos. 450 and 451 ordered on file for second reading.

INTRODUCTION, FIRST READING AND REFERENCE OF BILLS.

The following resolution was offered:

By Senators Cassidy, Deuel, Sharkey and Slater: Senate Concurrent Resolution No. 35—Relative to the National Editorial Association.

CONSIDERATION OF SENATE CONCURRENT RESOLUTION NUMBER THIRTY-FIVE.

Senator Slater asked for, and was granted, unanimous consent for the consideration of Senate Concurrent Resolution No. 35, without reference to committee, for purpose of adoption.

SENATE CONCURRENT RESOLUTION No. 35.

Relative to the National Editorial Association.

WHEREAS, The National Editorial Association, composed of more than 2000 small city and country town newspaper editors and publishers of the United States, holds annual meetings in various parts of the nation; and

WHEREAS, It is understood that this association will be invited to meet in California in June, 1932, the invitation to be extended by the California Newspaper Publishers Association and various civic and commercial organizations throughout the State; now, therefore, be it

Resolved by the Senate, the Assembly concurring. That the State of California does hereby join in this invitation to the newspaper editors of America, assuring them that the Golden State desires to be their host during the time of their 1932 annual convention and outing, and that nothing will be left undone to show this body of journalists the beauty and the prowess of our commonwealth, its commanding position in agriculture and industry, its maritime importance, its charm of mountains, sea, and desert—the great Pacific Empire, builded by American brain and brawn; and be it further

Resolved. That an engrossed copy of this resolution, signed by the President of the Senate and the Speaker of the Assembly, be forwarded by the Secretary of the Senate to the President of the National Editorial Association.

Resolution read.

The question being on the adoption of the resolution.

The roll was called, and Senate Concurrent Resolution No. 35 adopted by the following vote:

AYES—Senators Breed, Bush, Carter, Cassidy, Crittenden, Deuel, Edwards, Evans, Fellom, Hays, Ingels, Inman, Jones, Maloney, Mixter, Moran, Rich, Schottky, Sharkey, Slater, Swing, Treacy, Waggy, and Young—24.

NOES—None.

Senate Concurrent Resolution No. 35 ordered transmitted to the Assembly.

REPORTS OF STANDING COMMITTEES—(RESUMED).

The following reports of standing committees were received and read:

ON EDUCATION.

SENATE CHAMBER, SACRAMENTO, April 16, 1931.

MR. PRESIDENT: Your Committee on Education, to which was referred Senate Bill No. 349—An act to amend section 4.52 of the School Code and to repeal section 1 of chapter 433, Statutes of 1929, entitled "An act relating to the formation, suspension and support of junior college districts and the powers of governing boards thereof," approved May 23, 1929, both relating to the State Junior College Fund—has had the same under consideration, and respectfully reports the same back with amendments, and recommends that the amendments be adopted, and that it do pass, and be re-referred to the Committee on Finance.

Committee membership—13; committee vote: Ayes—10; absent—3.

SLATER, Chairman.

CONSIDERATION OF COMMITTEE AMENDMENTS.

Pursuant to the report of the Committee on Education, the following amendments to Senate Bill No. 349 were read and adopted:

AMENDMENT NUMBER ONE.

In line 1 of the title of the printed bill, strike out the word "amend", and insert in lieu thereof the word "repeal".

AMENDMENT NUMBER TWO.

In line 5 of the title of the printed bill, strike out the third comma, and the word "both", and insert in lieu thereof the following: "and to add a new section to the School Code to be numbered 4.52, all".

AMENDMENT NUMBER THREE.

On page 1, line 2, of the printed bill, strike out all of said line 2, and insert in lieu thereof the following: "repealed.

SEC. 2. Section 1 of chapter 433 of the Statutes of 1929 entitled "An act relating to the formation, suspension and support of junior college districts and the powers of governing boards thereof," approved May 23, 1929, is hereby repealed.

SEC. 3. A new section is hereby added to the School Code to be numbered 4.52 and to read as follows:"

AMENDMENT NUMBER FOUR.

On page 1, line 19, of the printed bill, strike out the period, and insert in lieu thereof a semicolon and the following: "provided, however, that the amount so transferred from the general fund of the state to the state junior college fund shall not exceed two thousand dollars per annum for each junior college district in this state as the junior college allotment and one hundred dollars for each pupil in average daily attendance in the junior college districts of this state during the next preceding school year."

AMENDMENT NUMBER FIVE.

On page 1 of the printed bill, strike out all of lines 20 to 24, both inclusive.

Bill ordered to print, and re-referred to Committee on Finance.

Also:

MR. PRESIDENT: Your Committee on Education, to which was referred Senate Bill No. 829—An act to amend section 4.280 of the School Code, relating to the powers and duties of governing boards of school districts—has had the same under consideration, and respectfully reports the same back with amendments, and recommends that the amendments be adopted, and that it do pass as amended.

Committee membership—13; committee vote: Ayes—10; absent—3.

SLATER, Chairman.

Senate Bill No. 829 ordered on file for second reading.

Also:

MR. PRESIDENT: Your Committee on Education, to which was referred Assembly Bill No. 368—An act to add a new section to the School Code to be numbered 2.74, relating to the liability for the bonded indebtedness of school districts;

Also: Assembly Bill No. 922—An act to amend section 2.125 of article III, chapter II, part I, division II of an act approved March 28, 1929, entitled "An act to provide for the establishment, government, maintenance and operation of the public school system of the State of California" and known as "The School Code of the State of California," and relating to the boundaries of certain school districts;

Also: Assembly Bill No. 947—An act to add a new section to the School Code to be numbered 5.1032, providing for the refunding of contributions paid into the Public School Teachers Permanent Fund through mistake, inadvertence or error;

Also: Assembly Bill No. 948—An act to amend section 2.884 of the School Code, relating to the challenging of electors at school district elections;

Also: Assembly Bill No. 949—An act to amend section 1.252 of the School Code, relating to the payment of salaries of county supervisors of attendance;

Also: Assembly Bill No. 951—An act to amend section 5.842 of the School Code, relating to the filing of confidential personal reports by persons employed in the public schools;

Also: Assembly Bill No. 1490—An act to amend section 3.515 of the School Code, relating to vocational rehabilitation;

Has had the same under consideration, and respectfully reports the same back, and recommends that they do pass.

Committee membership—13; committee vote: Ayes—10; absent—3.

SLATER, Chairman.

Assembly Bills Nos. 368, 922, 947, 948, 949, 951 and 1490 ordered on file for second reading.

Also:

MR. PRESIDENT: Your Committee on Education, to which was referred Assembly Bill No. 950—An act to amend section 5.1043 of the School Code, relating to the payment of contributions to the Public School Teachers Permanent Fund—has had the same under consideration, and respectfully reports the same back with amendments, and recommends that the amendments be adopted, and that it do pass as amended.

Committee membership—13; committee vote: Ayes—10; absent—3.

SLATER, Chairman.

Assembly Bill No. 950 ordered on file for second reading.

Also:

MR. PRESIDENT: Your Committee on Education, to which was referred Assembly Bill No. 1721—An act to amend section 2254 of the Political Code, relating to California School for the Blind;

Also: Assembly Bill No. 1741—An act to amend section 2239 of the Political Code, relating to California School for the Deaf;

Has had the same under consideration, and respectfully reports the same back, and recommends that they do pass.

Committee membership—13; committee vote: Ayes—10; absent—3.

SLATER, Chairman.

Assembly Bills Nos. 1721 and 1741 ordered on file for second reading.

RESOLUTION.

The following resolution was offered:

By Senator Inman:

WHEREAS, Assembly Bill No. 501 regarding a four-year college at Sacramento has been held in Committee on Universities and Teachers Colleges and refused reference to the Senate floor; and

WHEREAS, Said bill is of paramount importance to the interior of California and should be considered by the Senate upon its merits; therefore, be it

Resolved, By the Senate that said bill be withdrawn from said committee and placed on file.

SPECIAL ORDER.

Senator Inman moved that the above resolution be made a special order for the twentieth day of April, 1931, at two o'clock p.m.

Motion carried.

CONSIDERATION OF DAILY FILE.
SECOND READING OF SENATE BILLS.

Senate Bill No. 503—An act to amend an act entitled "An act to provide for the organization, incorporation, and government of municipal corporations," approved March 13, 1883, as amended, by amending sections 806 and 882 thereof, relating to the jurisdiction of courts, in municipal corporations of fifth and sixth classes.

COMMITTEE AMENDMENTS.

During the second reading of the bill, the following committee amendments were offered:

AMENDMENT NUMBER ONE.

On page 1, line 6, of the printed bill, after the word "the", strike out the word "city".

Amendment adopted.

AMENDMENT NUMBER TWO.

On page 1, line 8, of the printed bill, after the word "and", strike out the word "city".

Amendment adopted.

AMENDMENT NUMBER THREE.

On page 1, line 16, of the printed bill, strike out "Where no justice's court is established"; also strike out lines 17 to 19, inclusive, and in line 20 strike out "justice's court."

Amendment adopted.

AMENDMENT NUMBER FOUR.

On page 2, line 7, of the printed bill, after the word "the", strike out the word "city".

Amendment adopted.

AMENDMENT NUMBER FIVE.

On page 2, line 11, of the printed bill, strike out "Where no justice's court is"; also strike out lines 12 to 14, inclusive, and in line 15, strike out "might be tried in a justice's court."

Amendment adopted.

Bill read second time, ordered to print, engrossment, and on file for third reading.

Senate Bill No. 54—An act to amend section 11 of chapter 247, Statutes of 1913, entitled "An act to provide for the acquisition, installation, construction, reconstruction, extension, repair and maintenance by municipalities of water works, electric power works, gas works, lighting works, and other public works and utilities; for the assessment of the cost and expenses thereof upon the property benefited; and for the issuance of improvement bonds to represent such assessments, and to repeal an act entitled 'An act to provide for the lighting of public streets, lanes, alleys, courts and places in municipalities, and for the assessment of the costs and expenses thereof upon the property benefited thereby,' approved March 21, 1905," approved June 6, 1913, relating to redemption of property sold.

Bill read second time, ordered engrossed, and on file for third reading.

Senate Bill No. 415—An act making an appropriation to pay the claim of Southern Pacific Company, a corporation, against the State of California.

Bill read second time, ordered engrossed, and on file for third reading.

Senate Bill No. 122—An act to add a new section to be numbered 426*b* to the Code of Civil Procedure, relating to the pleadings in divorce actions based on extreme cruelty and adultery.

COMMITTEE AMENDMENTS.

During the second reading of the bill, the following committee amendments were offered :

AMENDMENT NUMBER ONE.

On page 1, line 6, of the printed bill, insert a comma after "defendant".

Amendment adopted.

AMENDMENT NUMBER TWO.

On page 1, line 8, of the printed bill, insert before "statement", the following : "a".

Amendment adopted.

AMENDMENT NUMBER THREE.

On page 1 of the printed bill, strike out lines 9 to 20, inclusive, and insert in lieu thereof the following : "adultery; and if the complaint contains the particulars of the charge of extreme cruelty or adultery, the court shall dismiss the proceeding, but without prejudice.

Provided, however, that should the defendant in any such action appear therein by and through the filing of a special demurrer to the complaint, then, in such event, the plaintiff shall, as a condition precedent to the maintenance of his or her suit, serve upon the defendant and file in the proceedings an amended or supplemental complaint wherein shall be set forth the specific acts of alleged extreme cruelty or adultery upon which the plaintiff will rely upon the trial of such cause."

Amendment adopted.

Bill read second time, ordered to print, engrossment, and on file for third reading.

Senate Bill No. 375—An act permitting boards of supervisors of the respective counties, and the city council of every incorporated city, and the board of education of every school district, and the board of directors of every duly organized irrigation, reclamation water conservatory or flood control district, to require answers to a standard form of questionnaire from persons proposing to bid on any public work.

COMMITTEE AMENDMENTS.

During the second reading of the bill, the following committee amendments were offered :

AMENDMENT NUMBER ONE.

Amend the title of the printed bill as follows : lines 1 to 5, of the title, strike out the words beginning with "boards of supervisors", in line 1, and ending with "flood control district", in line 5, and insert in lieu thereof the following : "the board of supervisors of every county or city and county, the city council, board of public works, city manager or chief administrative officer of every incorporated city, the board of education of every school district, the board of directors or chief administrative officer of every duly organized irrigation, reclamation, water conservation, flood control, sewer, sanitation or other district,".

Amendment adopted.

AMENDMENT NUMBER TWO.

On page 1, lines 1 to 5, of the printed bill, strike out the words beginning with "The boards", in line 1, and ending with "flood control district" in line 5, and insert in lieu thereof the following : "The board of supervisors of every county or city and county, the city council, board of public works, city manager or chief administrative officer of every incorporated city, the board of education of every school district, the board of directors or chief administrative officer of every duly organized irrigation, reclamation, water conservation, flood control, sewer, sanitation or other district,".

Amendment adopted.

Bill read second time, ordered to print, engrossment, and on file for third reading.

Senate Bill No. 356—An act to repeal sections 2653 and 2654 of the Political Code, relating to a property tax for road purposes.

Bill read second time, ordered engrossed, and on file for third reading.

Senate Bill No. 944—An act to amend an act entitled "An act to authorize the counties of the State of California to establish retirement systems for their employees," approved May 20, 1919, by adding a new section thereto to be designated section 3½, relating to the exclusion of certain employees.

Bill read second time, ordered engrossed, and on file for third reading.

Senate Bill No. 939—An act to add a new section to the Political Code to be numbered 695, relating to a Bureau of Publications and Documents in the Department of Finance.

COMMITTEE AMENDMENT.

During the second reading of the bill, the following committee amendment was offered:

AMENDMENT NUMBER ONE.

On page 1, line 4, of the printed bill, strike out "The director of", and strike out all of lines 5, 6, 7, and 8, inclusive, of said page 1 and the following words in line 9 of said page 1: "ter the bureau".

Amendment adopted.

Bill read second time, ordered to print, engrossment, and on file for third reading.

Senate Bill No. 679—An act to provide for the sanitary inspection of slaughterhouses, the inspection of animals or meats intended for human consumption, to provide rules and regulations therefor, to provide penalties for the violation hereof and to repeal the California Meat Inspection Law, approved June 3, 1921.

COMMITTEE AMENDMENTS.

During the second reading of the bill, the following committee amendments were offered:

AMENDMENT NUMBER ONE.

On page 2, line 9, of the printed bill, as amended April 13, place quotation marks around the word "animals".

Amendment adopted.

AMENDMENT NUMBER TWO.

On page 2, line 28, of the printed bill, as amended April 13, after the word "departments", insert the following: "or establishments".

Amendment adopted.

AMENDMENT NUMBER THREE.

On page 2, line 46, of the printed bill, as amended April 13, after the word "or", insert the word "approved".

Amendment adopted.

AMENDMENT NUMBER FOUR.

On page 3, line 37, of the printed bill, as amended April 13, strike out the period after the word "authority", and in lieu thereof insert the following: "of an approved municipal inspection department."

Amendment adopted.

AMENDMENT NUMBER FIVE.

On page 4, line 32, of the printed bill, as amended April 13, preceding the word "Any", insert the following: "SEC. 11."

Amendment adopted.

AMENDMENT NUMBER SIX.

On page 5, line 11, of the printed bill, as amended April 13, following the word "law", insert a comma.

Amendment adopted.

AMENDMENT NUMBER SEVEN.

On page 5, line 22, of the printed bill, as amended April 13, strike out the word "transported".

Amendment adopted.

AMENDMENT NUMBER EIGHT.

On page 5, line 22, of the printed bill, as amended April 13, preceding the word "sold", insert the word "transported".

Amendment adopted.

AMENDMENT NUMBER NINE.

On page 6, line 6, of the printed bill, as amended April 13, following the word "are", insert the words "prepared or".

Amendment adopted.

Bill read second time, ordered to print, engrossment, and on file for third reading.

Senate Bill No. 161—An act to add a new section to the Civil Code to be known as section 3045, covering the lien of an attorney at law.

COMMITTEE AMENDMENT.

During the second reading of the bill, the following committee amendment was offered:

AMENDMENT NUMBER ONE.

On page 1 of the printed bill, as amended in the Senate March 5, 1931, starting with line 13, strike out all of page 1, and from lines 1 to 28, inclusive, of page 2, and insert in lieu thereof the following:

"Any attorney and counselor at law shall have a lien on any money, and/or on any judgment they may have obtained, or assisted in obtaining, in whole or in part, and on any and all claims and demands in suit, for any fees or balance of fees due or to become due from any client and in the case of demands in suit, and in the case of judgments obtained in whole or in part by any attorney, who appears for a party, such attorney must file with the clerk of the court wherein such cause is pending notice of his claim as lienor, setting forth specifically the agreement of compensation between such attorney and his client, or clients, which notice, duly entered of record, shall be notice to all persons and to all parties, including the judgment creditor, and all persons in the case against whom a demand exists, and to all persons claiming by, through or under any persons having a demand in suit or having obtained a judgment, that the attorney whose appearance is thus entered has a first lien on such demand in suit, or on such judgment for the amount of his fees; but such notice of lien shall not be presented in any manner to the jury in the case in which the same is filed. Such lien can not be effected by any settlement between the parties before or after judgment or final order. The court upon petition of the client or attorney may determine and enforce the lien."

Amendment adopted.

Bill read second time, ordered to print, engrossment, and on file for third reading.

Senate Bill No. 487—An act to amend section 602a of the Political Code, relating to liability reserves of insurance companies and to the powers and duties of the Insurance Commissioner.

COMMITTEE AMENDMENTS.

During the second reading of the bill, the following committee amendments were offered:

AMENDMENT NUMBER ONE.

On page 2, line 3, of the printed bill, strike out "sixty", and insert in lieu thereof the following: "seventy".

Amendment adopted.

AMENDMENT NUMBER TWO.

On page 2 of the printed bill, strike out lines 6 to 21, inclusive, and insert in lieu thereof the following: "in the corresponding years; but in any event, such reserve shall, for the first of such three years, be not less than one thousand dollars for each outstanding liability suit on said year's policies."

Amendment adopted.

Bill read second time, ordered to print, engrossment, and on file for third reading.

Senate Bill No. 857—An act to add section 70a to the Workmen's Compensation, Insurance and Safety Act of 1917, relating to policies covering more than one employer.

COMMITTEE AMENDMENTS.

During the second reading of the bill, the following committee amendments were offered:

AMENDMENT NUMBER ONE.

On page 1 of the printed bill, strike out all of the title, and insert in lieu thereof the following: "An act to amend section 1 of chapter 834 of the statutes of 1927, relating to acceptance of the workmen's compensation act."

Amendment adopted.

AMENDMENT NUMBER TWO.

On page 1 of the printed bill, strike out all of lines 14 to 22, inclusive, and all of page 2, and insert in lieu thereof the following:

"SECTION 1. Section 1 of chapter 834 of the statutes of 1927 is hereby amended to read as follows:

Section 1. Any employer and his employees engaged in farm, dairy, agricultural, viticultural or horticultural employments or in stock or poultry raising, not subject to the compensation provisions of the workmen's compensation, insurance and safety act of 1917, as amended, and having an annual pay roll in excess of five hundred dollars, shall, from and after the date this act takes effect, be conclusively presumed to have accepted the compensation provisions of said act and amendments thereto and to have included in their contract of hire or apprenticeship, express or implied, a mutual agreement to accept said provisions, unless either such employer or employee shall, prior to the occurrence of any injury, have given notice of rejection of said provisions of said act in the manner herein provided."

Amendment adopted.

Bill read second time, ordered to print, engrossment, and on file for third reading.

Senate Bill No. 931—An act to amend section 30 of and to add a new section to be numbered section 30a to the Workmen's Compensation, Insurance and Safety Act of 1917, relating to deductions from employees' wages.

COMMITTEE AMENDMENTS.

During the second reading of the bill, the following committee amendments were offered:

AMENDMENT NUMBER ONE.

Strike out all of the title of the printed bill, and insert in lieu thereof the following:

"An act to repeal chapter 399 of the statutes of 1911, relating to certain defenses in actions at common law against employers."

Amendment adopted.

AMENDMENT NUMBER TWO.

Strike out all of the printed bill following the enacting clause, and insert in lieu thereof the following:

"SECTION 1. Chapter 399 of the statutes of 1911, relating to certain defenses in actions at common law against employers, is hereby repealed."

Amendment adopted.

Bill read second time, ordered to print, engrossment, and on file for third reading.

Senate Bill No. 613—An act to amend section 270a, of the Penal Code, relating to abandonment of wife and omitting to furnish wife with necessities.

COMMITTEE AMENDMENT.

During the second reading of the bill, the following committee amendment was offered:

AMENDMENT NUMBER ONE.

Strike out lines 3 to 11, inclusive, of the printed bill, and insert in lieu thereof the following:

"270a. Every husband having sufficient ability to provide for his wife's support, or who is able to earn the means of such wife's support, who wilfully abandons and leaves his wife in a destitute condition, or who refuses or neglects to provide such wife with necessary food, clothing, shelter or medical attendance or other remedial care, unless by her misconduct he was justified in abandoning her is punishable by imprisonment in the county jail, not exceeding two years, or by fine not exceeding one thousand dollars, or by both."

Amendment adopted.

Bill read second time, ordered to print, engrossment, and on file for third reading.

CONSIDERATION OF DAILY FILE.

SECOND READING OF ASSEMBLY BILLS.

Assembly Bill No. 829—An act to amend the title, to amend sections 1, 1a, 2, 3, 4, 5, 10, 14, 18, 21 and 22, and to add a new section to be numbered section 20a, to an act entitled "An act to provide for the laying out, opening, extending, widening, or straightening, in whole or in part, of public highways, roads, streets, squares, lanes, alleys, courts, and places, within municipalities, or within unincorporated territory and one or more municipalities, or lying within two or more municipalities; for the condemnation of property necessary or convenient for such purposes, or of any interest therein, and for the establishment of assessment districts and the assessment of property therein to pay the expense of such improvement, and providing for aid from the county or municipalities toward the expense of such improvement," approved March 24, 1903, as amended, relating to street improvements.

COMMITTEE AMENDMENTS.

During the second reading of the bill, the following committee amendments were offered:

AMENDMENT NUMBER ONE.

In line 2 of the title of the printed bill, as amended, after "18", insert "19".

Amendment adopted.

AMENDMENT NUMBER TWO.

On page 4, lines 51 and 52, of the printed bill, as amended, strike out the word "resolution", and insert in lieu thereof "ordinance".

Amendment adopted.

AMENDMENT NUMBER THREE.

On page 5, line 17, of the printed bill, as amended, strike out "4a", and insert in lieu thereof "5".

Amendment adopted.

AMENDMENT NUMBER FOUR.

On page 6, line 20, of the printed bill, as amended, strike out "affdivits", and insert in lieu thereof "affdavits".

Amendment adopted.

AMENDMENT NUMBER FIVE.

On page 6, line 23, of the printed bill, as amended, strike out "5", and insert in lieu thereof "6".

Amendment adopted.

AMENDMENT NUMBER SIX.

On page 7, line 33, of the printed bill, as amended, strike out "6", and insert in lieu thereof "7".

Amendment adopted.

AMENDMENT NUMBER SEVEN.

On page 8, line 15, of the printed bill, as amended, strike out "7", and insert in lieu thereof "8".

Amendment adopted.

AMENDMENT NUMBER EIGHT.

On page 9, line 12, of the printed bill, as amended, strike out "7a", and insert in lieu thereof "9".

Amendment adopted.

AMENDMENT NUMBER NINE.

On page 9, line 30, of the printed bill, as amended, strike out "7b", and insert in lieu thereof "10".

Amendment adopted.

AMENDMENT NUMBER TEN.

On page 10, line 9, of the printed bill, as amended, strike out "7c", and insert in lieu thereof "11".

Amendment adopted.

AMENDMENT NUMBER ELEVEN.

On page 10, line 40, of the printed bill, as amended, strike out "8", and insert in lieu thereof "12".

Amendment adopted.

AMENDMENT NUMBER TWELVE.

On page 11, line 4, of the printed bill, as amended, strike out "9", and insert in lieu thereof "13".

Amendment adopted.

AMENDMENT NUMBER THIRTEEN.

On page 11, line 36, of the printed bill, as amended, strike out "10", and insert in lieu thereof "14".

Amendment adopted.

Bill read second time, ordered to print, and on file for third reading.

Assembly Bill No. 120—An act to amend section 718 of the Civil Code, relating to the leasing of municipal property.

Bill read second time, and ordered on file for third reading.

Assembly Bill No. 183—An act to amend an act entitled "An act providing for the incorporation, government and management of metropolitan water districts, authorizing such districts to incur bonded debt and to acquire, construct, operate and manage works and property, providing for the taxation of property therein and the performance of certain functions relating thereto by officers of counties, providing for the addition of area thereto and the exclusion of area therefrom and authorizing municipal corporations to aid and participate in the incorporation of such districts," approved May 10, 1927, as amended, designated the "Metropolitan Water District Act," by amending sections 2, 5, 5½, 6, 7, 8 and 9, all relating to the incorporation, powers, government and management of metropolitan water districts, and the addition of area thereto, and declaring same an urgency measure.

Bill read second time, and ordered on file for third reading.

Assembly Bill No. 824—An act granting to the city of Los Angeles certain real property of the State lying within the boundaries of said city, acquired for highway purposes under the jurisdiction of the California Highway Commission, and authorizing the Director of Finance to convey title to said property in the name of the State to said city.

Bill read second time, and ordered on file for third reading.

Assembly Bill No. 825—An act to amend section 12 of an act entitled "An act to provide for the formation of districts within municipalities for the acquisition or construction of public improvements, works and public utilities; for the issuance, sale and payment of bonds of such districts to meet the cost of such improvements; and for the acquisition or construction of such improvements," approved May 24, 1927, relating to municipal improvement districts.

Bill read second time, and ordered on file for third reading.

Assembly Bill No. 827—An act to provide for the maintenance by municipalities of lighting systems along public streets, alleys and other public places within municipalities or forming the exterior boundaries thereof, and for the lighting thereof by electric current or other illuminating agent; and for the assessment of the cost and expense thereof upon the property benefited and the manner of collecting such assessments.

Bill read second time, and ordered on file for third reading.

Assembly Bill No. 894—An act to amend chapter 880, Statutes of 1929, entitled "An act providing for the organization, operation and maintenance of transportation districts, whether said district lie entirely within unincorporated territory of a county or the territory of a municipality, or lie within such unincorporated territory and one or more municipalities, or lie within two or more municipalities; for the acquisition, construction and operation of any transportation facility within the district, the use of existing State acquisition and improvement statutes for such acquisition, construction and operation, for the

dissolution of such districts, for the appointment and powers of an advisory board, for the disposition of any property or transportation facility, for the handling of the moneys of the district, for the use for its purposes by the district of lands dedicated to public uses, and defining the powers and duties of legislative bodies of municipalities and counties in connection with the use of this act," approved June 19, 1929, by adding two new sections thereto to be known as sections 4a and 9a.

Bill read second time, and ordered on file for third reading.

Assembly Bill No. 247—An act to amend sections 542a, 542b, 544 and 560 of the Code of Civil Procedure, relating to attachment.

COMMITTEE AMENDMENTS.

During the second reading of the bill, the following committee amendments were offered:

AMENDMENT NUMBER ONE.

On page 1, line 4, of the printed bill, strike out the words "filing for record", and insert in lieu thereof the following: "recording".

Amendment adopted.

AMENDMENT NUMBER TWO.

On page 1, line 11, of the printed bill, strike out the word "filing", and insert in lieu thereof the following: "recording".

Amendment adopted.

AMENDMENT NUMBER THREE.

On page 2, line 8, of the printed bill, strike out the words "filing for record", and insert in lieu thereof the following: "recording".

Amendment adopted.

Bill read second time, ordered to print, and on file for third reading.

Assembly Bill No. 555—An act to amend section 413 of the Code of Civil Procedure, relating to the publication of summons.

Bill read second time, and ordered on file for third reading.

Assembly Bill No. 559—An act to add a new section to the Code of Civil Procedure, to be numbered 1179a, relating to proceedings for forcible entry, forcible detainer, or unlawful detainer.

Bill read second time, and ordered on file for third reading.

Assembly Bill No. 1185—An act to amend sections 2 and 9 of an act entitled "An act to control and regulate the possession, sale and use of pistols, revolvers and other firearms capable of being concealed upon the person; to prohibit the manufacture, sale, possession or carrying of certain other dangerous weapons within this State; to provide for registering all sales of pistols, revolvers or other firearms capable of being concealed upon the person; to prohibit the carrying of concealed firearms except by lawfully authorized persons; to provide for the confiscation and destruction of such weapons in certain cases; to prohibit the ownership, use, or possession of any of such weapons by certain classes of persons; to prescribe penalties for violations of this act and increased penalties for repeated violations hereof; to authorize, in proper cases, the granting of licenses or permits to carry firearms concealed upon the person; to provide for licensing retail dealers in such firearms and regulating sales thereunder; and to repeal chapter 145 of

California Statutes of 1917, relating to the same subject," approved June 13, 1923, as amended.

Bill read second time, and ordered on file for third reading.

Assembly Bill No. 1625—An act for the prevention of fraud upon proprietors of hotels, inns, boarding houses and lodging houses, and guests and prospective guests thereof.

Bill read second time, and ordered on file for third reading.

Assembly Bill No. 1392—An act to amend section 902 of the Code of Civil Procedure, relating to writs of execution.

Bill read second time, and ordered on file for third reading.

Assembly Bill No. 1694—An act to amend section 111 of the Penal Code, relating to trial of convicts and hearings of writs of habeas corpus.

Bill read second time, and ordered on file for third reading.

Assembly Bill No. 1360—An act to authorize and direct the county of Lake to apportion and credit to the Upper Lake Union School District Fund and to the Lucerne School District Special Fund certain revenue collected in taxes.

Bill read second time, and ordered on file for third reading.

Assembly Bill No. 1683—An act to amend sections 3 and 7 of chapter 598, Statutes 1913, entitled "An act to regulate the practice of optometry; to provide for the appointment of a Board of Optometry, define its duties and powers and prescribing a penalty for the violation of this act," approved June 16, 1913, relating to the term of office, renewal period and disposition of fees.

Bill read second time, and ordered on file for third reading.

Assembly Bill No. 662—An act to add section 373j to the Political Code, relating to the Department of Natural Resources.

Bill read second time, and ordered on file for third reading.

Assembly Bill No. 1202—An act to amend section 2 of an act entitled "An act to regulate contracts on behalf of the State in relation to the erection, construction, alteration, repair or improvement of any State structure, building, road, or other State improvement of any kind and to repeal an act entitled 'An act to regulate contracts on behalf of the State in relation to erections and buildings,' approved March 28, 1876," approved March 22, 1909, as amended, relating to advertisement of work.

COMMITTEE AMENDMENT.

During the second reading of the bill, the following committee amendment was offered:

AMENDMENT NUMBER ONE.

On page 1, line 15, of the printed bill, as amended March 30, 1931, after the word "weeks", insert a comma, and the following: "or once a week for more than two consecutive weeks if such longer period of advertising is deemed necessary by the department of public works,".

Amendment adopted.

Bill read second time, ordered to print, and on file for third reading.

Assembly Bill No. 616—An act to amend chapter 801, Statutes of 1929, entitled "An act regulating the practice of civil engineering,"

approved June 14, 1929, by amending sections 1, 11, 12, 13, 14, 15, 16, and 17 thereof, relating to the purpose of the act and to the registration of practitioners thereunder, and by adding a new section thereto, to be numbered 1a, embracing a definition of terms.

COMMITTEE AMENDMENTS.

During the second reading of the bill, the following committee amendments were offered:

AMENDMENT NUMBER ONE.

On page 2, line 13, of the printed bill, as amended in the Senate April 9, 1931, following the word "cadastral", insert a comma and the word "municipal".

Amendment adopted.

AMENDMENT NUMBER TWO.

On page 5, line 20, of the printed bill, as amended in the Senate April 9, 1931, following the comma after the word "salesman", insert "when making appraisals and valuations of real estate properties,".

Amendment adopted.

Bill read second time, ordered to print, and on file for third reading.

* CONSIDERATION OF DAILY FILE.

THIRD READING OF SENATE BILLS.

Senate Bill No. 83—An act to prohibit the employment of aliens by contractors and subcontractors on all public work, except in certain cases of extraordinary emergency, providing for the reporting of such cases of extraordinary emergency and the keeping of records of the citizenship of workers employed upon public work and the inspection of such records by the proper officials, providing for a forfeiture for each calendar day or portion thereof any alien is permitted to work on public work and for a stipulation to this effect in the contract, and providing other penalties for violation of the provisions thereof.

Bill read third time.

MOTION TO REFER TO SPECIAL COMMITTEE OF ONE.

During third reading of the bill, Senator Maloney moved to refer Senate Bill No. 83 to Senator Fellom, as a Special Committee of One, to amend as follows:

AMENDMENT NUMBER ONE.

On page 1, line 7, of the printed bill, insert after the word "shall", the word "knowingly".

AMENDMENT NUMBER TWO.

On page 1, line 8, of the printed bill, strike out the word "knowingly".

AMENDMENT NUMBER THREE.

On page 2, line 33, of the printed bill, before the word "Work", insert the following: "Sec. 3."

AMENDMENT NUMBER FOUR.

On page 2, line 33, of the printed bill, strike out the word "and".

AMENDMENT NUMBER FIVE.

On page 2, line 34, of the printed bill, following the word "improvement", insert the words "and other".

AMENDMENT NUMBER SIX.

On page 2, line 34, of the printed bill, strike out the words "and other districts of this type", and insert in lieu thereof the words "or other public agency or agencies".

AMENDMENT NUMBER SEVEN.

On page 2, line 36, of the printed bill, following the word "supervision", insert the following: "or by the authority".

AMENDMENT NUMBER EIGHT.

On page 2, lines 39 and 40, of the printed bill, strike out the words "also any word paid for in whole or in part out of public funds", and insert in lieu thereof the fol-

lowing: "other than work done by any public utility company, or agent or contractor thereof, pursuant to order of the railroad commission or otherwise, whether or not done under public supervision or direction, or paid for wholly or in part out of public funds".

AMENDMENT NUMBER NINE.

On page 2, lines 40 and 41, of the printed bill, strike out the words "come under the provisions of this act", and insert in lieu thereof the following: "be "public work" within the meaning of this act".

AMENDMENT NUMBER TEN.

On page 2, line 44, of the printed bill, strike out the number "3", and insert in lieu thereof the number "4".

Motion carried.

REPORT OF SPECIAL COMMITTEE OF ONE.

SENATE CHAMBER, SACRAMENTO, April 17, 1931.

MR. PRESIDENT: Your Special Committee of One, to which was referred Senate Bill No. 83, with instructions to amend, respectfully reports the same back, amended as per instructions.

FELLOM, Committee.

Report read, and on motion of Senator Maloney adopted.

Bill ordered to print and re-engrossment.

Senate Concurrent Resolution No. 28—Relating to a survey and an estimate of the cost of reconstructing the committee rooms in the State Capitol building.

AMENDMENT FROM THE FLOOR.

The following amendment was offered, and its adoption moved by Senator Deuel:

AMENDMENT NUMBER ONE.

On page 1, line 16, of the printed concurrent resolution, after the word "chief", add the following: "of the".

Amendment adopted.

Senate Concurrent Resolution No. 28, ordered to print, engrossment, and on file.

Senate Concurrent Resolution No. 29—Approving an amendment to the charter of the city of San Diego, a municipal corporation in the county of San Diego, State of California, voted for and ratified by the electors of said city of San Diego at a special municipal election held therein on the twenty-fourth day of March, 1931.

Resolution read.

The question being on the adoption of the resolution.

The roll was called, and Senate Concurrent Resolution No. 29 adopted by the following vote:

AYES—Senators Baker, Breed, Bush, Cassidy, Clock, Crittenden, Edwards, Evans, Fellom, Harper, Hays, Ingels, Inman, Maloney, Mixter, Moran, Nelson, Pedrotti, Rich, Schottky, Sharkey, Slater, Treacy, and Wagye—24.

NOES—None.

Senate Concurrent Resolution No. 29 ordered transmitted to the Assembly.

Senate Bill No. 641—An act to amend section 197 of the Penal Code, defining justifiable homicide.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Senate Bill No. 641 passed by the following vote:

AYES—Senators Baker, Breed, Bush, Carter, Clock, Crittenden, Deuel, Edwards, Evans, Fellom, Harper, Hays, Ingels, Maloney, Mixter, Moran, Nelson, Pedrotti, Rich, Schottky, Sharkey, Slater, and Wagy—23.

NOES—Senator Cassidy—1.

Title read and approved.

Bill ordered transmitted to the Assembly.

RESOLUTION.

The following resolution was offered:

By Senator Crittenden:

WHEREAS, At the intersections leading to the Capitol building from the north are exceedingly dangerous to life and limb; therefore be it

Resolved, and it is hereby resolved, That the State Department of Public Works and the city of Sacramento jointly place at two of said crossings automatic crossing warnings to regulate traffic in the interest of public safety.

Resolution read, and on motion of Senator Crittenden, referred to Committee on Roads and Highways.

CONSIDERATION OF DAILY FILE.

THIRD READING OF ASSEMBLY BILLS.

Assembly Bill No. 291—An act to amend the California Irrigation District Act by adding a new section thereto, to be numbered section 55a, relating to rates and charges for water.

On motion of Senator Mixter, Assembly Bill No. 291 was ordered re-referred to Committee on Irrigation.

CONSIDERATION OF DAILY FILE.

THIRD READING OF SENATE BILLS—(RESUMED).

Senate Bill No. 642—An act to amend section 2 of chapter 339, Statutes of 1923, entitled "An act to control and regulate the possession, sale and use of pistols, revolvers and other firearms capable of being concealed upon the person; to prohibit the manufacture, sale, possession or carrying of certain other dangerous weapons within this State; to provide for registering all sales of pistols, revolvers or other firearms capable of being concealed upon the person; to prohibit the carrying of concealed firearms except by lawfully authorized persons; to provide for the confiscation and destruction of such weapons in certain cases; to prohibit the ownership, use, or possession of any of such weapons by certain classes of persons; to prescribe penalties for violation of this act and increased penalties for repeated violations hereof; to authorize, in proper cases, the granting of licenses or permits to carry firearms concealed upon the person; to provide for licensing retail dealers in such firearms and regulating sales thereunder; and to repeal chapter 145 of California Statutes of 1917, relating to the same subject," relating to penalties for violations of this act.

Bill read third time.

MOTION TO REFER TO SPECIAL COMMITTEE OF ONE.

During third reading of the bill, Senator Carter moved to refer Senate Bill No. 642 to Senator Evans, as a Special Committee of One, to amend as follows:

AMENDMENT NUMBER ONE.

On page 2, lines 25 and 26, of the printed bill, strike out the words "or in a county jail".

AMENDMENT NUMBER TWO.

On page 2, line 26, of the printed bill, strike out the period, and insert in lieu thereof the following: "or in a county jail not exceeding one year."

Motion carried.

REPORT OF SPECIAL COMMITTEE OF ONE.

SENATE CHAMBER, SACRAMENTO, April 17, 1931.

MR. PRESIDENT: Your Special Committee of One, to which was referred Senate Bill No. 642, with instructions to amend, respectfully reports the same back, amended as per instructions.

EVANS, Committee.

Report read, and on motion of Senator Carter adopted.

Bill ordered to print and re-engrossment.

CONSIDERATION OF DAILY FILE.

THIRD READING OF ASSEMBLY BILLS—(RESUMED).

Assembly Bill No. 1866—An act to add two sections to the Code of Civil Procedure, to be numbered 1919*a* and 1919*b* respectively, relating to the proof, attestation, authentication and admissibility in evidence of church records and/or registers and/or entries therefrom and/or certificates kept or issued by a clergyman or other person in accordance with law or with the rules, regulations and/or requirements of a religious denomination, society or church.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Assembly Bill No. 1866 passed by the following vote:

AYES—Senators Breed, Bush, Carter, Cassidy, Crittenden, Deuel, Evans, Fellom, Harper, Hays, Ingels, Inman, Maloney, Mixter, Moran, Rich, Sharkey, Slater, Swing, Treacy, Waggy, Williams, and Young—23.

NOES—None.

Title read and approved.

Bill ordered transmitted to the Assembly.

Assembly Bill No. 943—An act to amend sections 1083*a*, 1095*a*, 1097, of the Political Code, relating to registration of electors and conduct of elections.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Assembly Bill No. 943 passed by the following vote:

AYES—Senators Breed, Bush, Carter, Cassidy, Clock, Crittenden, Deuel, Edwards, Evans, Fellom, Harper, Hays, Ingels, Inman, Jones, Maloney, Mixter, Moran, Sharkey, Slater, Treacy, Waggy, Williams, and Young—24.

NOES—None.

Title read and approved.

Bill ordered transmitted to the Assembly.

Assembly Bill No. 1162—An act relating to the supervision, investigation, and rehabilitation of wards of the juvenile court, committed to the care of any association, society, or corporation, embracing within its objects the purpose of caring for or obtaining homes for such persons.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Assembly Bill No. 1162 passed by the following vote:

AYES—Senators Breed, Bush, Carter, Cassidy, Clock, Crittenden, Deuel, Edwards, Evans, Fellom, Harper, Hays, Ingels, Jones, Maloney, Mixter, Moran, Rich, Sharkey, Slater, Treacy, Waggy, Williams, and Young—24.

NOES—None.

Title read and approved.

Bill ordered transmitted to the Assembly.

ASSEMBLY CONCURRENT RESOLUTION No. 23.

Relative to grade crossing study.

WHEREAS, The matter of grade crossing study, protection and closing is one of utmost importance to the safety of the people of the State of California; and

WHEREAS, Up to the present time, no general State-wide survey of this problem has been made for the purpose of developing a State-wide program for the elimination of grade crossing hazards; now, therefore, be it

Resolved by the Assembly, the Senate concurring. That the Department of Public Works of the State of California and the Railroad Commission of the State of California be, and they are hereby required and directed jointly and in cooperation to make a complete study of the matter of grade crossing (of roads, streets and highways over railroads and interurban railways) within this State and to that end to hold such hearings and procure such data from any and all available sources as may, in their opinion, be of assistance to them in such connection; and thereafter, but not later than the tenth day of January, 1933, report to the Legislature at its fiftieth session, a complete, State-wide plan for the protection and the elimination either by separation of grades or physical closing of the grade crossings of this State in an orderly manner, together with such facts respecting such grade crossings and their protection or their elimination by grade separation or physical closing as may, in their opinion, be pertinent to the development of such a State-wide plan, including a statement of the number, location and character, and a classification of existing grade crossings; a statement of available and recommended methods of elimination and protection; the usual and ordinary cost thereof per crossing; a statement of such legal and financial problems as may be involved, and with such conclusions and recommendations as may to them appear pertinent; and be it further

Resolved, That neither this study nor this report shall affect or alter the jurisdiction of the Railroad Commission under the Public Utilities Act with respect to individual grade crossings, nor shall the inclusion of any certain grade crossing in any particular class or recommendation in said report affect or be binding upon the Railroad Commission in any proceeding or investigation involving such grade crossing.

Resolution read.

The question being on the adoption of the resolution.

The roll was called, and Assembly Concurrent Resolution No. 23 adopted by the following vote:

AYES—Senators Breed, Bush, Carter, Cassidy, Clock, Crittenden, Deuel, Edwards, Evans, Fellom, Harper, Hays, Ingels, Inman, Jones, Maloney, Mixter, Moran, Rich, Sharkey, Slater, Treacy, Waggy, Williams, and Young—25.

NOES—None.

Assembly Concurrent Resolution No. 23 ordered transmitted to the Assembly.

Assembly Bill No. 1734—An act to amend section 7 of an act entitled "An act providing for the dissolution and winding up of savings banks, trust companies, and banks of deposit, and providing for the disposition of all funds deposited therein and not claimed within five years after such banks have ceased to do business, or after the commencement of proceedings to dissolve," approved March 31, 1891.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Assembly Bill No. 1734 passed by the following vote:

AYES—Senators Breed, Bush, Carter, Cassidy, Clock, Crittenden, Deuel, Edwards, Evans, Fellom, Harper, Hays, Ingels, Jones, Maloney, Mixter, Moran, Rich, Sharkey, Slater, Swing, Treacy, Waggy, Williams, and Young—25.

NOES—None.

Title read and approved.

Bill ordered transmitted to the Assembly.

SECRETARY JOSEPH A. BEEK AT THE DESK.

REPORTS OF STANDING COMMITTEES—(RESUMED).

The following reports of standing committees were received and read:

ON FINANCE.

SENATE CHAMBER, SACRAMENTO, April 17, 1931.

MR. PRESIDENT: Your Committee on Finance, to which was referred Assembly Bill No. 53—An act making appropriations for the support of the government of the State of California and for several public purposes in accordance with the provisions of section 34 of article IV of the constitution of the State of California, approved and adopted by the people at the general election held November 7, 1922, declaring the urgency thereof, and providing that this act shall take effect immediately—has had the same under consideration, and respectfully reports the same back with amendments, and recommends that the amendments be adopted, and that it do pass as amended.

Committee membership—18; committee vote: Ayes—10; noes—5; absent—3.

SWING, Chairman.

Assembly Bill No. 53 ordered on file for second reading.

SPECIAL ORDER.

Senator Fellom moved that consideration of amendments to Assembly Bill No. 53 be made a special order for Monday, April 20, 1931, at eleven o'clock and thirty minutes a.m.

Motion carried.

ON COUNTY GOVERNMENT.

SENATE CHAMBER, SACRAMENTO, April 17, 1931.

MR. PRESIDENT: Your Committee on County Government, to which was referred Assembly Bill No. 1794—An act to amend section 16x26 of the Weights and Measures Act, relating to sealers of weights and measures in counties of the twenty-sixth class;

Also: Assembly Bill No. 1796—An act to amend section 16x35 of the Weights and Measures Act, relating to sealers of weights and measures in counties of the thirty-fifth class;

Also: Assembly Bill No. 1827—An act to amend section 2322x35 of the Political Code, relating to the office of agricultural commissioner in counties of the thirty-fifth class;

Also: Assembly Bill No. 1845—An act to amend section 19x35 of the Juvenile Court Law, relating to probation officers in counties of the thirty-fifth class;

Also: Assembly Bill No. 574—An act to amend section 4316 of the Political Code, relating to county officers and their deputies;

Has had the same under consideration, and respectfully reports the same back, and recommends that they do pass.

Committee membership—9; committee vote: Ayes—7; absent—2.

WAGY, Chairman.

Assembly Bills Nos. 1794, 1796, 1827, 1845 and 574 ordered on file for second reading.

Also:

MR. PRESIDENT: Your Committee on County Government, to which was referred Senate Bill No. 62—An act to amend section 4307 of the Political Code, relating to

county charges—has had the same under consideration, and respectfully reports the same back, and recommends that it do pass.

Committee membership—9; committee vote: Ayes—7; absent—2.

WAGY, Chairman.

Senate Bill No. 62 ordered on file for second reading.

Also:

MR. PRESIDENT: Your Committee on County Government, to which was referred Assembly Bill No. 611—An act to repeal section 4270 of the Political Code and to add sections 4270, 4270a, 4270b, 4270c, 4270d, 4270e, 4270f, 4270g, 4270h, 4270i, 4270j, 4270k, 4270l, 4270m, 4270n, 4270o, 4270p, 4270q, and 4270r, relating to the compensation of county and township officers in the county of the forty-first class;

Also: Assembly Bill No. 461—An act to amend the title and sections 1, 2, 5, and 9 of an act entitled "An act to provide for the formation, management, and dissolution of county fire protection districts, and annexations thereto, setting forth the powers of such districts and providing for levying and collecting taxes on property in such districts to defray the expenses thereof," approved May 25, 1923, Statutes 1923, page 431, as amended and to add sections 7a, 7b, and 7c, relating to the consolidation of fire protection districts;

Also: Assembly Bill No. 1068—An act to amend the Political Code by adding thereto a new section to be numbered 4310, providing a special fund for the sheriff, for the manner of making disbursements thereunder, for the use of the fund, and for the manner of accounting therefor;

Has had the same under consideration, and respectfully reports the same back with amendments, and recommends that the amendments be adopted, and that they do pass as amended.

Committee membership 9; committee vote: Ayes—7; absent—2.

WAGY, Chairman.

Assembly Bills Nos. 611, 461 and 1068 ordered on file for second reading.

ON PUBLIC UTILITIES.

SENATE CHAMBER, SACRAMENTO, April 17, 1931.

MR. PRESIDENT: Your Committee on Public Utilities, to which was referred Senate Constitutional Amendment No. 13. A resolution to propose to the people of the State of California, an amendment to the constitution of said State by amending section 15 of article XIII thereof, relating to the taxation of motor transportation companies operating under franchise—has had the same under consideration, and respectfully reports the same back, and recommends that it be adopted.

Committee membership—11; committee vote: Ayes—8; absent—3.

CARTER, Chairman.

Senate Constitutional Amendment No. 13 ordered on file.

ON ELECTIONS.

SENATE CHAMBER, SACRAMENTO, April 17, 1931.

MR. PRESIDENT: Your Committee on Elections, to which was referred Assembly Bill No. 408—An act to amend section 1096 of the Political Code, relating to registration of electors—has had the same under consideration, and respectfully reports the same back, and recommends that it do pass.

Committee membership—11; committee vote: Ayes—8; absent—3.

FELLOM, Chairman.

Assembly Bill No. 408 ordered on file for second reading.

Also:

MR. PRESIDENT: Your Committee on Elections, to which was referred Senate Bill No. 388—An act to amend sections 1096 and 1115 of the Political Code, relating to the registration of electors—has had the same under consideration, and respectfully reports the same back, and recommends that it do pass.

Committee membership—11; committee vote: Ayes—6; absent—5.

FELLOM, Chairman.

Senate Bill No. 388 ordered on file for second reading.

ON PUBLIC UTILITIES.

SENATE CHAMBER, SACRAMENTO, April 17, 1931.

MR. PRESIDENT: Your Committee on Public Utilities, to which was referred Assembly Bill No. 1098—An act to amend section 4 of an act entitled "An act regulating private employment agencies, providing for a license for the operation

thereof and a fee therefor, providing forms of receipts and registers to be used and kept, prohibiting any charge for registering or filing application for help or employment, prohibiting the dividing of fees, providing for the refunding of fees and expenses in the event of failure to procure employment, and granting the Commissioner of the Bureau of Labor Statistics the power to prescribe rules and regulations to carry out the purpose and intent of this act," approved June 3, 1913, as amended, relating to suspension and revocation of licenses—has had the same under consideration, and respectfully reports the same back with amendments, and recommends that the amendments be adopted, and that it do pass as amended.

Committee membership—11; committee vote: Ayes—8; absent—3.

CARTER, Chairman.

Assembly Bill No. 1098 ordered on file for second reading.

ON IRRIGATION.

SENATE CHAMBER, SACRAMENTO, April 17, 1931.

MR. PRESIDENT: Your Committee on Irrigation, to which was referred Senate Bill No. 825—An act to provide for the creation, organization and government of water conservation districts, defining their powers and prescribing the method of exercising the same; also amending and reenacting as amended chapter 166 of the Statutes of 1929, known as the "Water Conservation Act of 1929," and validating and confirming all proceedings had and taken under the provisions of said act resulting in the organization of water conservation districts, and continuing such districts under the provisions of this act with the powers herein conferred—has had the same under consideration, and respectfully reports the same back with amendments, and recommends that the amendments be adopted, and that it do pass as amended.

Committee membership—7; committee vote: Ayes—4; absent—3.

MIXTER, Chairman.

Senate Bill No. 825 ordered on file for second reading.

Also:

MR. PRESIDENT: Your Committee on Irrigation, to which was referred Assembly Bill No. 523—An act to amend section 53 of the California Irrigation District Act, relating to contracts—has had the same under consideration, and respectfully reports the same back, and recommends that it do pass.

Committee membership—7; committee vote: Ayes—4; absent—3.

MIXTER, Chairman.

Assembly Bill No. 523 ordered on file for second reading.

MESSAGES FROM THE ASSEMBLY.

The following messages from the Assembly were received and read:

ASSEMBLY CHAMBER, SACRAMENTO, April 17, 1931.

MR. PRESIDENT: I am directed to inform your honorable body that the Assembly on this day passed Assembly Bill No. 1798—An act to amend section 16x51 of the Weights and Measures Act, relating to sealers of weights and measures in counties of the fifty-first class;

Also: Assembly Bill No. 660—An act to amend chapter IV, part I, division VI of the School Code, by adding thereto a new article, to be numbered IVa, relating to the sale of buildings, structures, and other fixtures by one school district to another, where the governing boards have the same personnel;

Also: Assembly Bill No. 755—An act to amend section 832 of the Civil Code, relating to lateral and subjacent support and excavations, and to add a new section to the Civil Code, to be numbered 832a, establishing a standard depth for foundations and relating to excavations;

Also: Assembly Bill No. 890—An act to amend section 1412 of the Code of Civil Procedure, relating to the appointment of special administrators and confirming certain orders;

Also: Assembly Bill No. 185—An act to amend an act entitled "An act to authorize and control the deposit in banks of money belonging to or in the custody of the State and to repeal all acts or parts of acts in conflict with this act," approved April 12, 1923, as amended, by amending section 4 thereof with reference to the security to be given for such deposits;

Also: Assembly Bill No. 211—An act to amend section 4041.6 of the Political Code, relating to powers and duties of the board of supervisors in connection with the operation of recreation parks and camps;

Also: Assembly Bill No. 735—An act to amend sections 2, 5 and 6 of chapter 550, Statutes of 1919, entitled "An act empowering the State Fish and Game Commission to collect statistical data of the commercial fisheries and to make investigations for the purpose of gaining knowledge for the conservation of the fisheries;

providing a system for obtaining an accurate record of each variety of fish caught; providing for the registration of fishing boats and their fishing equipment, and providing penalties for violations of this act," approved May 25, 1919, and to add a new section, to be numbered 4a, thereto, relating to commercial fisheries;

Also: Assembly Bill No. 926—An act to amend section 626½ of the Penal Code, relating to the protection of game.

ARTHUR A. OHNIMUS, Chief Clerk.
By A. W. ENGELKE, Assistant Clerk.

Assembly Bill No. 1798 read first time, and referred to Committee on County Government.

Assembly Bill No. 660 read first time, and referred to Committee on Education.

Assembly Bills Nos. 755 and 890 read first time, and referred to Committee on Judiciary.

Assembly Bill No. 185 read first time, and referred to Committee on Banking.

Assembly Bill No. 211 read first time, and referred to Committee on Conservation.

Assembly Bills Nos. 735 and 926 read first time, and referred to Committee on Fish and Game.

Also:

ASSEMBLY CHAMBER, SACRAMENTO, April 17, 1931.

MR. PRESIDENT: I am directed to inform your honorable body that the Assembly on this day passed Assembly Bill No. 698—An act to add a new section to the Code of Civil Procedure to be numbered 1373a, relating to notification of time set for hearing petition for letters of administration;

Also: Assembly Bill No. 1635—An act to amend section 2322x35 of the Political Code, relating to the office of agricultural commissioner in counties of the thirty-fifth class;

Also: Assembly Bill No. 1636—An act to amend section 4281 of the Political Code, relating to compensation of county and township officers in counties of the fifty-second class;

Also: Assembly Bill No. 1638—An act to amend section 16x52 of the Weights and Measures Act, relating to sealers of weights and measures in counties of the fifty-second class;

Also: Assembly Bill No. 1639—An act to amend section 2322x52 of the Political Code, relating to the office of agricultural commissioner in counties of the fifty-second class;

Also: Assembly Bill No. 1640—An act to add section 19x52 of the Juvenile Court Law, relating to probation officers in counties of the fifty-second class;

Also: Assembly Bill No. 1641—An act to amend section 19x35 of the Juvenile Court Law, relating to probation officers in counties of the thirty-fifth class;

Also: Assembly Bill No. 1190—An act to add a new section to the Penal Code to be numbered 396a to regulate the operation of motor propelled boats in waters used by bathers;

Also: Assembly Bill No. 1901—An act to provide for the creation, organization, and government of port districts; to enumerate the powers thereof; to authorize the incurring of indebtedness, the issuance of bonds and the levy and collection of taxes by such district; to authorize municipal corporations in such districts to surrender and transfer certain municipal powers and to grant certain municipal property to such districts for the purpose of carrying out the objects and purposes of this act.

ARTHUR A. OHNIMUS, Chief Clerk.
By A. W. ENGELKE, Assistant Clerk.

Assembly Bill No. 698 read first time, and referred to Committee on Judiciary.

Assembly Bills Nos. 1635, 1636, 1638, 1639, 1640 and 1641 read first time, and referred to Committee on County Government.

Assembly Bills Nos. 1190 and 1901 read first time, and referred to Committee on Commerce and Navigation.

Also:

ASSEMBLY CHAMBER, SACRAMENTO, April 17, 1931.

MR. PRESIDENT: I am directed to inform your honorable body that the Assembly on this day concurred in Senate amendments to Assembly Bill No. 524—An act to

amend sections 45, 47, and 48 of the California Irrigation District Act, relating to certificates of sale of lands sold for delinquent assessments and deeds issued pursuant thereto.

ARTHUR A. OHNIMUS, Chief Clerk.
By A. W. ENGELKE, Assistant Clerk.

Also :

ASSEMBLY CHAMBER, SACRAMENTO, April 17, 1931.

MR. PRESIDENT : I am directed to inform your honorable body that the Assembly on this day passed Assembly Bill No. 1634—An act to amend section 16335 of the Weights and Measures Act, relating to sealers of weights and measures in counties of the thirty-fifth class :

Also : Assembly Bill No. 270—An act to amend section 1 of an act entitled "An act to permit the consolidation of elections and to provide a procedure therefor," approved June 11, 1913, as amended, relating to consolidation of elections with the August primary election.

ARTHUR A. OHNIMUS, Chief Clerk.
By A. W. ENGELKE, Assistant Clerk.

Assembly Bill No. 1634 read first time, and referred to Committee on County Government.

Assembly Bill No. 270 read first time, and referred to Committee on Elections.

REPORT OF SPECIAL COMMITTEE.

The report of the Special Senate Committee appointed to investigate mining compensation insurance rates and other matters incident thereto, under Senate resolution adopted January 21, 1931, was on this date filed with the Secretary of the Senate.

MOTION BY SENATOR WILLIAMS.

Senator Williams moved that the Secretary be instructed to order 2000 copies of the report printed in separate pamphlet.

Motion carried.

ADJOURNMENT.

At one o'clock and six minutes p.m., on motion of Senator Breed, the President declared the Senate adjourned until eleven o'clock a.m., Monday, April 20, 1931.

HAROLD J. POWERS, Minute Clerk.

IN SENATE.

SENATE CHAMBER,
SACRAMENTO, Monday, April 20, 1931.

The Senate met at eleven o'clock a.m.

Lieutenant Governor Frank F. Merriam, President of the Senate, in the chair.

Secretary Joseph A. Beek at the desk.

ROLL CALL.

The roll was called, and the following answered to their names :

Senators Allen, Baker, Breed, Bush, Carter, Cassidy, Christian, Cleveland, Clock, Crittenden, Deuel, Edwards, Evans, Fellom, Harper, Hays, Ingels, Inman, Jones, Maloney, McCormack, McKinley, Mixter, Moran, Nelson, Pedrotti, Rich, Riley, Rochester, Schottky, Sharkey, Slater, Swing, Treacy, Tubbs, Waggy, Williams, and Young—38.

Quorum present.

PRAYER.

Prayer was offered by the Chaplain, Rev. Sherman L. Divine.

READING OF THE JOURNAL.

During the reading of the Journal of Friday, April 17, 1931, the further reading was dispensed with, on motion of Senator Slater.

LEAVE OF ABSENCE.

Senator Duval was, on motion of Senator Young, granted leave of absence for this day.

PRIVILEGE OF FLOOR OF SENATE EXTENDED.

On request of Senator Inman, the privilege of the floor of the Senate Chamber for this day was unanimously extended to Franklin Union Grammar School pupils as follows: Ella Miller, Helen Hein, Marcella Hein, June Schultz, Bernice Busher, Gus Veninga, Clifford Frey, Kathryn Drumm, Lydia Adam, Frank Simunich, Edward Kammerer, Fumiye Hamatani, John Clark, Ralph Colvard, Albert Staecker, Edward Frey, Leonard Derheim, Arthur Adam, Everett J. Hironymous, William Shapard, Cecil Horner, George Kammerer, John Frey, Ida Johnston, Laura Schulz, Evelyn Waits, Esther C. Forseh, Carl E. Colvard, Harry Willyard, John Rau, Katherine Simunich, Howard Martin, Alvin Kammerer, Gideon Crumley, Celia V. Carlisle and Roeland Kavelaar.

MESSAGE FROM THE ASSEMBLY.

The following message from the Assembly was received and read:

ASSEMBLY CHAMBER, SACRAMENTO, April 17, 1931.

MR. PRESIDENT: I am directed to inform your honorable body that the Assembly on this day adopted Assembly Concurrent Resolution No. 29—Relative to the National Editorial Association.

ARTHUR A. OHNIMUS, Chief Clerk.
By A. W. ENGELKE, Assistant Clerk.

Assembly Concurrent Resolution No. 29 read, and referred to Committee on Rules.

REPORTS OF STANDING COMMITTEES.

The following reports of standing committees were received and read:

ON ENGROSSMENT, ENROLLMENT AND PRINTING.

SENATE CHAMBER, SACRAMENTO, April 20, 1931.

MR. PRESIDENT: Your Committee on Engrossment, Enrollment and Printing has examined Senate Bill No. 10—An act to amend section 736b and repeal section 736c of the Political Code, relating to salaries of judges of the superior court and make an appropriation to cover increases in the payments by the State therefor;

Also: Senate Bill No. 54—An act to amend section 11 of chapter 247, Statutes of 1913, entitled "An act to provide for the acquisition, installation, construction, reconstruction, extension, repair and maintenance by municipalities of water works, electric power works, gas works, lighting works, and other public works and utilities; for the assessment of the cost and expenses thereof upon the property benefited; and for the issuance of improvement bonds to represent such assessments, and to repeal an act entitled 'An act to provide for the lighting of public streets, lanes, alleys, courts and places in municipalities, and for the assessment of the costs and expenses thereof upon the property benefited thereby,' approved March 21, 1905," approved June 6, 1913, relating to redemption of property sold;

Also: Senate Bill No. 122—An act to add a new section to be numbered 426b to the Code of Civil Procedure, relating to the pleadings in divorce actions based on extreme cruelty and adultery;

Also: Senate Bill No. 209—An act to amend section 204e of the Code of Civil Procedure, relating to jury commissioner in counties, or cities and counties, where there is a secretary of the judges of the superior court;

Also: Senate Bill No. 355—An act to repeal sections 2653 and 2654 of the Political Code, relating to a property tax for road purposes;
And reports that the same have been correctly engrossed.

RILEY, Chairman.

Also:

MR. PRESIDENT: Your Committee on Engrossment, Enrollment and Printing has examined Senate Bill No. 402—An act to promote the development of the egg industry in California, to prohibit the sale of eggs unfit for human food, to provide standards of quality and weight for the sale of eggs, to provide for proper labeling of all eggs displayed for sale to the consumer, to protect the consuming public by preventing deception in the sale of eggs, providing penalties for the violation of the provisions of this act, and repealing all acts or parts of acts in conflict herewith;

Also: Senate Bill No. 415—An act making an appropriation to pay the claim of Southern Pacific Company, a corporation, against the State of California;

Also: Senate Bill No. 503—An act to amend an act entitled "An act to provide for the organization, incorporation, and government of municipal corporations," approved March 13, 1883, as amended, by amending sections 806 and 882 thereof, relating to the jurisdiction of courts, in municipal corporations of fifth and sixth classes;

Also: Senate Bill No. 584—An act to amend sections 2, 3, 4, 5, 6, 7, 8, 9, 10, 12, 12a, 13, 14, 15, 16, 18, 19, 20, 21, and to add a new section to be numbered 24 to chapter 845, Statutes 1927, "An act to regulate the occupations and practices of hairdressers and cosmeticians, cosmetologists, and the branches of cosmetology; to create the State Board of Cosmetology, and to provide for the issuance by said board of certificates of registration and licenses entitling the holders thereof to engage in and to teach such occupations and practices; to insure the better education of hairdressers and cosmeticians; to provide for rules regulating the proper conduct and sanitation of cosmetological establishments, schools of cosmetology, and places where the occupations of hairdressers and cosmeticians are practiced; prescribing penalties for the violation of the provisions of this act," approved by the Governor, May 31, 1927;

And reports that the same have been correctly engrossed.

RILEY, Chairman.

Also:

MR. PRESIDENT: Your Committee on Engrossment, Enrollment and Printing has examined Senate Bill No. 613—An act to amend section 270a, of the Penal Code, relating to abandonment of wife and omitting to furnish wife with necessities;

Also: Senate Bill No. 931—An act to repeal chapter 399 of the Statutes of 1911, relating to certain defenses in actions at common law against employers;

Also: Senate Bill No. 944—An act to amend an act entitled "An act to authorize the counties of the State of California to establish retirement systems for their employees," approved May 20, 1919, by adding a new section thereto to be designated section 3½, relating to the exclusion of certain employees;

Also: Senate Constitutional Amendment No. 13—A resolution to propose to the people of the State of California, an amendment to the constitution of said State by amending section 15 of article XIII thereof, relating to the taxation of motor transportation companies operating under franchise;

And reports that the same have been correctly engrossed.

RILEY, Chairman.

Also:

MR. PRESIDENT: Your Committee on Engrossment, Enrollment and Printing has examined Senate Bill No. 159—An act relating to certificates of registration of inspectors and sanitary officers as "registered sanitarians"; empowering the State Board of Public Health to certify approved schools, conduct examinations, and to issue or deny "registered sanitarian" certificates; and providing penalties for violation of this act;

Also: Senate Bill No. 161—An act to add a new section to the Civil Code to be known as section 3045, covering the lien of an attorney at law;

Also: Senate Bill No. 189—An act to amend section 690 of the Code of Civil Procedure, relating to property exempt from execution;

Also: Senate Bill No. 547—An act to amend section 159 of the California Vehicle Act, relating to the Motor Vehicle Fund;

Also: Senate Bill No. 642—An act to amend section 2 of chapter 339, Statutes of 1923, entitled "An act to control and regulate the possession, sale and use of pistols, revolvers and other firearms capable of being concealed upon the person; to prohibit the manufacture, sale, possession or carrying of certain other dangerous weapons within this State; to provide for registering all sales of pistols, revolvers or other firearms capable of being concealed upon the person; to prohibit the carrying of concealed firearms except by lawfully authorized persons; to provide for the confiscation and destruction of such weapons in certain cases; to prohibit the ownership, use, or possession of any of such weapons by certain classes of persons; to prescribe penalties for violation of this act and increased penalties for repeated violations hereof; to authorize, in proper cases, the granting of licenses or permits to carry firearms concealed upon the person; to provide for licensing retail dealers in such firearms and

regulating sales thereunder; and to repeal chapter 145 of California Statutes of 1917, relating to the same subject," relating to penalties for violations of this act; And reports that the same have been correctly re-engrossed.

RILEY, Chairman.

Also:

MR. PRESIDENT: Your Committee on Engrossment, Enrollment and Printing has examined Senate Bill No. 689—An act to add a new section to the Political Code to be numbered 3480c, providing, under the supervision of the State Reclamation Board for the formulation and carrying out of the plans to reorganize, refund and adjust the finances and obligations of reclamation districts;

Also: Senate Bill No. 709—An act to amend section 4239 of the Political Code, relating to compensation of county and township officers in counties of the tenth class;

Also: Senate Bill No. 740—An act to amend section 4253 and to repeal section 4252a of the Political Code, relating to compensation of county and township officers in counties of the twenty-fourth class; and to repeal section 9a19 of chapter 68, Statutes of 1911, entitled "An act to provide for the establishment and maintenance of county free libraries in the State of California, and repealing 'An act entitled 'An act to provide county library systems,' approved April 12, 1909, and all acts and parts of acts in conflict with this act.'";

Also: Senate Concurrent Resolution No. 28—Relating to a survey and an estimate of the cost of reconstructing the committee rooms in the State Capitol building; And reports that the same have been correctly re-engrossed.

RILEY, Chairman.

ON COUNTY GOVERNMENT.

SENATE CHAMBER, SACRAMENTO, April 17, 1931.

MR. PRESIDENT: Your Committee on County Government, to which was referred Assembly Bill No. 346—An act to amend sections 258, 261 and 261a of the Code of Civil Procedure, relating to employees of the superior court in counties or cities and counties having a population of 900,000 inhabitants and over;

Also: Assembly Bill No. 396—An act to amend section 131 of the Code of Civil Procedure, relating to the incidental expenses of probation officers and deputy probation officers;

Also: Assembly Bill No. 460—An act to add a new section, to be numbered 26a, to an act entitled "The Road District Improvement Act of 1907," approved March 21, 1907, as amended, to provide a method of adjusting errors and other errors in accounts of incidental expenses;

Also: Assembly Bill No. 1077—An act to amend section 4149a of the Political Code, relating to the duties of county live stock inspector;

Also: Assembly Bill No. 1282—An act to add a new section to be numbered 9a16 to the act entitled "An act to provide for the establishment and maintenance of county free libraries in the State of California, and repealing an act entitled 'An act to provide county library systems approved April 12, 1909, and all acts and parts of acts in conflict with this act,'" approved February 25, 1911, as amended, relating to libraries in counties of the sixteenth class;

Also: Assembly Bill No. 1544—An act to amend section 4017 of the Political Code, relating to consolidation of county offices; Has had the same under consideration, and respectfully reports the same back, and recommends that they do pass.

Committee membership—9; committee vote: Ayes—7; absent—2.

WAGY, Chairman

Assembly Bills Nos. 346, 396, 460, 1077, 1282 and 1544 ordered on file for second reading.

Also:

MR. PRESIDENT: Your Committee on County Government, to which was referred Assembly Bill No. 334—An act to amend section 4241 of the Political Code, relating to compensation of officers and employees in counties of the twelfth class;

Also: Assembly Bill No. 1376—An act providing for the investigation, inspection, control and eradication of disease in poultry and live stock in counties, and for the appropriation and the expenditure of money therefor; and for agreements between counties and with the Department of Agriculture for such purposes;

Also: Assembly Bill No. 233—An act to add a new section to be numbered 11a to an act entitled "An act to provide for the formation, management and dissolution of county waterworks districts; for supplying the inhabitants thereof with water; for levying and collecting taxes on property in such districts; and for the issuance of county waterworks district bonds and the payment thereof," approved June 13, 1913, Statutes 1913, chapter 370, page 785, relating to the power of the governing board to order emergency repairs;

Also: Assembly Bill No. 241—An act to amend section 11 of an act entitled "An act to be known as the Juvenile Court Law, and concerning persons under the age of 21 years; and in certain cases providing for their care, custody and maintenance;

providing for the probationary treatment of such persons, and for the commitment of such persons to the Whittier State School and the Preston School of Industry, the California School for Girls, and other institutions; establishing probation officers and a probation committee to deal with such persons and fixing the salary thereof; providing for the establishment of detention homes for such persons; fixing the method of procedure and treatment or commitment where crimes have been committed by such persons; providing for the punishment of those guilty of offenses with reference to such persons, and defining such crimes; and repealing the Juvenile Court Law approved March 8, 1909, as amended by an act approved April 5, 1911, and as amended by an act approved June 16, 1913, and all amendments thereof and all acts or parts of acts inconsistent herewith," approved June 5, 1915, as amended, requiring counties to pay the State in the semiannual settlements with the Controller and for the proper part of each month; Has had the same under consideration, and respectfully reports the same back, and recommends that they do pass.

Committee membership—9; committee vote: Ayes—7; absent—2.

WAGY, Chairman.

Assembly Bills Nos. 334, 1376, 233 and 241 ordered on file for second reading.

ASSISTANT SECRETARY FRANCIS E. DALIN AT THE DESK.

CONSIDERATION OF DAILY FILE.

SECOND READING OF SENATE BILLS.

Senate Bill No. 829—An act to amend section 4.280 of the School Code, relating to the powers and duties of governing boards of school districts.

COMMITTEE AMENDMENTS.

During the second reading of the bill, the following committee amendments were offered:

AMENDMENT NUMBER ONE.

In line 11 of the printed bill, after the word "purposes", insert the words "when received".

Amendment adopted.

AMENDMENT NUMBER TWO.

On page 1, line 12, of the printed bill, strike out the word "treasurer", and insert in lieu thereof the word "treasury".

Amendment adopted.

Bill read second time, ordered to print, engrossment, and on file for third reading.

Senate Bill No. 62—An act to amend section 4307 of the Political Code, relating to county charges.

Bill read second time, ordered engrossed, and on file for third reading.

Senate Bill No. 388—An act to amend sections 1096 and 1115 of the Political Code, relating to the registration of electors.

Bill read second time, ordered engrossed, and on file for third reading.

Senate Bill No. 825—An act to provide for the creation, organization and government of water conservation districts, defining their powers and prescribing the method of exercising the same; also amending and reenacting as amended chapter 166 of the Statutes of 1929, known as the "Water Conservation Act of 1929," and validating and confirming all proceedings had and taken under the provisions of said act resulting in the organization of water conservation districts, and continuing such districts under the provisions of this act with the powers herein conferred.

COMMITTEE AMENDMENTS.

During the second reading of the bill, the following committee amendments were offered:

AMENDMENT NUMBER ONE.

In line 6 of the title of the printed bill, as amended, strike out "amending and"; also in line 7 of the title, strike out "as"; also in line 8 of the title, strike out "amended".

Amendment adopted.

AMENDMENT NUMBER TWO.

On page 16, line 25, of the printed bill, as amended, strike out the comma following "days".

Amendment adopted.

AMENDMENT NUMBER THREE.

On page 16 of the printed bill, strike out all of lines 29 and 30.

Amendment adopted.

AMENDMENT NUMBER FOUR.

On page 22, line 13, of the printed bill, as amended, following the word "notice", insert the following: "at least once a week".

Amendment adopted.

AMENDMENT NUMBER FIVE.

On page 24, line 15, of the printed bill, as amended, strike out the word "opened", and insert in lieu thereof "open".

Amendment adopted.

AMENDMENT NUMBER SIX.

On page 24 of the printed bill, as amended, strike out all of lines 36 to 40, inclusive.

Amendment adopted.

AMENDMENT NUMBER SEVEN.

On page 25, line 7, of the printed bill, as amended, strike out "herein".

Amendment adopted.

AMENDMENT NUMBER EIGHT.

On page 25, line 7, of the printed bill, as amended, following the word "authorized", insert the following: "in this subsection".

Amendment adopted.

AMENDMENT NUMBER NINE.

On page 25, line 43, of the printed bill, as amended, strike out "such".

Amendment adopted.

AMENDMENT NUMBER TEN.

On page 25, line 43, of the printed bill, as amended, following the word "conviction", insert "therefor".

Amendment adopted.

AMENDMENT NUMBER ELEVEN.

On page 26, line 45, of the printed bill, as amended, following the word "seven", insert a comma.

Amendment adopted.

AMENDMENT NUMBER TWELVE.

On page 27, line 5, of the printed bill, as amended, strike out the second word "and".

Amendment adopted.

AMENDMENT NUMBER THIRTEEN.

On page 27, line 39, of the printed bill, as amended, strike out the word "raise", and insert in lieu thereof "pay".

Amendment adopted.

AMENDMENT NUMBER FOURTEEN.

On page 28, line 21, of the printed bill, as amended, strike out the word "said", and insert in lieu thereof "the".

Amendment adopted.

AMENDMENT NUMBER FIFTEEN.

On page 30, line 2, of the printed bill, as amended, strike out the figures "27", and insert in lieu thereof "28".

Amendment adopted.

AMENDMENT NUMBER SIXTEEN.

On page 30 of the printed bill, as amended April 10, 1931, after line 46, insert the following:

"A notice shall be given of such election by publication in a newspaper of general circulation published in the district once a week for at least three weeks if published in a weekly or semiweekly newspaper or for at least ten days if published in a daily newspaper and the first publication shall be at least thirty days prior to the day fixed for the election.

Such notice shall state the time and place for holding the election, the names or numbers of the election precincts, which may be the election precincts established by the board of supervisors or the election for the organization of the district or a consolidation of such precincts for the purpose of such bond election or as designated and established as provided in section 14 of this act, the location of the polling places and the names of the election officers appointed to conduct such election. Such notice shall also state the amount of the debt that it is proposed to incur, a brief statement of the purpose thereof and refer to the report hereinbefore provided to be made for further particulars, the number of years the bonds or any part thereof are to run before the maturity thereof and the maximum rate of interest such bonds shall bear."

Amendment adopted.

AMENDMENT NUMBER SEVENTEEN.

On page 32, line 44, of the printed bill, strike out the word "of", which is the first word in the line.

Amendment adopted.

AMENDMENT NUMBER EIGHTEEN.

On page 34, line 40, of the printed bill, strike out the comma following the word "otherwise".

Amendment adopted.

AMENDMENT NUMBER NINETEEN.

On page 35, line 24, of the printed bill, strike out the words "a special", and insert in lieu thereof "an".

Amendment adopted.

AMENDMENT NUMBER TWENTY.

On page 37, line 47, of the printed bill, strike out the word "water", following "conservation".

Amendment adopted.

Bill read second time, ordered to print, engrossment, and on file for third reading.

CONSIDERATION OF DAILY FILE.

SECOND READING OF ASSEMBLY BILLS.

Assembly Bill No. 450—An act to amend section 8, of chapter 202, Statutes of 1919, entitled "An act to regulate the payment of wages or compensation for labor or service in private employments, establishing

regular pay days, providing penalties for the violation of its provisions, authorizing the Commissioner of the Bureau of Labor Statistics to enforce this act, defining the duties of district attorneys relative to its enforcement, providing for the collection of certain penalties by civil action at the direction of said commissioner and for the disposition of penalties so collected; repealing an act entitled 'An act providing for the time of payment of wages,' approved May 1, 1911, as amended April 28, 1915, and repealing an act entitled 'An act to regulate the payment of wages or compensation of employees in private employments; to provide for regular pay days in such employments; providing a penalty for the violation thereof; and authorizing the Commissioner of the Bureau of Labor Statistics to enforce the provisions of this act,' approved June 8, 1915," approved May 6, 1919, as amended, relating to the enforcement of the act and permitting individual actions for wages and penalties.

COMMITTEE AMENDMENTS.

During the second reading of the bill, the following committee amendments were offered:

AMENDMENT NUMBER ONE.

In line 1 of the title of the printed bill, insert after the word "amend", the following: "title, section 7 and".

Amendment adopted.

AMENDMENT NUMBER TWO.

On page 1, line 1, of the printed bill, strike out the following: "Section 8", and insert in lieu thereof the following: "The title".

Amendment adopted.

AMENDMENT NUMBER THREE.

On page 2, line 9, of the printed bill, insert before the word "is", the following: "approved May 6, 1919, as amended,".

Amendment adopted.

AMENDMENT NUMBER FOUR.

On page 2 of the printed bill, following line 9, insert the following paragraphs:

"An act to regulate the payment of wages or compensation for labor or service in private employments, establishing regular pay days, providing criminal penalties for the violation of its provisions, authorizing the commissioner of the bureau of labor statistics to enforce this act, defining the duties of the district attorneys and prosecuting attorneys of cities relative to its enforcement, providing for the collection of certain penalties by civil action at the direction of said commissioner for failure to maintain regular pay days and the disposition of penalties so collected, providing a civil penalty for failure of the employer to pay discharged employees or employees who quit and permitting such employees to sue directly or through an assignee for such penalties as well as permitting the said commissioner to sue for same in such cases as he may deem proper; repealing an act entitled "An act providing for the time of payment of wages", approved May 1, 1911, as amended April 28, 1915, and repealing an act entitled "An act to regulate the payment of wages or compensation of employees in private employments; to provide for regular pay days in such employments; providing a penalty for the violation thereof; and authorizing the commissioner of the bureau of labor statistics to enforce the provisions of this act," approved June 8, 1915.

SEC. 2. Section 7 of the said act, as amended, is hereby amended to read as follows:

Sec. 7. It shall be the duty of the commissioner of the bureau of labor statistics to inquire diligently for any violations of this act, and to institute the actions for penalties provided for in section 4 hereof, as well as actions for penalties under section 5 hereof in such cases as he may deem proper, and to enforce generally the provisions of this act.

SEC. 3. Section 8 of the said act, as amended, is hereby amended to read as follows:."

Amendment adopted.

AMENDMENT NUMBER FIVE.

On page 2, line 17, of the printed bill, strike out the word "any", and insert in lieu thereof the word "an".

Amendment adopted.

Bill read second time, ordered to print, and on file for third reading.

Assembly Bill No. 451—An act to add a new section, to be numbered section 5a, to chapter 202, Statutes of 1919, entitled "An act to regulate the payment of wages or compensation for labor or service in private employments, establishing regular pay days, providing penalties for the violation of its provisions, authorizing the Commissioner of the Bureau of Labor Statistics to enforce this act, defining the duties of district attorneys relative to its enforcement, providing for the collection of certain penalties by civil action at the direction of said commissioner and for the disposition of penalties so collected; repealing an act entitled 'An act providing for the time payment of wages,' approved May 1, 1911, as amended April 28, 1915, and repealing an act entitled 'An act to regulate the payment of wages or compensation of employees in private employments; to provide for regular pay days in such employments; providing a penalty for the violation thereof; and authorizing the Commissioner of the Bureau of Labor Statistics to enforce the provisions of this act,' approved June 8, 1915," approved May 6, 1919, as amended, providing for the payment of undisputed wage claims without condition, within the time prescribed by the said law, leaving to the worker all remedies he may be entitled to as to any additional balance he may claim.

COMMITTEE AMENDMENTS.

During the second reading of the bill, the following committee amendments were offered:

AMENDMENT NUMBER ONE.

On page 2, line 15, of the printed bill, insert after the word "wages", the following ", or parts of wages".

Amendment adopted.

AMENDMENT NUMBER TWO.

On page 2, line 15, of the printed bill, insert after the word "conceded", the words "by him".

Amendment adopted.

AMENDMENT NUMBER THREE.

On page 2, lines 15 and 16, of the printed bill, strike out the words "and about which there is no dispute".

Amendment adopted.

Bill read second time, ordered to print, and on file for third reading.

Assembly Bill No. 368—An act to add a new section to the School Code, to be numbered 2.74, relating to the liability for the bonded indebtedness of school districts.

Bill read second time, and ordered on file for third reading.

Assembly Bill No. 922—An act to amend section 2.125 of article III, chapter II, part I, division II of an act approved March 28, 1929, entitled "An act to provide for the establishment, government, maintenance and operation of the public school system of the State of Cali-

fornia" and known as "The School Code of the State of California," and relating to the boundaries of certain school districts.

Bill read second time, and ordered on file for third reading.

Assembly Bill No. 947—An act to add a new section to the School Code, to be numbered 5.1032, providing for the refunding of contributions paid into the Public School Teachers Permanent Fund through mistake, inadvertence or error.

Bill read second time, and ordered on file for third reading.

Assembly Bill No. 948—An act to amend section 2.884 of the School Code, relating to the challenging of electors at school district elections.

Bill read second time, and ordered on file for third reading.

Assembly Bill No. 949—An act to amend section 1.252 of the School Code, relating to the payment of salaries of county supervisors of attendance.

Bill read second time, and ordered on file for third reading.

Assembly Bill No. 951—An act to amend section 5.842 of the School Code, relating to the filing of confidential personal reports by persons employed in the public schools.

Bill read second time, and ordered on file for third reading.

Assembly Bill No. 1490—An act to amend section 3.515 of the School Code, relating to vocational rehabilitation.

Bill read second time, and ordered on file for third reading.

Assembly Bill No. 1721—An act to amend section 2254 of the Political Code, relating to California School for Blind.

Bill read second time, and ordered on file for third reading.

Assembly Bill No. 1741—An act to amend section 2239 of the Political Code, relating to California School for the Deaf.

Bill read second time, and ordered on file for third reading.

Assembly Bill No. 950—An act to amend section 5.1043 of the School Code, relating to the payment of contributions to the Public School Teachers Permanent Fund.

COMMITTEE AMENDMENT.

During the second reading of the bill, the following committee amendment was offered:

AMENDMENT NUMBER ONE.

On page 1, line 4, of the printed bill, strike out the following: "forty", and insert in lieu thereof the following: "twenty".

Amendment adopted.

Bill read second time, ordered to print, and on file for third reading.

Assembly Bill No. 1794—An act to amend section 16x26 of the Weights and Measures Act, relating to sealers of weights and measures in counties of the twenty-sixth class.

Bill read second time, and ordered on file for third reading.

Assembly Bill No. 1796—An act to amend section 16x35 of the Weights and Measures Act, relating to sealers of weights and measures in counties of the thirty-fifth class.

Bill read second time, and ordered on file for third reading.

Assembly Bill No. 1827—An act to amend section 2322x35 of the Political Code, relating to the office of agricultural commissioner in counties of the thirty-fifth class.

Bill read second time, and ordered on file for third reading.

Assembly Bill No. 1845—An act to amend section 19x35 of the Juvenile Court Law, relating to probation officers in counties of the thirty-fifth class.

Bill read second time, and ordered on file for third reading.

Assembly Bill No. 574—An act to amend section 4316 of the Political Code, relating to county officers and their deputies.

Bill read second time, and ordered on file for third reading.

Assembly Bill No. 611—An act to repeal section 4270 of the Political Code, and to add sections 4270, 4270a, 4270b, 4270c, 4270d, 4270e, 4270f, 4270g, 4270h, 4270i, 4270j, 4270k, 4270l, 4270m, 4270n, 4270o, 4270p, 4270q, and 4270r, relating to the compensation of county and township officers in the county of the forty-first class.

COMMITTEE AMENDMENTS.

During the second reading of the bill, the following committee amendments were offered:

AMENDMENT NUMBER ONE.

On page 6, line 9, of the printed bill, strike out "The county clerk.", and insert in lieu thereof the following: "In counties of the forty-first class the county clerk shall receive a salary of".

Amendment adopted.

AMENDMENT NUMBER TWO.

On page 6, line 25, of the printed bill, strike out "The sheriff.", and insert in lieu thereof the following: "In counties of the forty-first class the sheriff shall receive a salary of".

Amendment adopted.

AMENDMENT NUMBER THREE.

On page 6, line 45, of the printed bill, strike out "The recorder.", and insert in lieu thereof the following: "In counties of the forty-first class the recorder shall receive a salary of".

Amendment adopted.

AMENDMENT NUMBER FOUR.

On page 7, line 9, of the printed bill, strike out "The auditor.", and insert in lieu thereof the following: "In counties of the forty-first class the auditor shall receive a salary of".

Amendment adopted.

AMENDMENT NUMBER FIVE.

On page 7, line 12, of the printed bill, strike out "The treasurer.", and insert in lieu thereof the following: "In counties of the forty-first class the treasurer shall receive a salary of".

Amendment adopted.

AMENDMENT NUMBER SIX.

On page 7, line 16, of the printed bill, strike out "The tax collector.", and insert in lieu thereof the following: "In counties of the forty-first class the tax collector shall receive a salary of".

Amendment adopted.

AMENDMENT NUMBER SEVEN.

On page 7, line 19, of the printed bill, strike out "six", and insert in lieu thereof: "three".

Amendment adopted.

AMENDMENT NUMBER EIGHT.

On page 7, line 23, of the printed bill, strike out "The assessor," and insert in lieu thereof the following: "In counties of the forty-first class the assessor shall receive a salary of".

Amendment adopted.

AMENDMENT NUMBER NINE.

On page 7, line 51, of the printed bill, strike out "The district attorney," and insert in lieu thereof the following: "In counties of the forty-first class the district attorney shall receive a salary of".

Amendment adopted.

AMENDMENT NUMBER TEN.

On page 8, line 3, of the printed bill, strike out "The coroner," and insert in lieu thereof the following: "In counties of the forty-first class the coroner shall receive a salary of".

Amendment adopted.

AMENDMENT NUMBER ELEVEN.

On page 8, line 7, of the printed bill, strike out "The superintendent of schools," and insert in lieu thereof the following: "In counties of the forty-first class the superintendent of schools shall receive a salary of".

Amendment adopted.

AMENDMENT NUMBER TWELVE.

On page 8, line 23, of the printed bill, strike out "The public administrator," and insert in lieu thereof the following: "In counties of the forty first class the public administrator shall receive a salary of".

Amendment adopted.

AMENDMENT NUMBER THIRTEEN.

On page 8, line 27, of the printed bill, strike out "The surveyor," and insert in lieu thereof the following: "In counties of the forty-first class the surveyor shall receive a salary of".

Amendment adopted.

AMENDMENT NUMBER FOURTEEN.

On page 8, line 37, of the printed bill, strike out "Justices", and insert in lieu thereof the following: "In counties of the forty first class justices".

Amendment adopted.

AMENDMENT NUMBER FIFTEEN.

On page 9, line 7, of the printed bill, strike out "Constables", and insert in lieu thereof the following: "In counties of the forty-first class constables".

Amendment adopted.

AMENDMENT NUMBER SIXTEEN.

On page 9, of the printed bill, strike out line 28, and insert in lieu thereof the following:

"\$2700. In counties of the forty-first class each supervisor shall receive a salary of nine hundred dollars per annum,".

Amendment adopted.

AMENDMENT NUMBER SEVENTEEN.

On page 9, line 34, of the printed bill, strike out "Each", and insert in lieu thereof the following: "In counties of the forty-first class each".

Amendment adopted.

AMENDMENT NUMBER EIGHTEEN.

On page 9, line 48, of the printed bill, strike out "this", and insert in lieu thereof the following: "the forty-first".

Amendment adopted.

AMENDMENT NUMBER NINETEEN.

On page 10, line 8, of the printed bill, strike out "this", and insert in lieu thereof the following: "the forty-first".

Amendment adopted.

Bill read second time, ordered to print, and on file for third reading.

Assembly Bill No. 461—An act to amend the title and sections 1, 2, 5, and 9 of an act entitled "An act to provide for the formation, management, and dissolution of county fire protection districts, and annexations thereto, setting forth the powers of such districts and providing for levying and collecting taxes on property in such districts to defray the expenses thereof," approved May 23, 1923, Statutes 1923, page 431, as amended, and to add sections 7a, 7b, and 7c, relating to the consolidation of fire protection districts.

COMMITTEE AMENDMENTS.

During the second reading of the bill, the following committee amendments were offered:

AMENDMENT NUMBER ONE.

In lines 8 and 9 of the title of the printed bill, strike out "the consolidation of", and insert in lieu thereof "county".

Amendment adopted.

AMENDMENT NUMBER TWO.

On page 1, line 11, of the printed bill, strike out the word "district", and insert in lieu thereof the word "districts".

Amendment adopted.

AMENDMENT NUMBER THREE.

On page 2, line 4, of the printed bill, strike out the word "their", and insert in lieu thereof the word "its".

Amendment adopted.

AMENDMENT NUMBER FOUR.

On page 2, line 21, of the printed bill, strike out "the", and insert in lieu thereof "a".

Amendment adopted.

AMENDMENT NUMBER FIVE.

On page 3, line 1, of the printed bill, strike out the word "lands", and insert in lieu thereof "towns lots, homesites, villa lots or lands immediately adjacent thereto"

Amendment adopted.

AMENDMENT NUMBER SIX.

On page 3, line 8, of the printed bill, after "7a", strike out "to be", and insert in lieu thereof "is hereby".

Amendment adopted.

AMENDMENT NUMBER SEVEN.

On page 3, line 9, of the printed bill, strike out "to read", and insert "reads".

Amendment adopted.

AMENDMENT NUMBER EIGHT.

On page 3, line 12, of the printed bill, strike out "or".

Amendment adopted.

AMENDMENT NUMBER NINE.

On page 3, line 36, of the printed bill, strike out "shall also", and insert in lieu thereof "also shall".

Amendment adopted.

AMENDMENT NUMBER TEN.

On page 4, line 14, of the printed bill, after "7b", strike out "to be", and insert in lieu thereof "is hereby".

Amendment adopted.

AMENDMENT NUMBER ELEVEN.

On page 4, line 15, of the printed bill, strike out "to read", and insert in lieu thereof "reads".

Amendment adopted.

AMENDMENT NUMBER TWELVE.

On page 4, line 20, of the printed bill, after the word "whether", insert "or".

Amendment adopted.

AMENDMENT NUMBER THIRTEEN.

On page 4, line 37, of the printed bill, after "7c", strike out "to be", and insert in lieu thereof "is hereby".

Amendment adopted.

AMENDMENT NUMBER FOURTEEN.

On page 4, line 38, of the printed bill, strike out "to read", and insert in lieu thereof "reads".

Amendment adopted.

AMENDMENT NUMBER FIFTEEN.

On page 4, line 50, of the printed bill, after "Sec.", insert "8. Section".

Amendment adopted.

Bill read second time, ordered to print, and on file for third reading.

Assembly Bill No. 1068—An act to amend the Political Code by adding thereto a new section to be numbered 4310, providing a special fund for the sheriff, for the manner of making disbursements thereunder, for the use of the fund, and for the manner of accounting therefor.

COMMITTEE AMENDMENT.

During the second reading of the bill, the following committee amendment was offered:

AMENDMENT NUMBER ONE.

On page 2, line 28, of the printed bill, strike out the figure "1920", and insert in lieu thereof the figure "1930".

Amendment adopted.

Bill read second time, ordered to print, and on file for third reading.

Assembly Bill No. 408—An act to amend section 1096 of the Political Code, relating to registration of electors.

Bill read second time, and ordered on file for third reading.

Assembly Bill No. 1098—An act to amend section 4 of an act entitled "An act regulating private employment agencies, providing for a license for the operation thereof and a fee therefor, providing forms of receipts and registers to be used and kept, prohibiting any charge for registering or filing application for help or employment, prohibiting the dividing of fees, providing for the refunding of fees and

expenses in the event of failure to procure employment, and granting the Commissioner of the Bureau of Labor Statistics the power to prescribe rules and regulations to carry out the purpose and intent of this act," approved June 3, 1913, as amended, relating to suspension and revocation of licenses.

COMMITTEE AMENDMENTS.

During the second reading of the bill, the following committee amendments were offered:

AMENDMENT NUMBER ONE.

On page 2, line 25, of the printed bill, after the word "has", insert the words "wilfully and knowingly".

Amendment adopted.

AMENDMENT NUMBER TWO.

On page 2, line 30, of the printed bill, strike out the period after the word "act", insert a semicolon and the following words: "nothing in this act contained, however, shall interfere with the right of employers to arrange with such licensees for the transportation of laborers to their prospective places of employment."

Amendment adopted.

Bill read second time, ordered to print, and on file for third reading

Assembly Bill No. 523—An act to amend section 53 of the California Irrigation District Act, relating to contracts.

Bill read second time, and ordered on file for third reading.

Assembly Bill No. 1233—An act providing for the creation and organization of a port district, as an agency of the State of California, for the improvement, development, maintenance, control, government and operation of the harbor of San Francisco, and its authorized facilities, and for the development of the commerce, navigation, and fisheries of that harbor, to be known as the Port of San Francisco, and to become the successor of the Board of State Harbor Commissioners; defining the powers, duties, and jurisdiction of said port district; providing for the qualifications, the selection, and certain powers and duties of the officers and employees of said port district; abolishing the Board of State Harbor Commissioners and officers and positions thereunder; transferring certain State property to said port district, in trust for the State, for the uses and purposes of the act; providing for the acquisition, construction, maintenance, management and operation of property by said port district; authorizing said port district to levy taxes and incur indebtedness for certain purposes, and to fix, regulate, and collect for its own purposes all charges for the use or enjoyment of public property under the jurisdiction, possession and control of said port district or managed or operated by it; authorizing the City and County of San Francisco to make contributions to said port district for certain purposes; defining the obligations and privileges of the port district with regard to certain public moneys and certain State bonds, and certain harbor improvement funds and sinking funds connected therewith; providing a procedure for determining the validity of the bonds of said port district; and providing for the extension of said port district and the acquisition of certain State property in the event of any consolidation of the City and County of San Francisco with the county of San Mateo or any part thereof.

COMMITTEE AMENDMENTS.

During the second reading of the bill, the following committee amendments were offered:

AMENDMENT NUMBER ONE.

On page 2, line 15, of the printed bill, as amended in Assembly, before the word "trustees", insert the word "of".

Amendment adopted.

AMENDMENT NUMBER TWO.

On page 3, line 37, of the printed bill, as amended in Assembly, following the word "they", insert the word "shall".

Amendment adopted.

AMENDMENT NUMBER THREE.

On page 4, line 4, of the printed bill, as amended in Assembly, strike out the word "refusal", and in place thereof insert the word "failure".

Amendment adopted.

AMENDMENT NUMBER FOUR.

On page 4, line 20, of the printed bill, as amended in Assembly, after the word "except", insert the word "as", and same page, line 27, after the word "except", insert the word "as".

Amendment adopted.

AMENDMENT NUMBER FIVE.

On page 5, line 8, of the printed bill, as amended in Assembly, between the words "by", and "law", insert a hyphen.

Amendment adopted.

AMENDMENT NUMBER SIX.

On page 5, line 18, of the printed bill, as amended in Assembly, after the word "passed", insert the words "by a majority of its board and may be amended or added to from time to time"; and same page, same line, strike out the words "Such by-laws and all amendments"; and same page, strike out all of line 19; and same page, line 20, strike out the words "passed by a like vote".

Amendment adopted.

AMENDMENT NUMBER SEVEN.

On page 7, line 29, of the printed bill, as amended in Assembly, strike out the word "wharfinger", as it occurs the second time in the line, and in place thereof insert the word "wharfingers".

Amendment adopted.

AMENDMENT NUMBER EIGHT.

On page 8, line 34, of the printed bill, as amended in Assembly, strike out the word "bases", and in place thereof insert the word "basins".

Amendment adopted.

AMENDMENT NUMBER NINE.

On page 11, line 19, of the printed bill, as amended in Assembly, after the word "therefor", insert a comma.

Amendment adopted.

AMENDMENT NUMBER TEN.

On page 15, line 21, of the printed bill, as amended in Assembly, strike out the word "steam", and same page, line 25, strike out the word "exclusive".

Amendment adopted.

AMENDMENT NUMBER ELEVEN.

On page 19, line 5, of the printed bill, as amended in Assembly, before the word "board", insert the word "harbor".

Amendment adopted.

AMENDMENT NUMBER TWELVE.

On page 13 of the printed bill, as amended in Assembly, after the comma following the word "stevedores", in line 21, strike out the remainder of the line and all of lines 22 to 31, inclusive.

Amendment adopted.

AMENDMENT NUMBER THIRTEEN.

On page 14, line 16, of the printed bill, as amended, strike out all of the following: Commencing with the prefix "pro", in line 16, all of lines 17, 18, 19, 20, 21, down to and including the word "cost", in line 22.

Amendment adopted.

Bill read second time, ordered to print, and on file for third reading.

MESSAGE FROM THE ASSEMBLY.

The following message from the Assembly was received and read:

ASSEMBLY CHAMBER, SACRAMENTO, April 16, 1931.

MR. PRESIDENT: I am directed to inform your honorable body that the Assembly on this day respectfully refused to concur in Senate amendments to Assembly Bill No. 487—An act to amend section 8 of an act entitled "An act to regulate the practice of architecture," approved March 23, 1901, as amended, relating to the State Board of Architectural Examiners—and requests that your honorable body recede therefrom.

ARTHUR A. OHNIMUS, Chief Clerk.
By FRED J. DESCH, Assistant Clerk.

The question being: Shall the Senate recede from Senate amendments to Assembly Bill No. 487?

The roll was called, and the Senate refused to recede from Senate amendments to Assembly Bill No. 487 by the following vote:

AYES—None.

NOES—Senators Allen, Baker, Breed, Bush, Carter, Cassidy, Christian, Cleveland, Clock, Edwards, Evans, Harper, Ingels, Inman, Maloney, McCormack, McKinley, Mixer, Moran, Nelson, Pedrotti, Rich, Riley, Rochester, Schottky, Sharkey, Slater, Swing, Treacy, Tubbs, Waggy, Williams, and Young—33.

APPOINTMENT OF COMMITTEE ON FREE CONFERENCE.

The President announced the appointment of Senators Christian, Riley and Slater, as a Committee on Free Conference, to meet with a like committee from the Assembly to consider Senate amendments to Assembly Bill No. 487.

REPORTS OF STANDING COMMITTEES—(RESUMED).

The following reports of standing committees were received and read:

ON IRRIGATION.

SENATE CHAMBER, SACRAMENTO, April 20, 1931.

MR. PRESIDENT: Your Committee on Irrigation, to which was referred Senate Bill No. 686—An act to amend section 94 of chapter 189, Statutes of 1897, entitled "The California Irrigation District Act"—has had the same under consideration, and respectfully reports the same back with amendments, and recommends that the amendments be adopted, and the bill be re-referred to this committee.

Committee membership—7; committee vote: Ayes—6.

(Signed out)

MIXTER, Chairman.
BUSH.
HAYS.
SCHOTTKY.
WAGY.
YOUNG.

CONSIDERATION OF COMMITTEE AMENDMENTS.

Pursuant to the report of the Committee on Irrigation, the following amendments to Senate Bill No. 686 were read and adopted:

AMENDMENT NUMBER ONE.

On page 1 of the printed bill, strike out the title, and insert in lieu thereof the following:

"An act to amend section 30 of and to add a new section to be numbered 15e to the California irrigation district act, relating to the powers and duties of the board of directors."

AMENDMENT NUMBER TWO.

On page 1 of the printed bill, strike out lines 1 to 3, inclusive, and insert in lieu thereof the following:

"SECTION 1. The California irrigation district act, approved March 31, 1897, as amended, is hereby amended by adding a new section thereto to be designated section 15e, as follows:

Sec. 15e. The board of directors may by resolution establish special accounts from the general fund as may be necessary or convenient in the efficient and economical operation of the district and designate the person or officer to have custody of the several accounts so established and fix bond for the faithful discharge of their several duties, the cost of which bond may be paid by the district. Such special accounts shall severally be supplied from the general fund by warrant as provided by section 54, the same as in payment of any other claim against the district. The person in custody of any of said accounts shall make to the board a verified report in writing between the first and tenth of each month showing the amount of money received by him for said account since the last report and the amount and items of expenditures therefrom; said report shall be filed with the secretary of the board. No payment shall be made from any of said accounts except upon the written order of the person or one of the persons designated for the purpose by the board indicating in said order the purpose for which and the person to whom payment is to be made and with the approval in writing of the person or one of the persons designated for the purpose by the board.

SEC. 2. Section 30 of said act is hereby amended to read as follows:

Sec. 30. For the purpose of constructing or purchasing necessary irrigation canals and works, and acquiring the necessary property and rights therefor, and for the purpose of acquiring waters, water rights, reservoirs, reservoir sites, and other property necessary for the purposes of said district, and otherwise carrying out the provisions of this act, or any other act under which said district is or may be authorized to acquire property or construct works, the board of directors of any such district must, as soon after such district has been organized as may be practicable, and also whenever thereafter the board of directors shall find that the construction fund raised by the last previous bond issue is insufficient, or that the construction fund has been exhausted by expenditures herein authorized therefrom and it is necessary to raise additional money for said purposes, estimate and determine the amount of money necessary to be raised. For the purpose of ascertaining the amount of money necessary to be raised for such purposes, or any of them, said board shall cause such surveys, examinations, drawings and plans to be made as shall furnish the proper basis for said estimate. Said surveys, examinations, drawings and plans, and the estimate based thereon may provide that the works necessary for a completed project shall be constructed progressively during a period of years. In the estimate of the amount of money necessary to be raised by any issue of bonds in any district, the board of directors may include a sum sufficient to pay the interest on all of such bonds for three years or less. All such surveys, examinations, drawings and plans shall be made under the direction of a competent irrigation engineer and shall be certified by him.

Bill ordered to print, and re-referred to Committee on Irrigation.

ON MUNICIPAL CORPORATIONS.

SENATE CHAMBER, SACRAMENTO, April 20, 1931.

MR. PRESIDENT: Your Committee on Municipal Corporations, to which was referred Assembly Bill No. 222—An act to amend sections 2, 5, 8, 40 and 41 of an act entitled "Acquisition and Improvement Act of 1925," approved May 23, 1925, Statutes 1925, page 849, as amended—has had the same under consideration, and respectfully reports the same back with amendments, and recommends that the amendments be adopted, and the bill be re-referred to this committee.

(Signed out)

HARPER, Chairman.
ALLEN.
BUSH.
CARTER,
CHRISTIAN.

FELLOM.
MIXTER.
RICH,
ROCHESTER.
TREACY.

CONSIDERATION OF COMMITTEE AMENDMENTS.

Pursuant to the report of the Committee on Municipal Corporations, the following amendments to Assembly Bill No. 222 were read and adopted:

AMENDMENT NUMBER ONE.

In line 1 of the title of the printed bill, as amended in Assembly March 5, 1931, between the figures "2," and "3," insert the figure "4," and between the figures "8," and "40," insert the figures "9," "10,".

AMENDMENT NUMBER TWO.

In the last line of the title of the printed bill, as amended in Assembly March 5, 1931, strike out the final period and in lieu thereof insert the following: ". limiting the amount of special assessments that may be imposed, providing that the bar of a majority protest can not be overruled, relating to the form of protests, relating to the manner of collection of special assessment taxes and providing for the acceptance of matured unpaid bonds and interest coupons in payment for property sold by the state for delinquency in the payment of special assessment taxes of the district for which such bond was issued."

AMENDMENT NUMBER THREE.

On page 4 of the printed bill, as amended in Assembly March 5, 1931, following line 9, insert the following:

"SEC. 2. Section 4 of said "Acquisition and improvement act of 1925," as amended, is hereby amended to read as follows:

Sec. 4. The legislative body desiring to initiate proceedings for the making of any acquisition or improvement, or both an acquisition and improvement, under the provisions of this act, may, by an order to be entered upon its minutes, designate some county officer, if the legislative body be that of a county, or some municipal officer, if it be that of a municipality, or some other competent person, in either case, and direct him to prepare and furnish specifications for the proposed acquisition or improvement, or both. The said specifications, in the case of an improvement, shall include all plans, profiles, cross-sections and specifications necessary therefor, together with a statement of the estimated cost of the improvement (inclusive of incidental expenses and costs of the proceeding), a description of the district to be benefited by the proposed improvement and a map or plat showing the same and also the different zones within said district (if any are necessary because of varying benefits) containing the lands to be benefited in like measure but in a different measure from those in other zones therein, with a statement as to what percentage of the sum to be raised each year for the payments on the principal and interest of the bonds should be raised from each zone, and shall show the grades to which the contemplated improvements are to be constructed. In the case of an acquisition, the said specifications shall include descriptions of all property to be acquired, together with a map or plat showing the same, the total sum of the estimated expense of said acquisition (which expenses shall include the estimated amount of just compensation and damages, the estimated expenses chargeable to the plaintiff in the condemnation action, and the estimated incidental expenses of the proceeding) and a description of the district to be benefited by the proposed acquisition and a map or plat thereof; and the other matters relating to zones and percentages as above required in the case of improvements. In the event that the contemplated proceeding includes both an acquisition and improvement, all of the above requirements shall be included in the specifications; the district, zones and percentages set forth to comprehend both the contemplated acquisition and improvement. Said specifications shall be signed by the person designated and directed to prepare them and be presented to the legislative body ordering them. Said legislative body shall examine the said specifications and may approve them or order modifications or changes to be made therein. When approved by the legislative body they shall be filed with the clerk of said body. At any time before the adoption of a resolution of intention the specifications may be corrected or modified by the order of said body.

Such legislative body shall not have jurisdiction to adopt a resolution of intention in any case unless the specifications as finally corrected or modified shall show that the estimated cost of any acquisition or improvement, or both, less any amount proposed to be paid toward such cost from a source other than special assessments upon the lands proposed to be specially assessed, will not exceed one-half the aggregate assessed value of such lands, and that the net amount to be paid by special assessment in any zone in the proposed district will not exceed the aggregate assessed value of the lands in such zone, unless said legislative body shall find by the unanimous vote of all the members thereof entered upon its minutes that the proposed project is feasible, and that the lands to be assessed will be able to carry the burden of such proposed assessment. The assessed value shall be the value shown upon the last equalized assessment roll of the county or municipality, the legislative body of which is conducting the proceeding, except that where the proposed district lies partly in incorporated and partly in unincorporated territory or within the territory of two

municipalities, the last equalized county assessment roll shall be used. If the assessed value of any parcel of land is not separately shown upon said assessment roll, an estimated assessed value of such parcel shall be made by the city or county assessor and such estimate shall be considered the assessed value of such parcel for the purposes of this act.

If a statute known as "Special assessment investigation and limitation act of 1931" shall become law, the provisions of such statute shall apply to all proceedings under this act, except that such statute shall not operate to permit any proceeding which this section would require to be abandoned, and in no proceeding under this act may the limitations provided in this section or by said statute be exceeded except by such unanimous vote of the legislative body.

The limitations hereby imposed shall not apply to any proceeding in which an ordinance or resolution of intention has been finally adopted before the date when this section as amended in 1931 shall become effective.

Any error or informality in the appointment of any officer or other person to prepare specifications, or the omission of a formal order of appointment altogether, shall not invalidate or in any way affect the proceedings.

In case the consent of any legislative body other than the one conducting the proceeding is required, as provided in section 2 of this act, then, after the specifications shall have been approved and filed, the legislative body conducting the proceeding shall, by resolution, request such consent (or consents, if more than one is necessary), and a copy of the resolution requesting such consent, together with a copy of the specifications, shall be filed with the legislative body, or bodies, whose consent is requested. Such legislative body, or bodies, may consent by resolution."

AMENDMENT NUMBER FOUR.

On page 4, line 10, of the printed bill, as amended in Assembly March 5, 1931, strike out the figure "2", and in lieu thereof insert the figure "3".

AMENDMENT NUMBER FIVE.

On page 8, line 38, of the printed bill, as amended in Assembly March 5, 1931, strike out the figure "3", and in lieu thereof insert the figure "4".

AMENDMENT NUMBER SIX.

On page 9 of the printed bill, as amended in Assembly March 5, 1931, following line 42, insert the following:

"SEC. 5. Section 9 of said "Acquisition and improvement act of 1925," as amended, is hereby amended to read as follows:

Sec. 9. At any time not later than the hour set for hearing objections as provided in the preceding section, any owner of land within the boundaries of the assessment district as set forth in said resolution may, severally, or with other such owners, file with the clerk of the legislative body conducting the proceedings written objection to the thing or things proposed to be done, whether it be an improvement or acquisition, or both, or to the grade or grades to which the improvement is proposed to be constructed, or to the extent of the assessment district, or to the zones, if any, into which the said district is divided, or to the percentages proposed to be raised from each of said zones, or to any or all of the foregoing. Upon such hearing all objections and protests to the doing of the thing or things proposed to be done shall be heard and considered. If upon said hearing it appears that the owners of more than one-half of the area of the property included within the entire assessment district, as proposed, have in writing made objection to the doing of the thing or things proposed to be done, i. e., the improvement or acquisition, or both, as the case may be, in their entirety, and to the ordering of the same, the legislative body shall, by a resolution to be entered upon its minutes, so find and thereupon such legislative body shall have no power to proceed further under said resolution of intention nor to adopt any resolution for doing the same thing or things during a period of one year next succeeding the time of such finding. In order that such objections operate as a bar, as aforesaid, they must specifically state that the objections are to the doing of the thing or things proposed in their entirety and not merely to some item, class, kind or part of the thing or things proposed to be done. If the fact be that the owners of more than one-half of the area of the property included within the entire district as proposed have not so in writing made objection going to the ordering of the thing or things proposed to be done, as an entirety, the legislative body shall so find, and may thereupon proceed with the hearing, but such finding need not be in writing and may, for the purpose of proceeding with the hearing, be a mere announcement of the body. Next shall be heard, in any order desired by such body, such objections as shall be made to the extent of the district and to the zones, if any, into which said district is divided and to the percentages to be raised therefrom as set forth in the resolution of intention, and objections to the grade or grades to which the improvement is proposed to be constructed.

The hearing may be continued from time to time by the legislative body by an order to be entered upon its minutes.

Owners of land within the meaning of this section are those, and those only, who appear to be such upon the records in the recorder's office of the county in which the district is situated on the day before the day set for said hearing, and an executor

or administrator shall be deemed representative of his decedent, and a trustee of an express trust in land, other than as security for the payment of money, of the land held in such trust, and a trustee in bankruptcy of the bankrupt, and a guardian of his ward. Owners of land within the meaning of this section shall also include any person who holds a valid contract to purchase land, which fact must either be shown to be such upon the records in said recorder's office or the owner signing the protest must exhibit his contract to purchase; *provided, however*, that if both the owner of record and the contract purchaser shall present protests for the same land, only one protest shall be counted. The objection of any owner may be made by the signature of his agent; *provided*, that there must be attached to the objection the affidavit of the agent that he is duly authorized to sign said objection. Every written objection must contain a description of the property in which each signer thereof is interested sufficient to identify it, and must set forth the nature of his interest therein and, if signed by more than one objector, must be accompanied by the affidavit of one of the signers thereto that each signature thereto is the genuine signature of the person whose name is thereto subscribed. No informality or technical insufficiency in the form of any protest shall invalidate such protest if such protest shall be sufficient to identify the property in which the signer is interested, to show that such protest is based upon a ground or grounds authorized hereby and to show that such signer is entitled to file such protest.

SEC. 6. Section 10 of said "Acquisition and improvement act of 1925," as amended, is hereby amended to read as follows:

Sec. 10. Unless the power to proceed shall have ceased, as hereinbefore provided, the legislative body shall in conclusion of the aforementioned hearing and as a determination of all questions arising thereat, by resolution to be entered upon its minutes, declare its finding that the owners of more than one-half of the area of the property included in the assessment district have not made written objection going to the entirety of the thing or things proposed to be done. Said legislative body may at the conclusion of the hearing thereon and in said resolution determine the extent and boundaries of the assessment district and may exclude from the district described in the resolution of intention any parcels of land which it may find will not be benefited by the doing of the thing or things proposed to be done. It may also change or modify the zones, if any, into which said district is divided, so that each zone shall be composed of the lands within said district which will be benefited in like measure; and it may also change the percentage of the amount to be raised in each such zone, so that such zoning and the raising of the special assessment taxes therefrom shall best, in its judgment, reflect the benefits to be derived by the parcels of land included therein. If no changes be made in the boundaries of the assessment district, as the same are set forth in the resolution of intention, or no changes are made in the zones or the percentages to be raised therefrom as set forth in said resolution, it shall be sufficient to state that the boundaries of the district, the zones and the percentages to be raised therefrom, are those set forth in the resolution of intention; but if any changes be made in the boundaries of the assessment district, the boundaries as finally determined shall be fully set forth in said resolution, and the plat or map of the assessment district on file in the office of the clerk of said legislative body and referred to in the resolution of intention shall be made to show said boundaries as finally determined, and if any changes be made in the zones referred to in the resolution of intention, the description of the boundaries of said zones, as finally determined, shall be fully set forth, and said plat or map on file in the office of the clerk of the legislative body shall be changed to show the boundaries of said zones as finally determined, and, if any changes be made in the percentages to be raised from the several zones, the resolution shall so state, giving the percentage to be raised from each zone, as finally determined. The boundaries of the district, as the same are set forth in the resolution of intention, shall not be so changed as to include within the district any territory not within its boundaries as set forth in said resolution.

Said legislative body may also change or modify the grades as set forth in the plans and specifications and referred to in the resolution of intention. If no change or modification be made as to the grades, as the same are set forth in the plans and specifications and referred to in the resolution of intention, it shall be sufficient to state in the resolution adopted at the conclusion of said hearing, that the grades as finally determined, are those set forth in such plans and specifications, but if any changes are made in the grades, as set forth in the plans and specifications and referred to in the resolution of intention, such changes shall be set forth in said resolution adopted at the conclusion of said hearing.

If any changes or modifications be made in the boundaries of the assessment district, the zones, the percentages to be raised from the several zones, the grades, or any or all of the foregoing, such changes or modifications shall be made by a four-fifths vote of the legislative body.

The boundaries of the assessment district, the location and extent of the zones, if any, and the percentages to be raised therefrom, so determined, shall then be established and prevail for all purposes of the proceeding and until any bonds to be issued for the expenses of the thing or things to be done shall have been fully paid and discharged, and the grades so determined shall be the grades for all the purposes of the proceeding and the improvement to be done thereunder. The findings and

determination of said legislative body upon the matters of the extent and boundaries of the assessment district, the zones, if any, into which said district is divided, the percentage of the expenses to be raised from each of said zones, the grades to which the improvement is to be constructed, and the necessity for the acquisition, or improvement, or both, comprehended by the proceeding, shall be final and conclusive."

AMENDMENT NUMBER SEVEN.

On page 9, line 43, of the printed bill, as amended in Assembly March 5, 1931, strike out the figure "4", and in lieu thereof insert the figure "7".

AMENDMENT NUMBER EIGHT.

On page 11, line 1, of the printed bill, as amended in Assembly March 5, 1931, strike out the figure "5", and in lieu thereof insert the figure "8".

AMENDMENT NUMBER NINE.

On page 11, line 3, of the printed bill, as amended in Assembly March 5, 1931, following the figure "41.", insert "(1)".

AMENDMENT NUMBER TEN.

On page 12 of the printed bill, as amended in Assembly March 5, 1931, at the beginning of line 6, before the word "In", insert "(2)".

AMENDMENT NUMBER ELEVEN.

On page 12 of the printed bill, as amended in Assembly March 5, 1931, following line 25, insert the following:

"Such special assessment taxes shall be collected and enforced together with, and not separately from, taxes for county purposes or for municipal purposes, as the case may be.

(3) The holder of any matured bond or interest coupon, remaining unpaid for lack of sufficient moneys in the interest and sinking fund of any district created under the provisions of this act, is authorized to apply the credit represented by such unpaid bond or coupon as a medium of exchange in the purchase of lands sold by the State for delinquency in the payment of special assessment taxes of the same district, in the manner hereinafter provided. Upon presentation and surrender to the treasurer of the county or municipality, (as the case may be), whose legislative body has conducted the proceedings, of such matured bonds or interest coupons, or both, the treasurer shall issue to the holder a memorandum in writing, in duplicate, indicating the amount of credit represented by such bonds or coupons to which such holder is entitled to apply upon such tax sale. In the event that such sale is conducted by the county tax collector in accordance with the provisions of the Political Code of the State of California, and the holder of such credit memorandum becomes the purchaser, the tax collector shall accept the credit memorandum in lieu of lawful money for that portion of the total price for which any parcel of land is sold, equivalent to the special assessment taxes of such district, together with penalties, on account of which such sale is made; the balance of the price for which such parcel is sold shall be payable in money. The tax collector shall endorse upon said credit memorandum, and the duplicate thereof, the amount of credit applied on such tax sale and the balance, if any, not so applied.

The county treasurer shall accept, and the county auditor, in all settlements with the county tax collector, shall treat such credit memoranda, to the extent that the same have been applied upon such sales, as the equivalent of money. The treasurer shall accept the unused credit, represented by duplicate credit memoranda, as the equivalent of lawful money upon redemption by the purchaser, to the extent of the delinquent special assessment taxes of such district, together with penalties and interest, in the same manner as the tax collector is herein authorized to accept the same upon a sale. The treasurer of the county or municipality, (as the case may be), whose legislative body conducted the proceedings, shall thereupon cancel the bonds and coupons, upon the credit of which sales or redemptions have been made, if the entire amount of the credit memoranda has been applied thereto, and in the event that only a portion of the credit represented thereby has been applied upon sale or redemption, or both, then the treasurer shall endorse upon the face of such bond or coupon the fact that the same has been paid in part, to the extent of the credit so applied, and shall return the bond or coupon, so endorsed, to the holder. If no part of the credit represented by such memoranda is applied to sale or redemption, as herein provided, the treasurer shall, upon surrender of the credit memoranda, cancel the same and deliver the bond or coupon to the owner.

In the event that such sale is conducted by a municipal officer the holder of unpaid matured bonds or interest coupons shall be entitled to apply the same to the purchase of lands sold for delinquency in the payment of special assessment taxes in substantially the same manner, as herein provided for the application of such credit upon sales conducted by the county tax collector. In the event that the procedure prescribed for such municipality contemplates a sale for the full amount of all special assessments, delinquency penalties, interest and costs accruing to the time of sale and involves no redemption, then an original credit memorandum only shall be issued by the treasurer."

AMENDMENT NUMBER TWELVE.

On page 12 of the printed bill, as amended in Assembly March 5, 1931, at the beginning of line 26, insert "(4)".

AMENDMENT NUMBER THIRTEEN.

On page 13 of the printed bill, as amended in Assembly March 5, 1931, at the beginning of line 6, before the word "In", insert "(5)".

AMENDMENT NUMBER FOURTEEN.

On page 13 of the printed bill, as amended in Assembly March 5, 1931, at the beginning of line 36, before the word "The", insert "(6)".

AMENDMENT NUMBER FIFTEEN.

On page 14 of the printed bill, as amended in Assembly March 5, 1931, at the beginning of line 3, before the word "In", insert "(7)".

AMENDMENT NUMBER SIXTEEN.

On page 14 of the printed bill, as amended in Assembly March 5, 1931, at the beginning of line 34, before the word "In", insert "(8)".

AMENDMENT NUMBER SEVENTEEN.

On page 15 of the printed bill, as amended in Assembly March 5, 1931, at the beginning of line 4, before the word "In", insert "(9)".

Bill ordered to print, and re-referred to Committee on Municipal Corporations.

ON RULES.

SENATE CHAMBER, SACRAMENTO, April 17, 1931.

MR. PRESIDENT: Your Committee on Rules, to which was referred the request of Senator Crittenden to introduce a bill entitled "An act to amend section 1510 of the Penal Code, relating to the duties of the coroner" has had the same under consideration, and respectfully reports the same back, and recommends that said request be granted.

Committee membership—5; committee vote: Ayes—4; absent—1.

BREED, Chairman.

The question being on the adoption of the report.

The roll was called in accordance with the provisions of section 2 of article IV of the constitution, and the report adopted by the following vote:

AYES—Senators Allen, Baker, Breed, Bush, Carter, Cassidy, Christian, Cleveland, Clock, Crittenden, Edwards, Evans, Fellom, Harper, Hays, Ingels, Inman, Maloney, McCormack, McKinley, Mixter, Moran, Nelson, Pedrotti, Rich, Riley, Schottky, Sharkey, Slater, Swing, Treacy, Tubbs, Waggy, and Young—34.

NOES—None.

INTRODUCTION, FIRST READING AND REFERENCE OF BILLS.

The following bill was introduced:

By Senator Crittenden: Senate Bill No. 947—An act to amend section 1510 of the Penal Code, relating to the duties of the coroner.

Senate Bill No. 947 read first time, and referred to Committee on Public Health and Quarantine.

MESSAGE FROM THE ASSEMBLY.

The following message from the Assembly was received and read:

ASSEMBLY CHAMBER, SACRAMENTO, April 20, 1931.

MR. PRESIDENT: I am directed to inform your honorable body that the Assembly on this day appointed as a Committee on Free Conference on Assembly Bill No. 487, the following Assemblymen: Bishop, Feeley and Powers, to meet with a like committee from your honorable body.

ARTHUR A. OHNIMUS, Chief Clerk.
By C. W. BOOTH, Assistant Clerk.

COMMUNICATION.

The following communication was received, read, and ordered printed in the Journal:

April 17, 1931.

*Hon. Frank Merriam,
Lieutenant Governor,
Capitol, Sacramento, California.*

Before budget bill is voted upon would appreciate having Senate's attention called to following: State Corporation Department has been operating without Fraud Investigation Division worthy of the name for past several years. Necessity for Fraud Division was not made apparent to Department of Finance until after Budget submitted. Corporation Department has been operated without cost and in fact with substantial profit to the State since its inception. Surplus of the department which should have been used to maintain Fraud Division during last several years was appropriated by Legislature to build wing on State building in San Francisco and to purchase furnishings for same. Total amount taken for this purpose reaches more than half million dollars. My understanding that when budget readjusted an additional \$90,000 would be allowed this department to maintain Fraud Division during next biennium. Instead \$17,000 has been lopped off present budget. Impossible to maintain any semblance of a Fraud Division necessary to control securities offered for sale after permit issued without this fund. Believe it obvious that purpose of State Corporation Fund is to regulate sale of securities and not to build State buildings while commercial frauds are being perpetrated on the people of this State at the rate of many millions of dollars per month. Only conclusion from present attitude is the fees charged too high or service of department not as broad as contemplated. Believe further consideration this item of budget deserves your further attention.

RAYMOND L. HAIGHT, Commissioner of Corporations.

Communication referred to the Committee on Finance.

CONSIDERATION OF SPECIAL ORDER.

The hour having arrived for the consideration of amendments to Assembly Bill No. 53, heretofore set as a special order for eleven o'clock and thirty minutes a.m., the same was taken up for consideration.

Assembly Bill No. 53—An act making appropriations for the support of the government of the State of California and for several public purposes in accordance with the provisions of section 34 of article IV of the constitution of the State of California, approved and adopted by the people at the general election held November 7, 1922, declaring the urgency thereof, and providing that this act shall take effect immediately.

COMMITTEE AMENDMENTS.

During the second reading of the bill, the following committee amendments were offered:

AMENDMENT NUMBER ONE.

On page 2, line 39, of the printed bill, as amended, strike out the words "fifty-one thousand one hundred thirty-eight", and insert in lieu thereof the words "forty-nine thousand eight hundred eighty-eight".

AMENDMENT NUMBER TWO.

On page 2, line 40, of the printed bill, as amended, strike out the figures "\$51,138.00", and insert in lieu thereof the figures "\$49,888.00".

AMENDMENT NUMBER THREE.

On page 3, line 18, of the printed bill, as amended, after the comma following the word "office", insert a parenthesis and after the word "from", insert the words "provisions of".

AMENDMENT NUMBER FOUR.

On page 3, line 19, of the printed bill, as amended, after the word "Code" insert a parenthesis.

AMENDMENT NUMBER FIVE.

On page 3, line 26, of the printed bill, as amended, after the word "from", insert the words "provisions of".

AMENDMENT NUMBER SIX.

On page 3, line 30, of the printed bill, as amended, after the comma following the word "nor", insert the following: "including salary of clerk during legislative sessions," and strike out the word "two", and insert in lieu thereof the word "eight", and strike out the figures "8,250.00", and insert in lieu thereof the figures "8,850.00".

AMENDMENT NUMBER SEVEN.

On page 3, line 35, of the printed bill, as amended, strike out the words "seven thousand eight hundred", and insert in lieu thereof the words "five thousand three hundred".

AMENDMENT NUMBER EIGHT.

On page 3, line 36, of the printed bill, as amended, strike out the figures "317,800.00", and insert in lieu thereof the figures "305,300.00".

AMENDMENT NUMBER NINE.

On page 3, line 38, of the printed bill, as amended, strike out the words "sixty thousand one hundred ninety", and insert in lieu thereof the words "fifty-seven thousand ninety".

AMENDMENT NUMBER TEN.

On page 3, line 39, of the printed bill, as amended, strike out the figures "360,190.00", and insert in lieu thereof the figures "357,090.00".

AMENDMENT NUMBER ELEVEN.

On page 3, lines 41 and 42, of the printed bill, as amended, strike out the words "thirty-eight thousand six hundred", and insert in lieu thereof the words "thirty seven thousand eight hundred twenty".

AMENDMENT NUMBER TWELVE.

On page 3, line 43, of the printed bill, as amended, strike out the figures "38,600.00", and insert in lieu thereof the figures "37,820.00".

AMENDMENT NUMBER THIRTEEN.

On page 3, lines 45 and 46, of the printed bill, as amended, strike out the words "ninety-one thousand one hundred seventy-five", and insert in lieu thereof the words "ninety thousand one hundred seventy-five".

AMENDMENT NUMBER FOURTEEN.

On page 3, line 46, of the printed bill, as amended, strike out the figures "91,175.00", and insert in lieu thereof the figures "90,175.00".

AMENDMENT NUMBER FIFTEEN.

On page 3, lines 48 and 49, of the printed bill, as amended, strike out the words "eighty-two thousand four hundred seventy-six", and insert in lieu thereof the words "eighty-one thousand four hundred thirty-six".

AMENDMENT NUMBER SIXTEEN.

On page 3, line 50, of the printed bill, as amended, strike out the figures "82,476.00", and insert in lieu thereof the figures "81,036.00".

AMENDMENT NUMBER SEVENTEEN.

On page 4, lines 2 and 3, of the printed bill, as amended, strike out the words "seventy-seven thousand three hundred seventy", and insert in lieu thereof the words "seventy-six thousand five hundred five".

AMENDMENT NUMBER EIGHTEEN.

On page 4, line 4, of the printed bill, as amended, strike out the figures "77,370.00", and insert in lieu thereof the figures "76,505.00".

AMENDMENT NUMBER NINETEEN.

On page 4, lines 9 and 10, of the printed bill, as amended, strike out the words "one hundred ninety-one thousand nine hundred twenty", and insert in lieu thereof the words "one hundred eighty-seven thousand one hundred twenty".

AMENDMENT NUMBER TWENTY.

On page 4, line 10, of the printed bill, as amended, strike out the figures "191,920.00", and insert in lieu thereof the figures "187,120.00".

AMENDMENT NUMBER TWENTY-ONE.

On page 4, lines 11 and 12, of the printed bill, as amended, strike out the words "one hundred eighty-six thousand four", and insert in lieu thereof the words "one hundred eighty-four thousand seven".

AMENDMENT NUMBER TWENTY-TWO.

On page 4, line 13, of the printed bill, as amended, strike out the figures "186,419.34", and insert in lieu thereof the figures "184,719.34".

AMENDMENT NUMBER TWENTY-THREE.

On page 4, line 16, of the printed bill, as amended, strike out the words "seven hundred forty", and insert in lieu thereof the words "six hundred twenty".

AMENDMENT NUMBER TWENTY-FOUR.

On page 4, line 17, of the printed bill, as amended, strike out the figures "12,740.00", and insert in lieu thereof the figures "12,620.00".

AMENDMENT NUMBER TWENTY-FIVE.

On page 4, lines 18 and 19, of the printed bill, as amended, strike out the words "and sponsor's pamphlet".

AMENDMENT NUMBER TWENTY-SIX.

On page 4, line 20, of the printed bill, as amended, strike out the words "seventy-five thousand", and insert in lieu thereof the words "forty-five thousand", and strike out the figures "75,000.00", and insert in lieu thereof the figures "45,000.00".

AMENDMENT NUMBER TWENTY-SEVEN.

On page 4, lines 24 and 25, of the printed bill, as amended, strike out the words "ninety-seven thousand five hundred fifty", and insert in lieu thereof the words "ninety-four thousand nine hundred fifty", and strike out the figures "97,550.00", and insert in lieu thereof the figures "94,950.00".

AMENDMENT NUMBER TWENTY-EIGHT.

On page 4, lines 30 and 31, of the printed bill, as amended, strike out the words "two million eight hundred fifteen thousand", and insert in lieu thereof the words "two million seven hundred seventy-six thousand eight hundred sixty-six", and strike out the figures "2,815,000.00", and insert in lieu thereof the figures "2,776,866.00".

AMENDMENT NUMBER TWENTY-NINE.

On page 4, lines 33 and 34, of the printed bill, as amended, strike out the words "one million four hundred fifty-eight thousand seven hundred fifteen", and insert in lieu thereof the words "one million four hundred fifty thousand eight hundred fifty-five".

AMENDMENT NUMBER THIRTY.

On page 4, line 35, of the printed bill, as amended, strike out the figures "1,458,715.00", and insert in lieu thereof the figures "1,450,855.00".

AMENDMENT NUMBER THIRTY-ONE.

On page 4, line 41, of the printed bill, as amended, after the word "California", insert the word "state".

AMENDMENT NUMBER THIRTY-TWO.

On page 4, line 42, of the printed bill, as amended, strike out the words "seventy thousand three hundred ninety", and insert in lieu thereof the words "sixty-one thousand two hundred ninety".

AMENDMENT NUMBER THIRTY-THREE.

On page 4, line 43, of the printed bill, as amended, strike out the figures "770,390.00", and insert in lieu thereof the figures "761,290.00".

AMENDMENT NUMBER THIRTY-FOUR.

On page 5, lines 6 and 7, of the printed bill, as amended, strike out the words "eight hundred twenty-nine thousand forty-six", and insert in lieu thereof the words "eight hundred twenty-eight thousand two hundred forty-six", and strike out the figures "929,046.00", and insert in lieu thereof the figures "828,246.00".

AMENDMENT NUMBER THIRTY-FIVE.

On page 5, line 12, of the printed bill, as amended, strike out the words "ninety-one thousand one", and insert in lieu thereof the words "eighty-two thousand four".

AMENDMENT NUMBER THIRTY-SIX.

On page 5, line 13, of the printed bill, as amended, strike out the figures "391,120.00", and insert in lieu thereof the figures "382,420.00".

AMENDMENT NUMBER THIRTY-SEVEN.

On page 5, line 15, of the printed bill, as amended, strike out the words "six hundred sixty-one thousand three", and insert in lieu thereof the words "six hundred fifty thousand five".

AMENDMENT NUMBER THIRTY-EIGHT.

On page 5, line 16, of the printed bill, as amended, strike out the figures "661,330.00", and insert in lieu thereof the figures "650,530.00".

AMENDMENT NUMBER THIRTY-NINE.

On page 5, line 21, of the printed bill, as amended, strike out the words "two hundred fifty-two thousand two", and insert in lieu thereof the words "two hundred forty-six thousand three".

AMENDMENT NUMBER FORTY.

On page 5, line 22, of the printed bill, as amended, strike out the figures "252,-220.00", and insert in lieu thereof the figures "246,320.00".

AMENDMENT NUMBER FORTY-ONE.

On page 5, lines 31 and 32, of the printed bill, as amended, strike out the words "five hundred fifty-seven thousand three hundred fifty", and insert in lieu thereof the words "five hundred forty-seven thousand four hundred fifty", and strike out the figures "557,350.00", and insert in lieu thereof the figures "547,450.00".

AMENDMENT NUMBER FORTY-TWO.

On page 5, line 37, of the printed bill, as amended, strike out the words "five hundred seventy-one thousand five", and insert in lieu thereof the words "five hundred sixty-three thousand four".

AMENDMENT NUMBER FORTY-THREE.

On page 5, line 38, of the printed bill, as amended, strike out the figures "571,-546.00", and insert in lieu thereof the figures "563,446.00".

AMENDMENT NUMBER FORTY-FOUR.

On page 5, line 43, of the printed bill, as amended, strike out the words "seven hundred eighty-nine thousand", and insert in lieu thereof the words "seven hundred seventy-six thousand one hundred".

AMENDMENT NUMBER FORTY-FIVE.

On page 5, line 44, of the printed bill, as amended, strike out the figures "789,-088.00", and insert in lieu thereof the figures "776,188.00".

AMENDMENT NUMBER FORTY-SIX.

On page 5, lines 49 and 50, of the printed bill, as amended, strike out the words "three hundred fifty-four thousand nine hundred ninety-six", and insert in lieu thereof the words "three hundred forty-eight thousand seven hundred ninety-six", and strike out the figures "354,996.00", and insert in lieu thereof the figures "348,796.00".

AMENDMENT NUMBER FORTY-SEVEN.

On page 6, lines 5 and 6, of the printed bill, as amended, strike out the words "three hundred thirty-three thousand seven hundred thirty", and insert in lieu thereof the words "three hundred thirty-one thousand five hundred thirty", and strike out the figures "333,730.00", and insert in lieu thereof the figures "331,530.00".

AMENDMENT NUMBER FORTY-EIGHT.

On page 6, lines 11 and 12, of the printed bill, as amended, strike out the words "one hundred eighty-six thousand one hundred twenty-six", and insert in lieu thereof the words "one hundred eighty-four thousand seven hundred twenty-six", and strike out the figures "186,126.00", and insert in lieu thereof the figures "184,726.00".

AMENDMENT NUMBER FORTY-NINE.

On page 6, lines 17 and 18, of the printed bill, as amended, strike out the words "three hundred seventy-five thousand seven hundred five", and insert in lieu thereof the words "three hundred seventy-two thousand three hundred five", and strike out the figures "375,705.00", and insert in lieu thereof the figures "372,305.00".

AMENDMENT NUMBER FIFTY.

On page 6, line 30, of the printed bill, as amended, strike out the words "nine hundred fifty-six thousand", and insert in lieu thereof the words "six hundred forty-six thousand".

AMENDMENT NUMBER FIFTY-ONE.

On page 6, line 31, of the printed bill, as amended, strike out the figures "14,956,-941.16", and insert in lieu thereof the figures "14,646,941.16".

AMENDMENT NUMBER FIFTY-TWO.

On page 6, line 32, of the printed bill, as amended, strike out the word "forest", and insert in lieu thereof the word "forestry", and strike out the word "watershed", and insert in lieu thereof the word "research".

AMENDMENT NUMBER FIFTY-THREE.

On page 6, line 33, of the printed bill, as amended, strike out the word "protection", and after the word "California", insert the word "forestry".

AMENDMENT NUMBER FIFTY-FOUR.

On page 7, line 10, of the printed bill, as amended, strike out the words "fifty-nine thousand nine", and insert in lieu thereof the words "thirty-nine thousand nine".

AMENDMENT NUMBER FIFTY-FIVE.

On page 7, line 11, of the printed bill, as amended, strike out the figures "2,059,-915.00", and insert in lieu thereof the figures "2,039,915.00".

AMENDMENT NUMBER FIFTY-SIX.

On page 7, line 47, of the printed bill, as amended, strike out the words "one million six hundred sixty-eight thousand", and insert in lieu thereof the words "one million six hundred forty-six thousand".

AMENDMENT NUMBER FIFTY-SEVEN.

On page 7, line 48, of the printed bill, as amended, strike out the figures "1,668,190.00", and insert in lieu thereof the figures "1,646,190.00".

AMENDMENT NUMBER FIFTY-EIGHT.

On page 7, line 51, of the printed bill, as amended, strike out the words "fifty-four thousand twenty", and insert in lieu thereof the words "fifty-three thousand one hundred twenty".

AMENDMENT NUMBER FIFTY-NINE.

On page 7, line 52, of the printed bill, as amended, strike out the figures "54,020.00", and insert in lieu thereof the figures "53,120.00".

AMENDMENT NUMBER SIXTY.

On page 8, line 4, of the printed bill, as amended, strike out the words "one hundred sixty-two thousand six hundred", and insert in lieu thereof the words "one hundred sixty thousand six hundred".

AMENDMENT NUMBER SIXTY-ONE.

On page 8, line 5, of the printed bill, as amended, strike out the figures "162,670.00", and insert in lieu thereof the figures "160,670.00".

AMENDMENT NUMBER SIXTY-TWO.

On page 8, line 13, of the printed bill, as amended, strike out the word "schools", and insert in lieu thereof the word "school".

AMENDMENT NUMBER SIXTY-THREE.

On page 8, line 23, of the printed bill, as amended, strike out the words "four hundred four thousand nine", and insert in lieu thereof the words "three hundred eighty-eight thousand eight".

AMENDMENT NUMBER SIXTY-FOUR.

On page 8, line 24, of the printed bill, as amended, strike out the figures "1,404,940.00", and insert in lieu thereof the figures "1,388,840.00".

AMENDMENT NUMBER SIXTY-FIVE.

On page 8, line 29, of the printed bill, as amended, strike out the words "one million ninety thousand two hundred", and insert in lieu thereof the words "one million eighty-eight thousand seven hundred".

AMENDMENT NUMBER SIXTY-SIX.

On page 8, line 30, of the printed bill, as amended, strike out the figures "1,090,200.00", and insert in lieu thereof the figures "1,088,700.00".

AMENDMENT NUMBER SIXTY-SEVEN.

On page 8, lines 39 and 40, of the printed bill, as amended, strike out the words "four hundred twenty-eight thousand seven hundred", and insert in lieu thereof the words "four hundred twenty-seven thousand six hundred", and strike out the figures "1,428,700.00", and insert in lieu thereof the figures "1,427,600.00".

AMENDMENT NUMBER SIXTY EIGHT.

On page 8, line 45, of the printed bill, as amended, strike out the words "eighty-four thousand six hundred ten", and insert in lieu thereof the words "eighty-two thousand nine hundred ten".

AMENDMENT NUMBER SIXTY-NINE.

On page 8, line 46, of the printed bill, as amended, strike out the figures "1,084,610.00", and insert in lieu thereof the figures "1,082,910.00".

AMENDMENT NUMBER SEVENTY.

On page 8, line 51, of the printed bill, as amended, strike out the words "five hundred eighty-six thousand eight", and insert in lieu thereof the words "five hundred eighty-five thousand one".

AMENDMENT NUMBER SEVENTY-ONE.

On page 8, line 52, of the printed bill, as amended, strike out the figures "1,586,860.00", and insert in lieu thereof the figures "1,585,160.00".

AMENDMENT NUMBER SEVENTY-TWO.

On page 9, lines 5 and 6, of the printed bill, as amended, strike out the words "six hundred ninety-eight thousand four hundred eighty", and insert in lieu thereof the words "six hundred ninety-seven thousand one hundred eighty", and strike out the figures "1,698,480.00", and insert in lieu thereof the figures "1,697,180.00".

AMENDMENT NUMBER SEVENTY-THREE.

On page 9, line 16, of the printed bill, as amended, strike out the words "seventy-five thousand four hundred", and insert in lieu thereof the words "seventy-four thousand five hundred".

AMENDMENT NUMBER SEVENTY-FOUR.

On page 9, line 17, of the printed bill, as amended, strike out the figures "475,490.00", and insert in lieu thereof the figures "474,590.00".

AMENDMENT NUMBER SEVENTY-FIVE.

On page 9, line 22, of the printed bill, as amended, strike out the words "four hundred seven thousand eight", and insert in lieu thereof the words "four hundred four thousand four".

AMENDMENT NUMBER SEVENTY-SIX.

On page 9, line 23, of the printed bill, as amended, strike out the figures "1,407,860.00", and insert in lieu thereof the figures "1,404,460.00".

AMENDMENT NUMBER SEVENTY-SEVEN.

On page 9, line 31, of the printed bill, as amended, strike out the words "thirty-seven thousand five hundred", and insert in lieu thereof the words "thirty-six thousand eight hundred".

AMENDMENT NUMBER SEVENTY-EIGHT.

On page 9, line 32, of the printed bill, as amended, strike out the figures "237,566.00", and insert in lieu thereof the figures "236,866.00".

AMENDMENT NUMBER SEVENTY-NINE.

On page 9, line 37, of the printed bill, as amended, strike out the words "nine hundred two thousand eight hundred", and insert in lieu thereof the words "nine hundred one thousand four hundred".

AMENDMENT NUMBER EIGHTY.

On page 9, line 38, of the printed bill, as amended, strike out the figures "902,890.00", and insert in lieu thereof the figures "901,490.00".

AMENDMENT NUMBER EIGHTY-ONE.

On page 9, line 43, of the printed bill, as amended, strike out the words "two hundred fifty-five thousand twenty", and insert in lieu thereof the words "two hundred fifty-three thousand nine hundred twenty".

AMENDMENT NUMBER EIGHTY-TWO.

On page 9, line 44, of the printed bill, as amended, strike out the figures "255,020.00", and insert in lieu thereof the figures "253,920.00".

AMENDMENT NUMBER EIGHTY-THREE.

On page 9, line 49, of the printed bill, as amended, strike out the words "eighty-six thousand four hundred", and insert in lieu thereof the words "eighty-five thousand three hundred".

AMENDMENT NUMBER EIGHTY-FOUR.

On page 9, line 50, of the printed bill, as amended, strike out the figures "586,480.00", and insert in lieu thereof the figures "585,380.00".

AMENDMENT NUMBER EIGHTY-FIVE.

On page 10 of the printed bill, as amended, strike out all of lines 4, 5 and 6.

AMENDMENT NUMBER EIGHTY-SIX.

On page 10, lines 8 and 9, of the printed bill, as amended, strike out the words "one hundred sixty-one thousand three hundred four", and insert in lieu thereof the words "one hundred sixty thousand five hundred four", and strike out the figures "161,304.00", and insert in lieu thereof the figures "160,504.00".

AMENDMENT NUMBER EIGHTY-SEVEN.

On page 10, line 18, of the printed bill, as amended, strike out the words "seven thousand six hundred", and insert in lieu thereof the words "four thousand six hundred".

AMENDMENT NUMBER EIGHTY-EIGHT.

On page 10, line 19, of the printed bill, as amended, strike out the figures "447,600.00", and insert in lieu thereof the figures "444,600.00".

AMENDMENT NUMBER EIGHTY-NINE.

On page 10, lines 22 and 23, of the printed bill, as amended, strike out the words "forty thousand four hundred eighteen", and insert in lieu thereof the words "thirty-five thousand nine hundred eighteen".

AMENDMENT NUMBER NINETY.

On page 10, line 24, of the printed bill, as amended, strike out the figures "240,418.00", and insert in lieu thereof the figures "235,918.00".

AMENDMENT NUMBER NINETY-ONE.

On page 10, lines 26 and 27, of the printed bill, as amended, strike out the words "eight hundred sixty-four thousand five hundred thirty-nine", and insert in lieu thereof the words "eight hundred forty-seven thousand two hundred eighty-nine".

AMENDMENT NUMBER NINETY-TWO.

On page 10, line 29, of the printed bill, as amended, strike out the figures "\$64,539.00", and insert in lieu thereof the figures "\$47,289.00".

AMENDMENT NUMBER NINETY-THREE.

On page 10, line 32, of the printed bill, as amended, strike out the words "ninety-four thousand eight hundred", and insert in lieu thereof the words "ninety-two thousand five hundred fifty".

AMENDMENT NUMBER NINETY-FOUR.

On page 10, line 33, of the printed bill, as amended, strike out the figures "294,800.00", and insert in lieu thereof the figures "292,550.00".

AMENDMENT NUMBER NINETY-FIVE.

On page 10, line 36, of the printed bill, as amended, strike out the words "eighty-six thousand seven hundred", and insert in lieu thereof the words "eighty-three thousand eight hundred fifty".

AMENDMENT NUMBER NINETY-SIX.

On page 10, line 37, of the printed bill, as amended, strike out the figures "386,700.00", and insert in lieu thereof the figures "383,850.00".

AMENDMENT NUMBER NINETY-SEVEN.

On page 10, lines 45 and 46, of the printed bill, as amended, strike out the words "two hundred eleven thousand nine hundred forty-five and 12/100", and insert in lieu thereof the words "two hundred ten thousand two hundred forty-five and 12/100".

AMENDMENT NUMBER NINETY-EIGHT.

On page 10, line 47, of the printed bill, as amended, strike out the figures "211,945.12", and insert in lieu thereof the figures "210,245.12".

AMENDMENT NUMBER NINETY-NINE.

On page 11, line 15, of the printed bill, as amended, strike out the words "six hundred sixty-four thousand two", and insert in lieu thereof the words "six hundred sixty thousand four".

AMENDMENT NUMBER ONE HUNDRED.

On page 11, line 16, of the printed bill, as amended, strike out the figures "664,210.00", and insert in lieu thereof the figures "660,410.00".

AMENDMENT NUMBER ONE HUNDRED ONE.

On page 11, line 21, of the printed bill, as amended, strike out the words "forty-four thousand nine hundred twenty", and insert in lieu thereof the words "forty-four thousand two hundred twenty".

AMENDMENT NUMBER ONE HUNDRED TWO.

On page 11, line 27, of the printed bill, as amended, strike out the words "eighty thousand", and insert in lieu thereof the words "seventy-nine thousand five hundred".

AMENDMENT NUMBER ONE HUNDRED THREE.

On page 11, line 28, of the printed bill, as amended, strike out the figures "80,000.00", and insert in lieu thereof the figures "79,500.00".

AMENDMENT NUMBER ONE HUNDRED FOUR.

On page 11, line 35, of the printed bill, as amended, strike out the words "sixty-eight thousand four hundred fifteen", and insert in lieu thereof the words "sixty-one thousand nine hundred fifteen".

AMENDMENT NUMBER ONE HUNDRED FIVE.

On page 11, line 36, of the printed bill, as amended, strike out the figures "668,415.00", and insert in lieu thereof the figures "661,915.00".

AMENDMENT NUMBER ONE HUNDRED SIX.

On page 11, line 39, of the printed bill, as amended, strike out the words "four hundred seventy-one thousand nine", and insert in lieu thereof the words "four hundred fifty-one thousand four".

AMENDMENT NUMBER ONE HUNDRED SEVEN.

On page 11, line 41, of the printed bill, as amended, strike out the figures "2,471,962.00", and insert in lieu thereof the figures "2,451,462.00".

AMENDMENT NUMBER ONE HUNDRED EIGHT.

On page 12, line 3, of the printed bill, as amended, strike out the words "eighty-eight thousand six hundred twenty-two", and insert in lieu thereof the words "eighty-four thousand six hundred ninety-two".

AMENDMENT NUMBER ONE HUNDRED NINE.

On page 12, line 4, of the printed bill, as amended, strike out the figures "488,622.00", and insert in lieu thereof the figures "484,692.00".

AMENDMENT NUMBER ONE HUNDRED TEN.

On page 13, line 15, of the printed bill, as amended, strike out the words "nine thousand five hundred", and insert in lieu thereof the words "six thousand nine hundred", and strike out the figures "149,500.00", and insert in lieu thereof the figures "146,900.00".

AMENDMENT NUMBER ONE HUNDRED ELEVEN.

On page 13, lines 17 and 18, of the printed bill, as amended, strike out the words "one million, one hundred forty-seven thousand two hundred ninety", and insert in lieu thereof the words "one million, one hundred forty-six thousand five hundred ninety", and strike out the figures "1,147,290.00", and insert in lieu thereof the figures "1,146,590.00".

AMENDMENT NUMBER ONE HUNDRED TWELVE.

On page 13, lines 25 and 26, of the printed bill, as amended, strike out the words "two million three hundred forty thousand six hundred eighty", and insert in lieu thereof the words "two million three hundred thirty-two thousand one hundred eighty", and strike out the figures "2,340,680.00", and insert in lieu thereof the figures "2,332,180.00".

AMENDMENT NUMBER ONE HUNDRED THIRTEEN.

On page 13, lines 34 and 35, of the printed bill, as amended, strike out the words "seventy-one thousand eight hundred forty", and insert in lieu thereof the words "seventy-one thousand five hundred forty", and strike out the figures "71,840.00", and insert in lieu thereof the figures "71,540.00".

AMENDMENT NUMBER ONE HUNDRED FOURTEEN.

On page 13, lines 47 and 48, of the printed bill, as amended, strike out the words "two hundred two thousand eight hundred", and insert in lieu thereof the words "one hundred ninety-eight thousand seven hundred", and strike out the figures "202,800.00", and insert in lieu thereof the figures "198,700.00".

AMENDMENT NUMBER ONE HUNDRED FIFTEEN.

On page 14, line 4, of the printed bill, as amended, strike out the words "nineteen thousand four hundred", and insert in lieu thereof the words "nineteen thousand one hundred".

AMENDMENT NUMBER ONE HUNDRED SIXTEEN.

On page 14, line 5, of the printed bill, as amended, strike out the figures "19,400.00", and insert in lieu thereof the figures "19,100.00".

AMENDMENT NUMBER ONE HUNDRED SEVENTEEN.

On page 14, line 7, of the printed bill, as amended, strike out the words "eleven thousand one", and insert in lieu thereof the words "ten thousand eight".

AMENDMENT NUMBER ONE HUNDRED EIGHTEEN.

On page 14, line 9, of the printed bill, as amended, strike out the figures "11,160.00", and insert in lieu thereof the figures "10,860.00".

AMENDMENT NUMBER ONE HUNDRED NINETEEN.

On page 14, lines 15 and 16, of the printed bill, as amended, strike out the words "one hundred thousand eight hundred ten", and insert in lieu thereof the words "ninety-nine thousand nine hundred sixty".

AMENDMENT NUMBER ONE HUNDRED TWENTY.

On page 14, line 17, of the printed bill, as amended, strike out the figures "100,810.00", and insert in lieu thereof the figures "99,960.00".

AMENDMENT NUMBER ONE HUNDRED TWENTY-ONE.

On page 14, lines 23 and 24, of the printed bill, as amended, strike out the words "fifty-two thousand seven hundred ten", and insert in lieu thereof the words "fifty-two thousand four hundred seventy", and strike out the figures "52,710.00", and insert in lieu thereof the figures "52,470.00".

AMENDMENT NUMBER ONE HUNDRED TWENTY-TWO.

On page 14, lines 26 and 27, of the printed bill, as amended, strike out the words "fifty-two thousand three hundred thirty", and insert in lieu thereof the words "forty-nine thousand one hundred eighty".

AMENDMENT NUMBER ONE HUNDRED TWENTY-THREE.

On page 14, line 28, of the printed bill, as amended, strike out the figures "252,330.00", and insert in lieu thereof the figures "249,180.00".

AMENDMENT NUMBER ONE HUNDRED TWENTY-FOUR.

On page 14, line 30, of the printed bill, as amended, strike out the words "one hundred two thousand eight hundred forty", and insert in lieu thereof the words "one hundred two thousand three hundred sixty".

AMENDMENT NUMBER ONE HUNDRED TWENTY-FIVE.

On page 14, line 31, of the printed bill, as amended, strike out the word "cosmetology", and insert in lieu thereof the word "cosmetology's".

AMENDMENT NUMBER ONE HUNDRED TWENTY-SIX.

On page 14, line 32, of the printed bill, as amended, strike out the figures "102,840.00", and insert in lieu thereof the figures "102,360.00".

AMENDMENT NUMBER ONE HUNDRED TWENTY-SEVEN.

On page 14, lines 41 and 42, of the printed bill, as amended, strike out the words "one hundred twelve thousand six hundred seven", and insert in lieu thereof the words "one hundred twelve thousand three hundred sixty-seven".

AMENDMENT NUMBER ONE HUNDRED TWENTY-EIGHT.

On page 14, line 43, of the printed bill, as amended, strike out the figures "112,607.00", and insert in lieu thereof the figures "112,367.00".

AMENDMENT NUMBER ONE HUNDRED TWENTY-NINE.

On page 14, line 53, of the printed bill, as amended, strike out the words "one hundred thirteen thousand five hundred", and insert in lieu thereof the words "one hundred twelve thousand five hundred thirty-five".

AMENDMENT NUMBER ONE HUNDRED THIRTY.

On page 15, line 1, of the printed bill, as amended, strike out the words "fifty-five".

AMENDMENT NUMBER ONE HUNDRED THIRTY-ONE.

On page 15, line 2, of the printed bill, as amended, strike out the figures "113,555.00", and insert in lieu thereof the figures "112,535.00".

AMENDMENT NUMBER ONE HUNDRED THIRTY-TWO.

On page 15, lines 12 and 13, of the printed bill, as amended, strike out the words "six hundred thirty-nine thousand ten", and insert in lieu thereof the words "six hundred thirty-two thousand ten", and strike out the figures "639,010.00", and insert in lieu thereof the figures "632,010.00".

AMENDMENT NUMBER ONE HUNDRED THIRTY-THREE.

On page 15, line 16, of the printed bill, as amended, strike out the words "forty-seven thousand thirty", and insert in lieu thereof the words "forty-three thousand six hundred seventy".

AMENDMENT NUMBER ONE HUNDRED THIRTY-FOUR.

On page 15, line 17, of the printed bill, as amended, strike out the figures "247,030.00", and insert in lieu thereof the figures "243,670.00".

AMENDMENT NUMBER ONE HUNDRED THIRTY-FIVE.

On page 15, line 20, of the printed bill, as amended, strike out the words "nine hundred", and insert in lieu thereof the words "four hundred fifty".

AMENDMENT NUMBER ONE HUNDRED THIRTY-SIX.

On page 15, line 21, of the printed bill, as amended, strike out the figures "40,900.00", and insert in lieu thereof the figures "40,450.00".

AMENDMENT NUMBER ONE HUNDRED THIRTY-SEVEN.

On page 15, line 35, of the printed bill, as amended, strike out the words "one million forty-one thousand three hundred", and insert in lieu thereof the words "one million twenty-seven thousand three hundred".

AMENDMENT NUMBER ONE HUNDRED THIRTY-EIGHT.

On page 15, line 36, of the printed bill, as amended, strike out the figures "1,041,030.00", and insert in lieu thereof the figures "1,027,300.00".

AMENDMENT NUMBER ONE HUNDRED THIRTY-NINE.

On page 15, lines 42 and 43, of the printed bill, as amended, strike out the words "one million twenty-one thousand five hundred twenty", and insert in lieu thereof the words "eight hundred eighty-one thousand five hundred twenty", and strike out the figures "1,021,520.00", and insert in lieu thereof the figures "881,520.00".

AMENDMENT NUMBER ONE HUNDRED FORTY.

On page 16, line 32, of the printed bill, as amended, strike out the semicolon and the words "provided that a", and strike out in line 33 and the following words in line 34: "States government for a like purpose".

AMENDMENT NUMBER ONE HUNDRED FORTY-ONE.

On page 16, line 38, of the printed bill, as amended, strike out the semicolon and strike out all of lines 39 and 40, and the words "like purpose" in line 41.

AMENDMENT NUMBER ONE HUNDRED FORTY-TWO.

On page 19, lines 37 and 38, of the printed bill, as amended, strike out the words "seventy thousand three hundred thirty-seven", and insert in lieu thereof the words "forty-five thousand three hundred thirty-two".

AMENDMENT NUMBER ONE HUNDRED FORTY-THREE.

On page 19, line 39, of the printed bill, as amended, strike out the figures "4,270,337.00", and insert in lieu thereof the figures "4,245,332.00".

AMENDMENT NUMBER ONE HUNDRED FORTY-FOUR.

On page 20, line 4, of the printed bill, as amended, strike out the words "three hundred thousand forty-eight", and insert in lieu thereof the words "two hundred ninety-five thousand one hundred forty-eight", and strike out the figures "300,048.00", and insert in lieu thereof the figures "295,148.00".

AMENDMENT NUMBER ONE HUNDRED FORTY-FIVE.

On page 11, line 22, of the printed bill, as amended, strike out the figures "44,920.00", and insert in lieu thereof the figures "44,220.00".

MOTION BY SENATOR SWING.

Senator Swing moved that the proposed amendments to Assembly Bill No. 53 be considered in the order offered by the Senate Finance Committee.

POINT OF ORDER.

Senator Fellom raised the point of order that "The chairman of Finance Committee should move to adopt all amendments offered by Senate Finance Committee."

DECISION ON POINT OF ORDER.

The President announced his decision, and declared the point of order well taken.

MOTION TO ADOPT AMENDMENTS.

Senator Swing moved that the amendments offered by the Senate Finance Committee be adopted.

MOTION TO CONSIDER AMENDMENTS.

Senator Swing moved that the Senate consider amendments as offered by the Senate Finance Committee.

AMENDMENT NUMBER SIX.

On page 3, line 30, of the printed bill, as amended, after the comma following the word "nor", insert the following: "including salary of clerk during legislative sessions," and strike out the word "two", and insert in lieu thereof the word "eight", and strike out the figures "8,250.00", and insert in lieu thereof the figures "8,850.00".

AMENDMENT NUMBER TWENTY-FIVE.

On page 4, lines 18 and 19, of the printed bill, as amended, strike out the words "and sponsor's pamphlet".

AMENDMENT NUMBER TWENTY-SIX.

On page 4, line 20, of the printed bill, as amended, strike out the words "seventy-five thousand", and insert in lieu thereof the words "forty-five thousand", and strike out the figures "75,000.00", and insert in lieu thereof the figures "45,000.00".

AMENDMENT NUMBER ONE HUNDRED THIRTY-NINE.

On page 15, lines 42 and 43, of the printed bill, as amended, strike out the words "one million twenty-one thousand five hundred twenty", and insert in lieu thereof the words "eight hundred eighty-one thousand five hundred twenty", and strike out the figures "1,021,520.00", and insert in lieu thereof the figures "881,520.00".

MOTION TO ADOPT AMENDMENTS

Senator Swing moved that amendments Nos. 6, 25, 26 and 139, as offered by the Senate Finance Committee, be adopted.

Motion carried.

MINORITY REPORT.

The following report by a minority of the membership of the Senate Finance Committee was offered by Senator Sharkey:

The undersigned, a minority of the membership of the Finance Committee, not agreeing with the majority on the amendments to Assembly Bill No. 53, respectfully submit their own suggestions of amendments to Assembly Bill No. 53 as follows:

AMENDMENT NUMBER ONE.

On page 3, line 18, of the printed bill, as amended, after the comma following the word "office", insert a parenthesis, and after the word "from", insert the words "provisions of".

AMENDMENT NUMBER TWO.

On page 3, line 19, of the printed bill, as amended, after the word "Code", insert a parenthesis.

AMENDMENT NUMBER THREE.

On page 3, line 26, of the printed bill, as amended, after the word "from", insert the words "provisions of".

AMENDMENT NUMBER FOUR.

On page 6, line 32, of the printed bill, as amended, strike out the word "forest", and insert in lieu thereof the word "forestry", and strike out the word "watershed", and insert in lieu thereof the word "research".

AMENDMENT NUMBER FIVE.

On page 6, line 33, of the printed bill, as amended, strike out the word "protection" and after the word "California" insert the word "forestry".

AMENDMENT NUMBER SIX.

On page 8, line 13, of the printed bill, as amended, strike out the word "schools", and insert in lieu thereof the word "school".

AMENDMENT NUMBER SEVEN.

On page 14, line 31, of the printed bill, as amended, strike out the word "cosmetology", and insert in lieu thereof the word "cosmetology's".

AMENDMENT NUMBER EIGHT.

On page 16, line 32, of the printed bill, as amended, strike out the semicolon and the words "provided that a", and strike out line 33, and the following words in line 34, "States government for a like purpose".

AMENDMENT NUMBER NINE.

On page 16, line 38, of the printed bill, as amended, strike out the semicolon and strike out all of lines 39 and 40, and the words "like purpose", in line 41.

AMENDMENT NUMBER TEN.

On page 4, line 41, of the printed bill, after the word "California", insert the word "state".

CLOCK.
FELLOM.
INGELS.
SHARKEY.
TUBBS.

MOTION TO SUBSTITUTE MINORITY REPORT.

Senator Sharkey moved, seconded by Senator Inman, that the minority report be substituted for the unadopted portion of the Finance Committee report.

HOUR OF RECESS EXTENDED.

On motion of Senator Slater, at one o'clock p.m., the hour of recess was extended until Senator Breed had concluded his remarks.

REPORTS OF STANDING COMMITTEES—(RESUMED).

The following report of standing committee was received and read:

ON CONSTITUTIONAL AMENDMENTS.

SENATE CHAMBER, SACRAMENTO, April 20, 1931.

MR. PRESIDENT: Your Committee on Constitutional Amendments, to which was referred Senate Constitutional Amendment No. 26—A resolution to propose to the people of the State of California, an amendment to the constitution of said State by adding a new article thereto to be numbered article XXIV, relating to the development, conservation, control, utilization, and regulation of the water resources of the State—has had the same under consideration, and respectfully reports the same back with amendments, and recommends that the amendments be adopted, and it be re-referred to this committee.

(Signed out)

ALLEN, Chairman.
CRITTENDEN.
EVANS.
JONES.
McCORMACK.
MIXTER.
ROCHESTER

CONSIDERATION OF COMMITTEE AMENDMENTS.

Pursuant to the report of the Committee on Constitutional Amendments, the following amendments to Senate Constitutional Amendment No. 26 were read and adopted:

AMENDMENT NUMBER ONE.

On page 1, line 18, of the printed bill, strike out the word "possible", and insert in lieu thereof the word "beneficial".

AMENDMENT NUMBER TWO.

On page 2, line 11, of the printed bill, strike out the word "possible", and insert in lieu thereof the word "beneficial".

AMENDMENT NUMBER THREE.

On page 2, line 19, of the printed bill, strike out the word "electric".

AMENDMENT NUMBER FOUR.

On page 3, line 9, of the printed bill, strike out the words "state wide".

AMENDMENT NUMBER FIVE.

On page 3, line 10, of the printed bill, strike out the word "water", and strike out the comma after the word "development", and insert in lieu of said comma the following words: "of the water resources of the state".

AMENDMENT NUMBER SIX.

On page 3 of the printed bill, strike out all of lines 30 to 52, both inclusive, and on page 4 of the printed bill, strike out all of lines 1 to 36, both inclusive, and insert in lieu thereof the following:

"SEC. 5. The term surplus water as used in this article is hereby defined to mean that water which is in excess of the ultimate requirements of the area or watershed wherein such water originates. Water exported from one area or watershed into another area or watershed under the provisions of this article, shall be limited to surplus water; provided, that water in excess of the then existing requirements of the area or watershed wherein the same originates may be temporarily exported under the provisions of this article into another area or watershed until such time as the same is required in the area or watershed where it originates. Water other than surplus water may be exported under the provisions of this article from one area or watershed and imported into another area or watershed when and if exchanged for or replaced by an equivalent quantity of water from another area or watershed. The superior court of any county in an area or watershed wherein surplus water is alleged to exist shall have jurisdiction to determine, upon the application or complaint of the water finance commission, whether or not such surplus exists, and the amount if any thereof, and to fix the terms and conditions under which such surplus water or a part thereof may be exported from the area or watershed where it originates. The superior court of any county in an area or watershed alleged to have a water supply in excess of its then existing requirements, shall have jurisdiction to determine upon the application or complaint of the water finance commission whether or not such temporary excess exists, and the amount, if any, thereof, and the terms and conditions upon which such excess may be temporarily exported under the provisions of this article from the area of watershed wherein the same originates. No surplus water or water in excess of the then existing requirements of the area or

watershed wherein the same originates shall be exported from such area or watershed unless and until a decree or judgment determining the existence of such surplus or excess water and the amount thereof and the terms and conditions upon which the same may be exported shall have been duly made and entered as herein provided by a superior court and shall have become final. All decrees and judgments of superior courts determining the existence of surplus water in any area or watershed or the existence of water in any area or watershed in excess of its then existing requirements shall be declaratory in nature and the court rendering any such decree or judgment shall have and retain at all times continuing jurisdiction in the action or proceeding wherein such judgment or decree is rendered, to modify said decree or judgment upon the application of any interested party. No exchange or water under the provisions of this article shall be made unless and until the right to make such exchange shall be acquired from the owner or owners of the water to be taken on the exchange either by contract, purchase or proceedings in eminent domain. The Legislature of the State of California is hereby authorized to enact all legislation necessary to provide for the actions and proceedings specified in this section, and to provide for the expeditious hearing and determination hereof, including provisions for actions in rem, to determine the existence of surplus water or water in excess of the then existing requirements in any area or watershed. In any eminent domain proceedings brought under the provisions of this article to acquire the right to exchange water, the court rendering the decree or judgment shall have the jurisdiction to fix and determine the terms and conditions upon which such exchange shall be made, and shall have and retain continuing jurisdiction at all times in such proceeding after the judgment or decree shall have become final, to enforce the terms and provisions of such decree or judgment. Whenever and so long as surplus water or water in excess of the then existing requirements of the area or watershed wherein the same originates, shall be exported under the provisions of this article into another area or watershed without exchange of water, a sufficient supply shall be reserved at all times for the requirements of the area or watershed wherein such water originates, when and as the same is needed therein. No grant of power, specific or general herein contained, shall in any way limit the obligation of the state in the administration of this article and of any law passed pursuant hereto, to reserve for any area or watershed from which water is exported, under any of the provisions of this article, a full supply of water at all times for its requirements. The importation under the provisions of this article into any area or watershed from another area or watershed of surplus water or of water in excess of the then existing requirements of another area or watershed, and the use of such water in the area into which it is imported, shall never create or vest in the watershed so receiving and using such water nor in any person, corporation, or entity therein, any right to such water supply or any part thereof, nor any right to any continued importation or use of such water as against the area or watershed and the inhabitants thereof, wherein such water originates".

AMENDMENT NUMBER SEVEN.

On page 4, line 38, of the printed bill, strike out the word "electric".

AMENDMENT NUMBER EIGHT.

On page 4, line 39, of the printed bill, after the word "developed", insert a comma, and the words "the use of water for generation of power".

AMENDMENT NUMBER NINE.

On page 4, line 39, of the printed bill, strike out the words "or both".

AMENDMENT NUMBER TEN.

On page 5, line 18, of the printed bill, strike out all of line 18 after the word "of", and strike out the word "project", in line 19, and insert in lieu thereof the words, "Water, and the use of water for the generation of power and of power made available by said project".

AMENDMENT NUMBER ELEVEN.

On page 5, line 21, of the printed bill, strike out the words, "all moneys", and insert in lieu thereof the words "of the principal of and of the interest upon all moneys".

AMENDMENT NUMBER TWELVE.

On page 5, line 23, of the printed bill, strike out the words "and all interest thereon in addition to", and insert in lieu thereof the words "together with".

AMENDMENT NUMBER THIRTEEN.

On page 5, line 32, of the printed bill, strike out the words "the following prerequisite conditions as to said", and strike out all of lines 33 to 44, both inclusive, on page 5 of the printed bill, and insert in lieu thereof the words, "a public district or political subdivision of the state shall have provided and made available money sufficient to pay one-half of the estimated total cost of said Santa Ana river project".

AMENDMENT NUMBER FOURTEEN.

On page 5, line 47, of the printed bill, strike out the words "and a", at the end of said line, and strike out all of lines 48 to 52, both inclusive.

AMENDMENT NUMBER FIFTEEN.

On page 6 of the printed bill, strike out all of line 1.

AMENDMENT NUMBER SIXTEEN.

On page 6 of the printed bill, following line 26, insert the following:

"(3) A conduit or canal equipped with all necessary pumping plants and other works to convey water and extending westerly from a diversion point near ----- northerly of Suisun bay to Benicia, California. Said unit is designated as the Solano conduit and shall be of such a capacity, not less than one hundred and twenty cubic feet of water per second at its head, as shall be determined by the department of public works or other state agency in charge of constructing and operating same to be necessary to furnish an adequate supply of water for industrial, agricultural and domestic uses in the area served by it."

AMENDMENT NUMBER SEVENTEEN.

On page 6, line 27, of the printed bill, strike out the figure "(3)", and insert in lieu thereof the figure "(4)".

AMENDMENT NUMBER EIGHTEEN.

On page 6, line 31, of the printed bill, strike out the words "fifteen hundred", and insert in lieu thereof the words "three thousand".

AMENDMENT NUMBER NINETEEN.

On page 6, line 35, of the printed bill, strike out the figure "(4)", and insert in lieu thereof the figure "(5)".

AMENDMENT NUMBER TWENTY.

On page 6, line 52, of the printed bill, strike out the words "and having a".

AMENDMENT NUMBER TWENTY-ONE.

On page 7 of the printed bill, strike out all of line 1, and strike out the word "second", and the comma following same in line 2 of page 7.

AMENDMENT NUMBER TWENTY-TWO.

On page 7, line 3, of the printed bill, strike out the word "river", and insert in lieu thereof the words "Island canal".

AMENDMENT NUMBER TWENTY-THREE.

On page 7, line 4, of the printed bill, strike out the words, "Said last-mentioned canal shall have a capacity of", and in line 5 of page 7, strike out the words "three thousand cubic feet of water per second", and insert in lieu thereof the following: "Said canals or conduits shall have such capacities in their different parts or sections as shall be determined by the department of public works or other state agency in charge of constructing and operating same hereunder to be adequate for the purposes to be served by them".

AMENDMENT NUMBER TWENTY-FOUR.

On page 7, line 36, of the printed bill, strike out the words "the difference between two-thirds", and insert in lieu thereof the word "one-half".

AMENDMENT NUMBER TWENTY-FIVE.

On page 7, line 37, of the printed bill, insert a period after the word "project", and strike out the words "and the amount appro-", and strike out all of line 38, and in line 39, strike out the words, "project by the United States of America" and strike out the period in line 39.

AMENDMENT NUMBER TWENTY-SIX.

On page 7, line 52, of the printed bill, strike out the word "ninety", and insert in lieu thereof the word "seventy-five".

AMENDMENT NUMBER TWENTY-SEVEN.

On page 9, line 51, of the printed bill, strike out the word "will", and insert in lieu thereof the word "may".

AMENDMENT NUMBER TWENTY-EIGHT.

On page 10, line 2, of the printed bill, strike out the semicolon and the word "or", and insert in lieu thereof a period, and capitalize the letter "I", in the word "if".

AMENDMENT NUMBER TWENTY-NINE.

On page 10, line 3, of the printed bill, after the word "incurred", insert the words, "in whole or in part".

AMENDMENT NUMBER THIRTY.

On page 10, line 27, of the printed bill, strike out the word "returned", and insert in lieu thereof the word "transferred".

AMENDMENT NUMBER THIRTY-ONE.

On page 11, line 41, of the printed bill, strike out the semicolon and all of the rest of line 41, and lines 42 to 45, both inclusive, and insert in lieu thereof a comma, and the words "except as provided in section 20 of this article".

AMENDMENT NUMBER THIRTY-TWO.

On page 11, line 46, of the printed bill, insert before the word "Bonds", the following: "Sec. 19".

AMENDMENT NUMBER THIRTY-THREE.

On page 12, line 3, of the printed bill, after the word "incurred", insert the words "in whole or in part".

AMENDMENT NUMBER THIRTY-FOUR.

On page 12, line 17, of the printed bill, after the word "Incurred", insert the words "in whole or in part".

AMENDMENT NUMBER THIRTY-FIVE.

On page 12, line 26, of the printed bill, strike out the figure "19", and insert in lieu thereof the figure "20".

AMENDMENT NUMBER THIRTY-SIX.

On page 12, line 29, of the printed bill, strike out all of said line to and including the word "river", and insert in lieu thereof the word "any".

AMENDMENT NUMBER THIRTY-SEVEN.

On page 12, line 30, of the printed bill, strike out the words "or either of them", and insert in lieu thereof the words "authorized by this article".

AMENDMENT NUMBER THIRTY-EIGHT.

On page 13, line 26, of the printed bill, after the word "interest", insert the words "or installment of principal".

AMENDMENT NUMBER THIRTY-NINE.

On page 13, line 27, of the printed bill, strike out the words "said central", and strike out all of line 28, and in line 29 strike out the word "them", and insert in lieu thereof the following: "any project undertaken under authority of this article".

AMENDMENT NUMBER FORTY.

On page 13, line 29, strike out the word "projects", and insert in lieu thereof, the word "project".

AMENDMENT NUMBER FORTY-ONE.

On page 13, line 30, of the printed bill, strike out the words "or either of them".

AMENDMENT NUMBER FORTY-TWO.

On page 13, line 31, of the printed bill, strike out the words "moneys deposited in".

AMENDMENT NUMBER FORTY-THREE.

On page 13, line 32, of the printed bill, strike out the words "in the state treasury", and insert in lieu thereof the words "until such time when there shall be sufficient monies in said water revenue fund for such purposes."

AMENDMENT NUMBER FORTY-FOUR.

On page 13, line 33, of the printed bill, strike out the figure "20", and insert in lieu thereof the figure "21".

AMENDMENT NUMBER FORTY-FIVE.

On page 13, line 35, strike out the words "up to the time when", and insert in lieu thereof the words "until such time as".

AMENDMENT NUMBER FORTY-SIX.

On page 13, line 36, of the printed bill, after the word "fund", insert the following words: "sufficient for such purposes".

AMENDMENT NUMBER FORTY-SEVEN.

On page 13, line 40, of the printed bill, strike out the figure "21", and insert in lieu thereof the figure "22".

AMENDMENT NUMBER FORTY-EIGHT.

On page 13, line 51, of the printed bill, strike out the figure "22", and insert in lieu thereof the figure "23".

AMENDMENT NUMBER FORTY-NINE.

On page 14, line 6, of the printed bill, after the period insert the following: "Said amount shall be repaid into said water fund from said water revenue fund when sufficient monies are available for such purpose in said water revenue fund".

AMENDMENT NUMBER FIFTY.

On page 14, line 7, of the printed bill, strike out the figure "23", and insert in lieu thereof the figure "24".

AMENDMENT NUMBER FIFTY-ONE.

On page 14, line 9, of the printed bill, after the word "purchase", insert a comma and the words "gift, lease or other legal means".

AMENDMENT NUMBER FIFTY-TWO.

On page 14, line 11, of the printed bill, after the word "and", insert the words "any other rights and".

AMENDMENT NUMBER FIFTY-THREE.

On page 14, line 15, of the printed bill, strike out all of said line after the word "conclusive", and all of lines 16 and 17.

AMENDMENT NUMBER FIFTY-FOUR.

On page 14, line 18, of the printed bill, strike out the figure "24", and insert in lieu thereof the figure "25".

AMENDMENT NUMBER FIFTY-FIVE.

On page 15, line 26, of the printed bill, strike out the period, and insert in lieu thereof a semicolon and the words: "and provide for including in such co-ordinated water plan, projects now constructed, or for aid to water projects now constructed so as to balance benefits".

AMENDMENT NUMBER FIFTY-SIX.

On page 15, line 34, of the printed bill, strike out the period, and insert in lieu thereof a semicolon and the words "but the Legislature shall have no power or authority under this article to create or authorize the creation of any district embracing a part of the territory of the state for the purpose of constructing or paying for said Central valley project in whole or in part".

AMENDMENT NUMBER FIFTY-SEVEN.

On page 15, line 35, of the printed bill, strike out the figure "25", and insert in lieu thereof the figure "26".

Senate Constitutional Amendment No. 26 ordered to print, and re-referred to Committee on Constitutional Amendments.

RECESS.

On motion of Senator Breed, at one o'clock and two minutes p.m., the President of the Senate declared recess until two o'clock p.m.

RECONVENED.

At two o'clock p.m., the Senate reconvened.

Lieutenant Governor Frank F. Merriam, President of the Senate, in the chair.

Assistant Secretary Francis E. Dalin at the desk.

MESSAGES FROM THE ASSEMBLY.

The following messages from the Assembly were received and read:

ASSEMBLY CHAMBER, SACRAMENTO, April 20, 1931.

MR. PRESIDENT: I am directed to inform your honorable body that the Assembly on this day passed Assembly Bill No. 731—An act to add a new section to the Civil Code, to be numbered 2178, limiting the liability of steam and electric railroad common carriers and sleeping car companies of property carried in trunks, valises, suit cases, traveling bags, boxes, bundles or packages, in the event of loss of or injury to the same;

Also: Assembly Bill No. 1168—An act to add sections 2.1223, 6.313, 6.314, 6.315, 6.316, 6.561½ to, and to amend sections 6.264, 6.523, 6.260, 6.262, and 6.296 of the School Code, relating to the public school system.

ARTHUR A. OHNIMUS, Chief Clerk.
By FRED J. DESCH, Assistant Clerk.

Assembly Bill No. 731 read first time, and referred to Committee on Public Utilities.

Assembly Bill No. 1168 read first time, and referred to Committee on Education.

Also:

ASSEMBLY CHAMBER, SACRAMENTO, April 20, 1931.

MR. PRESIDENT: I am directed to inform your honorable body that the Assembly on this day passed Assembly Bill No. 1125—An act to amend sections 1, 2 and 3 of chapter 389, Statutes of 1915, entitled "An act providing for the sale of certain State lands," as approved May 19, 1915, relating to the manner of sale of State lands;

Also: Assembly Bill No. 366—An act to repeal article I, embracing sections 5,500 to 5,502, both inclusive, of chapter III of part III of division V of the School Code; to repeal article II, embracing sections 5,650 and 5,651, and article III, embracing sections 5,650 to 5,670, both inclusive, of chapter VII of part III of division V of the School Code; to repeal article VI, embracing sections 5,700 and 5,701, of chapter VII of part III of division V of the School Code; to add a new article to chapter III of part III of division V thereof, to be known as article I, embracing sections 5,500 to 5,504, both inclusive, and to add a new article to chapter VII of part III of division V thereof, to be known as article II, embracing sections 5,650 to 5,667, both inclusive; to add thereto a new section to be numbered 5,407; and to amend sections 5,520 and 5,681 thereof, all relating to the classification and dismissal of persons employed by school districts in positions requiring certification qualifications;

Also: Assembly Bill No. 1545—An act to amend section 4327 of the Political Code, relating to vacations and sick leaves of county officers and employees;

Also: Assembly Bill No. 1350—An act to add a new section to the Political Code, to be numbered 4390a, relating to notice of increase in assessed value of property;

Also: Assembly Bill No. 1568—An act to amend sections 21 and 26 of the Workmen's Compensation, Insurance and Safety Act of 1917, approved May 23, 1917, as amended;

Also: Assembly Bill No. 1214—An act to amend "An act authorizing and empowering the Department of Natural Resources to acquire tax-deeded lands for the use of said department and make an appropriation therefor," approved June 4, 1929, by adding a new section thereto to be numbered section 5, relating to the expenditure of the appropriation when suitable lands are not available.

ARTHUR A. OHNIMUS, Chief Clerk.
By FRED J. DESCH, Assistant Clerk.

Assembly Bill No. 1125 read first time, and referred to Committee on Conservation.

Assembly Bill No. 366 read first time, and referred to Committee on Education.

Assembly Bill No. 1545 read first time, and referred to Committee on County Government.

Assembly Bill No. 1350 read first time, and referred to Committee on Revenue and Taxation.

Assembly Bill No. 1568 read first time, and referred to Committee on Insurance.

Assembly Bill No. 1214 read first time, and referred to Committee on Governmental Efficiency.

Also:

ASSEMBLY CHAMBER, SACRAMENTO, April 20, 1931.

MR. PRESIDENT: I am directed to inform your honorable body that the Assembly on this day adopted Assembly Concurrent Resolution No. 20—Relative to the maintenance of joint quarantine and motor vehicle examination or registration stations.

ARTHUR A. OHNIMUS, Chief Clerk.
By FRED J. DESCH, Assistant Clerk.

Assembly Concurrent Resolution No. 20 read, and referred to Committee on Agriculture and Live Stock.

Also:

ASSEMBLY CHAMBER, SACRAMENTO, April 20, 1931.

MR. PRESIDENT: I am directed to inform your honorable body that the Assembly on this day adopted Assembly Constitutional Amendment No. 32—Proposed amendment to article ----- of the constitution, relative to a resolution to propose to the

people of the State of California an amendment to section 31, article IV, of the constitution of said State, relating to certain payments by the city of Glendale.

ARTHUR A. OHNIMUS, Chief Clerk.
By FRED J. DESCH, Assistant Clerk.

Assembly Constitutional Amendment No. 32 read, and referred to Committee on Constitutional Amendments.

REPORTS OF STANDING COMMITTEES—(RESUMED).

The following report of standing committee was received and read:

ON CONSTITUTIONAL AMENDMENTS.

SENATE CHAMBER, SACRAMENTO, April 20, 1931.

MR. PRESIDENT: Your Committee on Constitutional Amendments, to which was referred Senate Constitutional Amendment No. 20—A resolution to propose to the people of the State of California an amendment to the constitution of the State of California, by amending article VI thereof by adding thereto a new section to be known as and numbered section 8½, relating to the retirement of judicial officers, and their designation for service thereafter as extra service judges—has had the same under consideration, and respectfully reports the same back, and recommends that it do pass, and be re-referred to Committee on Governmental Efficiency.

(Signed out)

ALLEN, Chairman.
CRITENDEN.
JONES.
McCORMACK.
MIXTER.
ROCHESTER.
SCHOTTKY.

Senate Constitutional Amendment No. 20 ordered re-referred to Committee on Constitutional Amendments.

REPORT OF COMMITTEE ON FREE CONFERENCE.

The following report was received and read:

SENATE CHAMBER, SACRAMENTO, April 20, 1931.

MR. PRESIDENT: Your Committee on Free Conference concerning Assembly Bill No. 487—An act to amend section 8 of an act entitled "An act to regulate the practice of architecture," approved March 23, 1901, as amended, relating to the State Board of Architectural Examiners—reports that it has met a like committee of the Assembly, consisting of Assemblymen Bishop, Feeley and Powers, and reports that the Committee on Free Conference has agreed to recommend the following: That the title of the bill be amended as follows:

AMENDMENT NUMBER ONE.

In line 1 of the title of the printed bill, strike out the word "section", and insert in lieu thereof the following: "sections 3 and".

CHRISTIAN,
RILEY,
SLATER,

Senate Committee on Free Conference.

BISHOP,
FEELEY,
POWERS,

Assembly Committee on Free Conference.

The question being on the adoption of the report of Committee on Free Conference and the amendment.

The roll was called, and the report of Committee on Free Conference and the amendment adopted by the following vote:

AYES—Senators Allen, Bush, Cassidy, Christian, Clock, Deuel, Edwards, Fellom, Harper, Hays, Inman, Mixter, Moran, Rich, Riley, Rochester, Schottky, Sharkey, Slater, Swing, Treacy, Tubbs, Waggy, and Williams—24.

NOES—None.

CONSIDERATION OF DAILY FILE.

UNFINISHED BUSINESS FILE.

Senate Bill No. 10—An act to amend section 736b and repeal section 736c of the Political Code, relating to salaries of judges of the superior court.

Bill read third time.

MOTION TO REFER TO SPECIAL COMMITTEE OF ONE.

During third reading of the bill, Senator Riley moved to refer Senate Bill No. 10 to Senator Slater, as a Special Committee of One, to amend as follows:

AMENDMENT NUMBER ONE.

In line 3 of the title of the printed bill, insert before "make", the following: "to".

AMENDMENT NUMBER TWO.

On page 1 of the printed bill, strike out lines 7 to 9, inclusive, and insert in lieu thereof the following: "Four thousand dollars by the state; and the county or city and county, unless the amount thereof so to be paid by it is changed at this or some subsequent session of the Legislature, shall continue to pay the same amount towards the salary of each judge as it now pays and immediately prior hereto has paid, and the said annual salary shall be the sum of the said two amounts; said salary to be paid at the time and in the manner that county officers are paid."

AMENDMENT NUMBER THREE.

On page 1 of the printed bill, strike out line 10, and insert in lieu thereof the following:

"Sec. 2. Section 736c of the Political Code is hereby repealed."

Motion carried.

REPORT OF SPECIAL COMMITTEE OF ONE.

SENATE CHAMBER, SACRAMENTO, April 20, 1931.

MR. PRESIDENT: Your Special Committee of One, to which was referred Senate Bill No. 10, with instructions to amend, respectfully reports the same back, amended as per instructions.

SLATER, Committee.

Report read, and on motion of Senator Riley adopted.

Bill ordered to print and re-engrossment.

CONSIDERATION OF SPECIAL ORDER.

The hour having arrived for the consideration of Senator Inman's resolution, heretofore set as a special order for two o'clock p.m., the same was taken up for consideration.

RESOLUTION.

The following resolution was offered on April 17, 1931:

By Senator Inman:

WHEREAS, Assembly Bill No. 501 regarding a four-year college at Sacramento has been held in Committee on Universities and Teachers Colleges and refused reference to the Senate floor; and

WHEREAS, Said bill is of paramount importance to the interior of California and should be considered by the Senate upon its merits; therefore, be it

Resolved by the Senate, That said bill be withdrawn from said committee and placed on file.

Resolution read.

PRESIDENT PRO TEMPORE IN THE CHAIR.

At three o'clock and twenty-three minutes p.m., Hon. Arthur H. Breed, President pro tempore of the Senate, in the chair.

LIEUTENANT GOVERNOR IN THE CHAIR.

At three o'clock and twenty-six minutes p.m., Lieutenant Governor Frank F. Merriam, President of the Senate, in the chair.

AYES AND NOES DEMANDED.

A roll call was demanded by Senators Inman, Breed and Young, on the adoption of Senator Inman's resolution to withdraw Assembly Bill No. 501 from Committee on Universities and Teachers Colleges, and placed on file.

The roll was called, and Senator Inman's resolution refused adoption by the following vote:

AYES—Senators Carter, Cassidy, Clock, Crittenden, Harper, Hays, Inman, Jones, Rich, Riley, Rochester, Schottky, and Williams—13.

NOES—Senators Allen, Baker, Breed, Bush, Christian, Cleveland, Deuel, Edwards, Evans, Fellom, Ingels, Maloney, McCormack, McKinley, Mixer, Moran, Nelson, Pedrotti, Sharkey, Slater, Swing, Treacy, Tubbs, Waggy, and Young—25.

PRESENTATION OF PETITION.

The following petition was presented, and ordered printed in the Journal:

By Senator Inman:

SACRAMENTO CHAMBER OF COMMERCE.
SACRAMENTO, CALIFORNIA.

Recognizing the vital importance of the development of agriculture, which is California's basic industry, the board of directors of the Sacramento Chamber of Commerce look with serious concern upon the proposed reduction of the appropriation to the various agricultural activities of the State, especially the cut of \$150,000 from the appropriation of the College of Agriculture at Davis; \$25,000 from the appropriation of the experimental farm at Riverside and \$50,000 in the agricultural extension service.

Never in the history of California has there been a more serious need for the study and solving of the problems of agriculture.

The attention of the members of the California State Legislature who are now working upon the State budget is called to the importance of this situation and it is hoped that instead of a reduction of appropriations for the activities of agriculture that funds may be provided to the end that the State of California will officially do everything within its power to aid the agriculturists of the State and provide for the future development and expansion of agriculture.

A. S. DUDLEY, Secretary-Manager.

Approved April 20, 1931.

CONSIDERATION OF MOTION TO SUBSTITUTE MINORITY REPORT OFFERED BY A MINORITY OF THE MEMBERSHIP OF THE SENATE FINANCE COMMITTEE.

The Senate took up for consideration Senator Sharkey's motion, seconded by Senator Inman, that the minority report of the Committee on Finance be substituted for the unadopted portion of the Finance Committee report.

AYES AND NOES DEMANDED.

A roll call was demanded by Senators Inman, Sharkey and Fellom on Senator Sharkey's motion to substitute the minority report of the Committee on Finance for the unadopted portion of the Finance Committee Report.

The roll was called, and the report offered by a minority of the membership of the Senate Finance Committee adopted by the following vote:

AYES—Senators Allen, Breed, Bush, Carter, Cassidy, Clock, Crittenden, Evans, Fellom, Harper, Ingels, Inman, Maloney, McCormack, McKinley, Mixer, Pedrotti, Riley, Schottky, Sharkey, Slater, Swing, Treacy, and Tubbs—24.

NOES—Senators Baker, Christian, Cleveland, Deuel, Edwards, Hays, Jones, Moran, Nelson, Rich, Rochester, Waggy, Williams, and Young—14.

ADOPTION OF AMENDMENTS OFFERED BY FINANCE COMMITTEE REPORT
AS AMENDED.

The question being on Senator Swing's motion previously made to adopt the amendments offered by Senate Finance Committee as amended by the minority report.

Motion carried.

Bill read second time, ordered to print, engrossment, and on file for third reading.

RUSH ORDER TO PRINTER.

On motion of Senator Swing, the Secretary was directed to issue a rush order for printing Assembly Bill No. 53.

RESOLUTION.

The following resolution was offered:

By Senator Breed:

WHEREAS, The State expenditures for the biennial period commencing July 1, 1931, will exceed the State's revenues in an amount in excess of \$10,000,000; and

WHEREAS, It is apparent that the revenues will not thereafter equal or balance the State's expenditures; therefore, be it

Resolved, That the Director of Finance be and he is hereby requested to submit to the Legislature when it convenes in January, 1933, a list of activities that the State may, without injury to the public welfare, curtail or eliminate to the end that the revenues and expenditures may be approximately equal.

Resolution referred to Committee on Finance.

REPORTS OF STANDING COMMITTEES—(RESUMED).

The following report of standing committee was received and read:

ON RULES.

SENATE CHAMBER, SACRAMENTO, April 21, 1931.

MR. PRESIDENT: Your Committee on Rules, to which was referred Assembly Concurrent Resolution No. 29—Relative to the National Editorial Association—has had the same under consideration, and respectfully reports the same back, and recommends that said resolution be adopted.

Committee membership—5; committee vote: Ayes—5.

BREED, Chairman.

Assembly Concurrent Resolution No. 29 ordered on file.

REQUEST FOR PERMISSION TO INTRODUCE A BILL.

The following request for permission to introduce a bill was presented:
By Senator Mixer:

SENATE CHAMBER, SACRAMENTO, April 20, 1931.

MR. PRESIDENT: In accordance with the provisions of section 2, article IV of the constitution, I request permission to introduce a bill, the title of which is set forth below:

An act amending section 1 of an act entitled: "An act to authorize and empower boards of supervisors to levy a tax for advertising, exploiting, promoting and aiding measures designed to preserve, aid or develop the agricultural, horticultural, viticultural and water resources and advantages of their several counties", approved April 17, 1929, and relating to investigating matters affecting the economic welfare of counties and their inhabitants.

Request referred to Committee on Rules.

INTRODUCTION, FIRST READING AND REFERENCE OF BILLS—(RESUMED).

By Senators Nelson, McKinley, Deuel, Jones: Senate Constitutional Amendment No. 31—A resolution to propose to the people of the State of California an amendment of the constitution of said State by amend-

ing section 6 of article IX thereof, relating to the support of the school system.

Referred to Committee on Constitutional Amendments.

ADJOURNMENT.

At four o'clock and twenty-seven minutes p.m., on motion of Senator Breed, the President declared the Senate adjourned until eleven o'clock a.m., Tuesday, April 21, 1931.

HAROLD J. POWERS, Minute Clerk.

IN SENATE.

SENATE CHAMBER,
SACRAMENTO, Tuesday, April 21, 1931.

The Senate met at eleven o'clock a.m.

Lieutenant Governor Frank F. Merriam, President of the Senate, in the chair.

Secretary Joseph A. Beek at the desk.

ROLL CALL.

The roll was called, and the following answered to their names:

Senators Allen, Baker, Breed, Bush, Carter, Cassidy, Christian, Cleveland, Clock, Deuel, Duval, Edwards, Evans, Harper, Hays, Ingels, Inman, Jones, Maloney, McCormack, McKinley, Mixter, Moran, Nelson, Pedrotti, Rich, Riley, Rochester, Scholtky, Sharkey, Slater, Treacy, Tubbs, Wagy, Williams, and Young—36.

Quorum present.

PRAYER.

Prayer was offered by the Chaplain, Rev. Sherman L. Divine.

READING OF THE JOURNAL.

During the reading of the Journal of Monday, April 20, 1931, the further reading was dispensed with, on motion of Senator Slater.

PRIVILEGE OF FLOOR OF SENATE EXTENDED.

On request of Senator Tubbs, the privilege of the floor of the Senate Chamber for this day was unanimously extended to Mrs. Elsa S. Leon and Miss Rose McCook of San Francisco.

On request of Senator Sharkey, the privilege of the floor of the Senate Chamber for this day was unanimously extended to Cyril L. Cairns, editor of Contra Costa Gazette, Martinez, also Attorney Robert Collins and City Attorney T. M. Carlson of Richmond.

On request of Senator McKinley, the privilege of the floor of the Senate Chamber for this day was unanimously extended to Mr. Irving Walker, president, and Mr. Kemper Cambell, past president of Los Angeles Bar Association.

On request of Senator Crittenden, the privilege of the floor of the Senate Chamber for this day was unanimously extended to Mr. L. J. Smallpage and Mr. A. L. Lindley of Stockton.

On request of Senator Treacy, the privilege of the floor of the Senate Chamber for this day was unanimously extended to Captain Michael Riordan and George Harkins.

On request of Senator Bush, the privilege of the floor of the Senate Chamber for this day was unanimously extended to G. H. Bertram of Modesto.

On request of Senator Rochester, the privilege of the floor of the Senate Chamber for this day was unanimously extended to Dr. and Mrs. H. L. Thompson of Mayo Brothers' Hospital of Los Angeles.

On request of Senator Inman, the privilege of the floor of the Senate Chamber for this day was unanimously extended to Washington Junior High School, Miss Blanche Yohe, teacher; and pupils as follows: Frank Alexander, Violet Allen, June Bagley, Margaret Beattie, Betty Bently, Maud Bowlen, Bill Brock, Eugene Burns, Elmer Brown, Clyde Basler, Julian Cisneros, Irving Carthew, Agath Camenzind, Mary Ellen Davidson, Doris Draper, George Dunham, Lorriene Daniels, Victoria David, Dain Domich, Walter Eck, Maywood Giles, Howard Hansen, Patricia Jones, Donald Johnston, Zalega Joseph, Robert Johnson, Beulah Kilpatrick, Bill Kinney, Jim Kearney, John Laca, Jeannette Lubin, David LaJoie, Lucy Lotta, Ralph Mason, Fern Mains, Mary McConnell, Bill McPoil, Richard Mier, Roy Masquart, John Matranga, Helen May, Gale McClure, Stella McConnell, Ruth McNeely, Jack McMillan, Ermyne Normington, Tom Norton, Fred Parker, Jennie Paladino, Walter Reed, Georgia Riola, Buster Robinson, Bob Schang, Margaret Speich, Robert Spencer, John Starbuck, Norwin Smith, Elaine Springer, Anna Stewart, Virginia Takasaki, Vavian Southard, Cornelia Vanderputten, Ardella Williams, Paul Yuke, and Vera Zarzana.

MESSAGES FROM THE ASSEMBLY.

The following messages from the Assembly were received and read:

ASSEMBLY CHAMBER, SACRAMENTO, April 20, 1931.

MR. PRESIDENT: I am directed to inform your honorable body that the Assembly on this day passed Assembly Bill No. 587—An act to provide for the payment by the State of California of judgments and costs recovered against State, county or municipal officers by reason of the enforcement of an unconstitutional State law:

Also: Assembly Bill No. 729—An act to amend section 4191 of the Political Code, relating to purposes for which Law Library Fund may be used;

Also: Assembly Bill No. 1129—An act to amend section 4195 of the Political Code, relating to duties and powers of trustees of law libraries by adding a new subdivision VIII thereto;

Also: Assembly Bill No. 1904—An act to provide for a preliminary investigation, report and hearing upon proposed public improvements and acquisitions of property for public purposes where the cost of such improvements or acquisitions is to be paid in whole or part by special assessments, and to provide for the abandonment and barring of said proposed public improvements or acquisitions upon a majority protest;

Also: Assembly Bill No. 1730—An act to amend an act entitled "An act to provide for proceedings against and liquidation of delinquent insurance corporations and associations, approved April 30, 1919, by amending sections 2 and 2a thereof, relating to the powers and duties of the Insurance Commissioner, and repealing section 5 thereof;

Also: Assembly Bill No. 1310—An act to amend section 831d of the Code of Civil Procedure, relating to pleadings and practice in municipal courts;

Also: Assembly Bill No. 1311—An act to amend sections 988a, 988b, and 988g of the Code of Civil Procedure, and to add a new section to said code to be numbered 988f, all relating to appeals from municipal courts in civil cases.

ARTHUR A. OHNIMUS, Chief Clerk.

By FRED J. DESCH, Assistant Clerk.

Assembly Bills Nos. 587, 729 and 1129 read first time, and referred to Committee on Judiciary.

Assembly Bill No. 1904 read first time, and referred to Committee on Municipal Corporations.

Assembly Bill No. 1730 read first time, and referred to Committee on Insurance.

Assembly Bills Nos. 1310 and 1311 read first time, and referred to Committee on Judiciary.

Also:

ASSEMBLY CHAMBER, SACRAMENTO, April 20, 1931.

MR. PRESIDENT: I am directed to inform your honorable body that the Assembly on this day passed Assembly Bill No. 1648—An act to amend section 19x14 of the Juvenile Court Law, relating to probation officers in counties of the fourteenth class;

Also: Assembly Bill No. 1650—An act to amend section 16x14, Weights and Measures Act, relating to sealers of weights and measures in counties of the fourteenth class;

Also: Assembly Bill No. 1651—An act to amend section 2322x14 of the Political Code, relating to the office of agricultural commissioner in counties of the fourteenth class;

Also: Assembly Bill No. 1755—An act to amend section 16x15, Weights and Measures Act, relating to sealers of weights and measures in counties of the fifteenth class;

Also: Assembly Bill No. 1757—An act to amend section 16x12, Weights and Measures Act, relating to sealers of weights and measures in counties of the twelfth class;

Also: Assembly Bill No. 1774—An act to add a new section, to be numbered 9a15, to the act entitled "An act to provide for the establishment and maintenance of county free libraries in the State of California, and repealing 'An act entitled "An act to provide county library systems," approved April 12, 1909, and all acts and parts of acts in conflict with this act,'" approved February 25, 1911, as amended, relating to libraries in counties of the fifteenth class;

Also: Assembly Bill No. 1809—An act to amend section 19x12 of the Juvenile Court Law, relating to probation officers in counties of the twelfth class;

Also: Assembly Bill No. 1811—An act to amend section 19x15 of the Juvenile Court Law, relating to probation officers in counties of the fifteenth class;

Also: Assembly Bill No. 1820—An act to amend section 2322x12 of the Political Code, relating to the office of agricultural commissioner in counties of the twelfth class.

ARTHUR A. OHNIMUS, Chief Clerk.
By FRED J. DESCH, Assistant Clerk.

Assembly Bills Nos. 1648, 1650, 1651, 1755, 1757, 1774, 1809, 1811 and 1820 read first time, and referred to Committee on County Government.

Also:

ASSEMBLY CHAMBER, SACRAMENTO, April 20, 1931.

MR. PRESIDENT: I am directed to inform your honorable body that the Assembly on this day passed Assembly Bill No. 447—An act to amend section 5.744 of the School Code, relating to the manner of paying salaries of certificated employees of school districts;

Also: Assembly Bill No. 1384—An act to prohibit commercial fishing in the Klamath River, fishing by means of nets for a distance of more than three miles from the mouth of the river, and fishing by means of nets at a specified distance from the banks of the river;

Also: Assembly Bill No. 1927—An act to add a new section to be numbered 6½ to an act entitled "California Canned Fruit Standardization Act," approved May 23, 1925, as amended, providing for the use of United States Department of Agriculture markings on canned products;

Also: Assembly Bill No. 159—An act to amend sections 1357, 1358, 1359 and 1362 and repeal sections 1360 and 1361 of the Political Code, relating to absent voters;

Also: Assembly Bill No. 507—An act to amend the California Irrigation District Act, approved March 31, 1897, by amending sections 7 and 27 thereof, relating to assessors, collectors, and treasurers of irrigation districts, and providing for their appointment in certain contingencies;

Also: Assembly Bill No. 1381—An act to amend section 16x17, Weights and Measures Act, relating to sealers of weights and measures in counties of the seventeenth class;

Also: Assembly Bill No. 1382—An act to amend section 2322x17 of the Political Code, relating to the office of agricultural commissioner in counties of the seventeenth class.

ARTHUR A. OHNIMUS, Chief Clerk.
By FRED J. DESCH, Assistant Clerk.

Assembly Bill No. 447 read first time, and referred to Committee on Education.

Assembly Bill No. 1384 read first time, and referred to Committee on Fish and Game.

Assembly Bill No. 1927 read first time, and referred to Committee on Agriculture and Live Stock.

Assembly Bill No. 159 read first time, and referred to Committee on Elections.

Assembly Bill No. 507 read first time, and referred to Committee on Irrigation.

Assembly Bills Nos. 1381 and 1382 read first time, and referred to Committee on County Government.

Also:

ASSEMBLY CHAMBER, SACRAMENTO, April 20, 1931.

MR. PRESIDENT: I am directed to inform your honorable body that the Assembly on this day passed Assembly Bill No. 1053—An act to amend sections 1, 6, 7, 9, 10 and 13 of the California Nautical School Act, approved June 3, 1929, relating to the State Nautical School;

Also: Assembly Bill No. 1895—An act to add a new section to the Code of Civil Procedure, to be numbered 682a, relating to writs of execution;

Also: Assembly Bill No. 205—An act to amend section 1425 of the Penal Code, relating to the criminal jurisdiction of justices' courts;

Also: Assembly Bill No. 1538—An act to amend section 142 of the Code of Civil Procedure, relating to superior court;

Also: Assembly Bill No. 1537—An act to amend section 73 of the Code of Civil Procedure, relating to sessions of the superior courts;

Also: Assembly Bill No. 1540—An act to amend section 4312 of the Political Code, relating to the place of offices of certain county officers;

Also: Assembly Bill No. 186—An act amending an act entitled "An act to define and regulate the business of banking," approved March 1, 1909, as amended, designated the "Bank Act," by amending section 61, relating to the purchase, holding and sale of real and personal property by savings banks;

Also: Assembly Bill No. 674—An act to provide for the removal or destruction of abandoned or neglected orchard trees, vines, shrubs, or parts thereof, or agricultural crops which are infested or infected with injurious pests;

Also: Assembly Bill No. 11—An act to amend section 384a of the Penal Code, relating to the protection of trees, and other vegetation.

ARTHUR A. OHNIMUS, Chief Clerk.

By FRED J. DESCH, Assistant Clerk.

Assembly Bill No. 1053 read first time, and referred to Committee on Education.

Assembly Bills Nos. 1895, 205, 1538, 1537 and 1540 read first time, and referred to Committee on Judiciary.

Assembly Bill No. 186 read first time, and referred to Committee on Banking.

Assembly Bill No. 674 read first time, and referred to Committee on Agriculture and Live Stock.

Assembly Bill No. 11 read first time, and referred to Committee on Conservation.

Also:

ASSEMBLY CHAMBER, SACRAMENTO, April 20, 1931.

MR. PRESIDENT: I am directed to inform your honorable body that the Assembly on this day passed Senate Bill No. 355—An act to validate bonds of school districts, high school districts and junior college districts of every kind and class, and providing for the levy of a tax to pay the same, and declaring the urgency of said measure, the act to take effect immediately.

ARTHUR A. OHNIMUS, Chief Clerk.

By FRED J. DESCH, Assistant Clerk.

Senate Bill No. 355 ordered to enrollment.

Also:

ASSEMBLY CHAMBER, SACRAMENTO, April 20, 1931.

MR. PRESIDENT: I am directed to inform your honorable body that the Assembly on this day adopted Senate Concurrent Resolution No. 29—Approving an amendment to the charter of the city of San Diego, a municipal corporation in the county

of San Diego, State of California, voted for and ratified by the electors of said city of San Diego at a special municipal election held therein on the twenty-fourth day of March, 1931.

ARTHUR A. OHNIMUS, Chief Clerk.
By C. W. BOOTH, Assistant Clerk.

Senate Concurrent Resolution No. 29 ordered to enrollment.

ASSISTANT SECRETARY FRANCIS E. DALIN AT THE DESK.
REPORTS OF STANDING COMMITTEES.

The following report of standing committee was received and read:

ON RULES.

SENATE CHAMBER, SACRAMENTO, April 21, 1931.

MR. PRESIDENT: Your Committee on Rules, to which was referred the request of Senator Mixter to introduce a bill entitled—"An act amending section 1 of an act entitled "An act to authorize and empower boards of supervisors to levy a tax for advertising, exploiting, promoting and aiding measures designed to preserve, aid or develop the agricultural, horticultural, viticultural and water resources and advantages of their several counties," approved April 17, 1929, relating to investigation of matters affecting the economic welfare of counties and their inhabitants—has had the same under consideration, and respectfully reports the same back, and recommends that said request be granted.

Committee membership—5; committee vote: Ayes—5.

BREED, Chairman.

The question being on the adoption of the report.

The roll was called in accordance with the provisions of section 2 of article IV of the constitution, and the report adopted by the following vote:

AYES—Senators Allen, Baker, Breed, Bush, Cassidy, Christian, Clock, Crittenden, Deuel, Duval, Edwards, Evans, Harper, Hays, Ingels, Jones, Maloney, McCormack, McKinley, Mixter, Moran, Pedretti, Rich, Riley, Schottky, Sharkey, Slater, Treacy, Tubbs, Wagy, and Young—31.

NOES—None.

INTRODUCTION, FIRST READING AND REFERENCE OF BILLS.

The following bill was introduced:

By Senator Mixter: Senate Bill No. 948—An act amending section 1 of an act entitled "An act to authorize and empower boards of supervisors to levy a tax for advertising, exploiting, promoting and aiding measures designed to preserve, aid or develop the agricultural, horticultural, viticultural and water resources and advantages of their several counties," approved April 17, 1929, relating to investigation of matters affecting the economic welfare of counties and their inhabitants.

Senate Bill No. 948 read first time, and referred to Committee on Revenue and Taxation.

REPORTS OF STANDING COMMITTEES—(RESUMED).

The following reports of standing committees were received and read:

ON ENGROSSMENT, ENROLLMENT AND PRINTING.

SENATE CHAMBER, SACRAMENTO, April 21, 1931.

MR. PRESIDENT: Your Committee on Engrossment, Enrollment and Printing has examined Senate Bill No. 168—An act to amend section 117 of the Political Code, relating to the congressional districts—and reports that the same has been correctly enrolled and presented to the Governor on the twentieth day of April, at four o'clock and forty-five minutes p.m.

RILEY, Chairman.

Also:

MR. PRESIDENT: Your Committee on Engrossment, Enrollment and Printing has examined Senate Bill No. 62—An act to amend section 4307 of the Political Code, relating to county charges;

Also: Senate Bill No. 375—An act permitting the board of supervisors of every county or city and county, the city council, board of public works, city manager or

chief administrative officer of every incorporated city, the board of education of every school district, the board of directors or chief administrative officer of every duly organized irrigation, reclamation, water conservation, flood control, sewer, sanitation or other district, to require answers to a standard form of questionnaire from persons proposing to bid on any public work;

Also: Senate Bill No. 388—An act to amend sections 1006 and 1115 of the Political Code, relating to the registration of electors;

Also: Senate Bill No. 487—An act to amend section 602a of the Political Code, relating to liability reserves of insurance companies and to the powers and duties of the Insurance Commissioner;

Also: Senate Bill No. 679—An act to provide for the sanitary inspection of slaughterhouses, the inspection of animals or meats intended for human consumption, to provide rules and regulations therefor, to provide penalties for the violation hereof and to repeal the California Meat Inspection Law, approved June 3, 1921;

Also: Senate Bill No. 812—An act to amend section 3489 of, and to add section 3489b to the Political Code, relating to the reorganization of, and the inclusion of lands in, swamp land or reclamation districts;

And reports that the same have been correctly engrossed.

RILEY, Chairman.

Also:

MR. PRESIDENT: Your Committee on Engrossment, Enrollment and Printing has examined Senate Bill No. 857—an act to amend section 1 of chapter 824 of the Statutes of 1927, relating to acceptance of the Workmen's Compensation Act;

Also: Senate Bill No. 900—An act to amend the California Vehicle Act approved May 30, 1923, and as amended, by amending sections 99, 100, 101, 102, 103, 104, 106, 108, 111, 130, adding thereto new sections to be numbered 106½, 111½, 111¾, relating to the use, operation and equipment of motor vehicles operated upon the public highways, requiring lights, reflex mirrors, light indicators, prohibiting certain lights, the sale thereof, the sale of motor vehicles equipped with unlawful lights, regarding the method and requirements for the testing of lights and signals, the approval thereof, authorizing the establishment of official headlamp and brake adjusting stations, and the enforcement of said act;

Also: Senate Bill No. 939—An act to add a new section to the Political Code to be numbered 695, relating to a Bureau of Publications and Documents in the Department of Finance;

And reports that the same have been correctly engrossed.

RILEY, Chairman.

Also:

MR. PRESIDENT: Your Committee on Engrossment, Enrollment and Printing has examined Senate Bill No. 83—An act to prohibit the employment of aliens by contractors and subcontractors on all public work, except in certain cases of extraordinary emergency, providing for the reporting of such cases of extraordinary emergency and the keeping of records of the citizenship of workers employed upon public work and the inspection of such records by the proper officials, providing for a forfeiture for each calendar day, or portion thereof, any alien is knowingly permitted to work on public work and for a stipulation to this effect in the contract, and providing other penalties for violation of the provisions thereof—and reports that the same has been correctly re-engrossed.

RILEY, Chairman.

ON MOTOR VEHICLES.

SENATE CHAMBER, SACRAMENTO, April 21, 1931.

MR. PRESIDENT: Your Committee on Motor Vehicles, to which was referred Senate Bill No. 946—An act to amend section 141½ of the California Vehicle Act, approved May 30, 1923, relating to liability of an owner or driver or person responsible for the operation of a vehicle, for the injury or death of a guest—has had the same under consideration, and respectfully reports the same back, and recommends that it do pass.

Committee membership—17; committee vote: Ayes—14; absent—3.

BAKER, Chairman.

Senate Bill No. 946 ordered on file for second reading.

ON JUDICIARY.

SENATE CHAMBER, SACRAMENTO, April 21, 1931.

MR. PRESIDENT: Your Committee on Judiciary, to which was referred Assembly Bill No. 1009—An act to repeal title XXI of part IV of division I of the Civil Code of the State of California, including sections 653m, 653n, 653o, 653p, 653q, 653r, 653s, 653sa, 653sb, and 653sc of the Civil Code of the State of California, relating to nonprofit cooperative, agricultural, viticultural and horticultural associations;

Also: Assembly Bill No. 1010—An act to repeal title XXII of part IV of division I of the Civil Code of the State of California, including sections 653t, 653u, 653v,

653*vo*, 653*x*, 653*y*, 653*z*, 653*za*, 653*zb*, 653*zc* and 653*zd* of the Civil Code of the State of California, relating to nonprofit cooperative corporations, and making the general corporation law apply to such corporations;

Also: Assembly Bill No. 1023—An act to amend sections 653*bb*, 653*cc*, 653*hh*, 653*ii*, 653*jj*, 653*kk*, 653*mm*, 653*qq*, 653*tt*, and 653*vv* of title XXIII of part IV of division I of the Civil Code of the State of California, relating to nonprofit cooperative marketing associations, and to add to said title XXIII new sections to be known as section 653*hh* (1), section 653*hh* (2) and section 653*yy* of the Civil Code of the State of California;

Has had the same under consideration, and respectfully reports the same back, and recommends that they do pass.

Committee membership—17; committee vote: Ayes—16; absent—1.

CHRISTIAN, Chairman.

Assembly Bills Nos. 1009, 1010 and 1023 ordered on file for second reading.

Also:

MR. PRESIDENT: Your Committee on Judiciary, to which was referred Senate Bill No. 399—An act to amend section 25 of the Civil Code, relating to who are minors—has had the same under consideration, and respectfully reports the same back, and recommends that it do pass.

Committee membership—17; committee vote: Ayes—16; absent—1.

CHRISTIAN, Chairman.

Senate Bill No. 399 ordered on file for second reading.

Also:

MR. PRESIDENT: Your Committee on Judiciary, to which was referred Assembly Bill No. 499—An act to amend section 4024 of the Political Code, relating to appointment of deputies—has had the same under consideration, and respectfully reports the same back with amendments, and recommends that the amendments be adopted, and that it do pass as amended.

Committee membership—17; committee vote: Ayes—16; absent—1.

CHRISTIAN, Chairman.

Assembly Bill No. 499 ordered on file for second reading.

Also:

MR. PRESIDENT: Your Committee on Judiciary, to which was referred Assembly Bill No. 496—An act to amend section 24 of the State Bar Act, approved March 31, 1927, as amended, relating to admission to practice law, and to repeal sections 275, 276, 276*a*, 277, 279, 280 of the Code of Civil Procedure;

Also: Assembly Bill No. 1224—An act to amend section 817 of the Penal Code, relating to peace officers;

Also: Assembly Bill No. 1225—An act to amend section 644 of the Penal Code, relating to the punishment of habitual criminals;

Also: Assembly Bill No. 503—An act to amend section 2924 of the Civil Code, relating to making certain transfers a mortgage and defining the manner in which a power of sale contained in a mortgage or deed of trust may be exercised;

Also: Assembly Bill No. 1291—An act to amend section 134 of the Code of Civil Procedure, relating to the time when judges shall be available;

Also: Assembly Bill No. 1008—An act to repeal titles XIX and XX of part IV of division I of the Civil Code of the State of California, including sections 653*a*, 653*b*, 653*c*, 653*d*, 653*e*, 653*f*, 653*g*, 653*h*, 653*i*, 653*j*, 653*k*, and 653*l* of the Civil Code of the State of California, relating to cooperative associations and cooperative business corporations;

Has had the same under consideration, and respectfully reports the same back, and recommends that they do pass.

Committee membership—17; committee vote: Ayes—16; absent—1.

CHRISTIAN, Chairman.

Assembly Bills Nos. 496, 1224, 1225, 503, 1291 and 1008 ordered on file for second reading.

ON PUBLIC HEALTH AND QUARANTINE.

SENATE CHAMBER, SACRAMENTO, April 21, 1931.

MR. PRESIDENT: Your Committee on Public Health and Quarantine, to which was referred Assembly Bill No. 130—An act to add a new section to be numbered 383*b* to the Penal Code, relating to the sale of kosher meats and meat preparations, and kosher food, defining the word "kosher" and providing penalties for the violation

thereof—has had the same under consideration, and respectfully reports the same back, and recommends that it do pass.

Committee membership—7; committee vote: Ayes—4; noes—2; absent—1.

WILLIAMS, Chairman.

Assembly Bill No. 130 ordered on file for second reading.

Also:

MR. PRESIDENT: Your Committee on Public Health and Quarantine, to which was referred Assembly Bill No. 1095—An act to amend section 2 of the Pure Milk Law of California, approved June 3, 1927—has had the same under consideration, and respectfully reports the same back with amendments, and recommends that the amendments be adopted, and that it do pass as amended.

Committee membership—7; committee vote: Ayes—6; absent—1.

WILLIAMS, Chairman.

Assembly Bill No. 1095 ordered on file for second reading.

ON AGRICULTURE AND LIVE STOCK.

SENATE CHAMBER, SACRAMENTO, April 21, 1931.

MR. PRESIDENT: Your Committee on Agriculture and Live Stock, to which was referred Assembly Bill No. 1075—An act to regulate the preparation, sale, disposal, shipment, transportation and possession of viruses, serums, toxins and analogous products intended for use in the treatment of domestic animals, and repealing an act entitled "An act prohibiting the preparation, sale, barter, shipment or exchange of any worthless, contaminated, dangerous or harmful hog cholera serum or virus; requiring every establishment for the preparation of hog cholera serum, virus, vaccine or antitoxin to be inspected and licensed by the director of the agricultural experiment station of the University of California; and providing penalties for violation of any of the provisions hereof," approved June 1, 1915—has had the same under consideration, and respectfully reports the same back with amendments, and recommends that the amendments be adopted, and that it do pass as amended.

Committee membership—13; committee vote: Ayes—9; absent—4.

CRITTENDEN, Vice Chairman.

Assembly Bill No. 1075 ordered on file for second reading.

Also:

MR. PRESIDENT: Your Committee on Agriculture and Live Stock, to which was referred Assembly Bill No. 599—An act to amend sections 2322a and 2322g of the Political Code, relating to county horticultural commissioner—has had the same under consideration, and respectfully reports the same back, and recommends that it do pass.

Committee membership—13; committee vote: Ayes—9; absent—4.

CRITTENDEN, Vice Chairman.

Assembly Bill No. 599 ordered on file for second reading.

Also:

MR. PRESIDENT: Your Committee on Agriculture and Live Stock, to which was referred Senate Bill No. 455—An act to amend section 10 of chapter 47, Statutes of 1927, entitled the "Bovine Tuberculosis Law," relating to the establishment of control areas, the segregation and disposal of diseased animals, the amount of compensation to be paid the owner, and the powers of the Director of Agriculture—has had the same under consideration, and respectfully reports the same back with amendments, and recommends that the amendments be adopted, and be re-referred to the Committee on Finance.

Committee membership—13; committee vote: Ayes—9; absent—4.

CRITTENDEN, Vice Chairman.

CONSIDERATION OF COMMITTEE AMENDMENTS.

Pursuant to the report of the Committee on Agriculture and Live Stock, the following amendments to Senate Bill No. 455 were read and adopted:

AMENDMENT NUMBER ONE.

In the title of the printed bill, strike out all of said title, and insert in lieu thereof the following:

"An act to appropriate the sum of forty-one thousand dollars to carry out certain provisions of the California meat inspection law."

AMENDMENT NUMBER TWO.

On page 1 of the printed bill, strike out all of lines 1 to 26, inclusive; also strike out all of pages 2 and 3; and insert in lieu thereof the following:

"SECTION 1. The sum of forty-one thousand dollars is hereby appropriated out of any money in the state treasury not otherwise appropriated, in addition to any existing appropriations, to be used in carrying out all of the provisions of the California meat inspection law except those provisions in section 11 of said law, which provide for the payment of salaries and expenses of inspectors."

Bill ordered to print, and re-referred to Committee on Finance.

RECESS.

On motion of Senator Breed at eleven o'clock and twenty-five minutes a.m., the President of the Senate declared recess until eleven o'clock and thirty minutes a.m., to hear remarks by former Lieutenant Governor Buron R. Fitts, present district attorney of Los Angeles County.

RECONVENED.

At eleven o'clock and thirty minutes a.m., the Senate reconvened.

Lieutenant Governor Frank F. Merriam, President of the Senate, in the chair.

Assistant Secretary Francis E. Dalin at the desk.

RESOLUTION.

The following resolution was offered:

By Committee on Contingent Expenses:

Resolved, That the Controller be and he is hereby ordered and directed to draw his warrant in favor of the Secretary of the Senate in the sum of \$300, the same being for postage for the Senate, and the Treasurer is hereby ordered and directed to pay the same.

INGELS, Chairman.
MALONEY.
WILLIAMS.

Resolution read.

Senator Ingels moved the adoption of the resolution.

The question being on the adoption of the resolution.

The roll was called, and the resolution adopted by the following vote:

AYES—Senators Allen, Baker, Breed, Bush, Carter, Cassidy, Christian, Clock, Crittenden, Deuel, Duval, Evans, Harper, Hays, Ingels, Maloney, McCormack, Mixter, Moran, Pedrotti, Rich, Riley, Rochester, Schottky, Sharkey, Slater, Treacy, Wagy, and Young—29.

NOES—None.

REPORTS OF STANDING COMMITTEES—(RESUMED).

The following report of standing committee was received and read:

ON UNIVERSITIES AND TEACHERS COLLEGES.

SENATE CHAMBER, SACRAMENTO, April 21, 1931.

MR. PRESIDENT: Your Committee on Universities and Teachers Colleges, to which was referred Assembly Bill No. 757—An act for the enlargement of the functions of the State Teachers College at Fresno to include vocational and technical training and changing the name thereof to the "California State College of Fresno"—has had the same under consideration, and respectfully reports the same back with amendments, and recommends that the amendments be adopted, and the bill be re-referred to this committee.

Committee membership—9; committee vote: Ayes—9.

DEUEL, Chairman.

CONSIDERATION OF COMMITTEE AMENDMENTS.

Pursuant to the report of the Committee on Universities and Teachers Colleges, the following amendments to Assembly Bill No. 757 were read and adopted:

AMENDMENT NUMBER ONE.

Strike out the title of the printed bill, and insert in lieu thereof the following:

"An act establishing a coordinated system of state colleges devoted to vocational and industrial higher education, creating a state college board of trustees, and prescribing the powers, duties, and functions of said board."

AMENDMENT NUMBER TWO.

On page 1 of the printed bill, strike out lines 1 to 21, and on page 2, strike out lines 1 to 21, and insert in lieu thereof the following:

"SECTION 1. For the purpose of establishing a system of state colleges devoted to vocational and industrial education and training, other than professional training in law, medicine, dentistry, engineering, and the sciences, and to encourage such education and training, there is hereby established a board to be known as the state college board of trustees, which board shall govern and administer the state colleges, in accordance with law. The board, in the exercise of the powers herein granted, shall prescribe such regulations and standards as in its judgment will be most conducive to the establishment of an orderly coordinated system of higher education for the State of California.

SEC. 2. The state college board of trustees, hereinafter referred to as the board, shall consist of nine appointed members and eight ex officio members. The ex officio members shall be the governor of the State of California, the lieutenant governor, the superintendent of public instruction, the director of professional and vocational standards, the acting president of the University of California, the chairman of the board of regents of the University of California and the acting state college presidents of the first two units admitted to the system established by this act. The nine appointed members shall be selected from the state at large, to represent as nearly as possible the communities in which the state colleges are located. They shall be appointed by the governor for terms of four years. The nine first appointed shall classify themselves by lot so that two shall hold for a term of one year, two for a term of two years, two for a term of three years, and three for a term of four years. They shall be appointed before, and their terms shall begin on, October 1, 1931.

SEC. 3. The governor shall designate a time and place for the first meeting of the board, at which meeting the board shall organize by electing a chairman and secretary. Thereafter the board may elect an executive committee which, between meetings and except as otherwise directed, shall exercise the powers, perform the duties, and carry on all the functions of the board.

SEC. 4. The board shall have general powers of supervision over all matters concerning the system of state colleges established by this act, and may make contracts, sue and be sued, hold property, and exercise all other powers necessary or proper for the control and administration of the state colleges.

SEC. 5. Such system of state colleges shall include such units as shall be designated by law. The state teachers college of Fresno, and the state teachers college of San Diego, shall constitute the first two units in said system, and the board shall succeed to and is hereby invested with all the duties, powers, purposes, responsibilities and jurisdiction of the director of education and of the state board of education in relation to said colleges, and said colleges shall be transferred to the board, together with all the lands, buildings, supplies, equipment, records, books, and all other property appertaining thereto, on July 1, 1932, and shall thereafter be known as the Fresno state college and the San Diego state college, respectively.

SEC. 6. All moneys appropriated or available for the support and maintenance of the state teachers college of Fresno and the state teachers college of San Diego during the eighty-third and eighty-fourth fiscal year shall be divided into two equal parts. The first part thereof may be expended as provided by law during the eighty-third fiscal year and the balance thereof, together with the second part of such appropriation, shall be transferred to the board on July 1, 1932. The officers and employees connected with said colleges shall also at the same time come under the jurisdiction and employment of the board.

SEC. 7. The state colleges may offer a four year curriculum of advanced or college grade courses of study in scientific subjects, education, home economics, mechanical and industrial arts, and such other subjects as the board may determine to be in furtherance of the purposes of this act. The board shall fix standards for the various courses offered, and the degree of bachelor of arts, and such certificates as the board may consider desirable, may be conferred upon graduates of such state colleges.

SEC. 8. This act shall be liberally construed to the end that the system of state colleges hereby established may at all times contribute to the industrial, educational and social welfare of the State of California."

Bill ordered to print, and re-referred to Committee on Universities and Teachers Colleges.

CONSIDERATION OF DAILY FILE.

SECOND READING OF ASSEMBLY BILLS.

Assembly Bill No. 346—An act to amend sections 258, 261 and 261a of the Code of Civil Procedure, relating to employees of the superior court in counties or cities and counties having a population of 900,000 inhabitants and over.

Bill read second time, and ordered on file for third reading.

Assembly Bill No. 396—An act to amend section 131 of the Code of Civil Procedure, relating to the incidental expenses of probation officers and deputy probation officers.

Bill read second time, and ordered on file for third reading.

Assembly Bill No. 460—An act to add a new section to be numbered 26a, to an act entitled "The Road District Improvement Act of 1907," approved March 21, 1907, as amended, to provide a method of adjusting errors and other errors in accounts of incidental expenses.

Bill read second time, and ordered on file for third reading.

Assembly Bill No. 1077—An act to amend section 4149a of the Political Code, relating to the duties of county live stock inspector.

Bill read second time, and ordered on file for third reading.

Assembly Bill No. 1282—An act to add a new section to be numbered 9a16 to the act entitled "An act to provide for the establishment and maintenance of county free libraries in the State of California, and repealing an act entitled 'An act to provide county library systems approved April 12, 1909, and all acts and parts of acts in conflict with this act,' " approved February 25, 1911, as amended, relating to libraries in counties of the sixteenth class.

Bill read second time, and ordered on file for third reading.

Assembly Bill No. 1544—An act to amend section 4017 of the Political Code, relating to consolidation of county offices.

Bill read second time, and ordered on file for third reading.

Assembly Bill No. 334—An act to amend section 4241 of the Political Code, relating to compensation of officers and employees in counties of the twelfth class.

Bill read second time, and ordered on file for third reading.

Assembly Bill No. 1376—An act providing for the investigation, inspection, control and eradication of disease in poultry and live stock in counties, and for the appropriation and the expenditure of money therefor; and for agreements between counties and with the Department of Agriculture for such purposes.

Bill read second time, and ordered on file for third reading.

Assembly Bill No. 233—An act to add a new section to be numbered 11a to an act entitled "An act to provide for the formation, management and dissolution of county waterworks districts; for supplying the inhabitants thereof with water; for levying and collecting taxes on property in such districts; and for the issuance of county waterworks district bonds and the payment thereof," approved June 13, 1913, Statutes 1913, chapter 370, page 785, relating to the power of the governing board to order emergency repairs.

Bill read second time, and ordered on file for third reading.

Assembly Bill No. 241—An act to amend section 11 of an act entitled "An act to be known as the Juvenile Court Law, and concerning persons under the age of 21 years; and in certain cases providing for their care, custody and maintenance; providing for the probationary treatment of such persons, and for the commitment of such persons to the Whittier State School and the Preston School of Industry, the California School for Girls, and other institutions; establishing probation officers and a probation committee to deal with such persons and fixing the salary thereof; providing for the establishment of detention homes for such persons; fixing the method of procedure and treatment or commitment where crimes have been committed by such persons; providing for the punishment of those guilty of offenses with reference to such persons, and defining such crimes; and repealing the Juvenile Court Law approved March 8, 1909, as amended by an act approved April 5, 1911, and as amended by an act approved June 16, 1913, and all amendments thereof and all acts or parts of acts inconsistent herewith," approved June 5, 1915, as amended, requiring counties to pay the State in the semiannual settlements with the Controller and for the proper part of each month.

Bill read second time, and ordered on file for third reading.

CONSIDERATION OF DAILY FILE.

THIRD READING OF SENATE BILLS.

Senate Bill No. 363—An act to protect persons and property against danger from fire and explosion in oil wells by providing for the location of wells in relation to the outer boundary lines of the property, streets, roads and highways and other wells.

Bill read third time.

MOTION TO REFER TO SPECIAL COMMITTEE OF ONE.

During third reading of the bill, Senator Sharkey moved to refer Senate Bill No. 363 to Senator Clock, as a Special Committee of One, to amend as follows:

AMENDMENT NUMBER ONE.

On page 1, lines 8 and 9, of the printed bill, as amended, after the word "well", strike out the following: "theretofore drilled and which is producing petroleum oil or gas or both," and insert in lieu thereof the following: "being drilled, or within one hundred fifty feet of a well theretofore drilled which is producing petroleum oil or gas or both or within one hundred fifty feet of a well which has been drilled and is not producing petroleum oil or gas or both but which is capable of producing petroleum oil or gas or both."

AMENDMENT NUMBER TWO.

On page 2 of the printed bill, as amended, strike out lines 8 to 16, inclusive, and insert in lieu thereof the following paragraph to follow line 7 of the printed bill, as amended:

"The provisions of this act shall not apply to any field producing petroleum oil or gas on the date this act becomes effective."

Motion carried.

REPORT OF SPECIAL COMMITTEE OF ONE.

SENATE CHAMBER, SACRAMENTO, April 21, 1931.

MR. PRESIDENT: Your Special Committee of One, to which was referred Senate Bill No. 363, with instructions to amend, respectfully reports the same back, amended as per instructions.

CLOCK, Committee.

Report read, and on motion of Senator Sharkey adopted.

Bill ordered to print, and re-engrossment.

Senate Bill No. 449—An act to amend sections 6.470, 6.470-1, 6.470-2, 6.472, 6.473, 6.476 and 6.477 of the School Code, relating to the purchase of standard school supplies by the county superintendent of schools.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Senate Bill No. 449 passed by the following vote:

AYES—Senators Allen, Baker, Breed, Carter, Cassidy, Clock, Duval, Harper, Hays, Ingels, Maloney, McKinley, Nelson, Riley, Rochester, Sharkey, Slater, Swing, Treacy, Williams, and Young—21.

NOES—Senators Bush, Christian, Crittenden, Deuel, Inman, McCormack, Mixer, Moran, Rich, and Schottky—10.

Title read and approved.

Bill ordered transmitted to the Assembly.

Senate Bill No. 709—An act to amend section 4239 of the Political Code, relating to compensation of county and township officers in counties of the tenth class.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Senate Bill No. 709 passed by the following vote:

AYES—Senators Allen, Baker, Breed, Bush, Carter, Cassidy, Christian, Clock, Crittenden, Deuel, Duval, Harper, Hays, Ingels, Inman, Jones, Maloney, McCormack, Mixer, Moran, Rich, Riley, Rochester, Schottky, Sharkey, Slater, Swing, Treacy, Wag, and Williams—29.

NOES—None.

Title read and approved.

Bill ordered transmitted to the Assembly.

Senate Bill No. 737—An act to amend section 2322x24 of the Political Code, relating to the office of agricultural commissioner in counties of the twenty-fourth class.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Senate Bill No. 737 passed by the following vote:

AYES—Senators Allen, Baker, Breed, Bush, Carter, Cassidy, Christian, Clock, Crittenden, Deuel, Duval, Harper, Hays, Ingels, Inman, Jones, Maloney, McCormack, Mixer, Moran, Nelson, Rich, Riley, Rochester, Schottky, Sharkey, Slater, Swing, Treacy, Wag, and Williams—31.

NOES—None.

Title read and approved.

Bill ordered transmitted to the Assembly.

Senate Bill No. 739—An act to amend section 16x24 of the Weights and Measures Act, relating to sealers of weights and measures in counties of the twenty-fourth class.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Senate Bill No. 739 passed by the following vote:

AYES—Senators Allen, Baker, Breed, Bush, Carter, Cassidy, Christian, Clock, Crittenden, Deuel, Duval, Harper, Hays, Ingels, Inman, Jones, Maloney, McCor-

mack, Mixter, Moran, Nelson, Pedrotti, Rich, Riley, Rochester, Schottky, Sharkey, Slater, Swing, Treacy, Wagy, and Williams—32.

NOES—None.

Title read and approved.

Bill ordered transmitted to the Assembly.

Senate Bill No. 740—An act to amend section 4253 and to repeal section 4252a of the Political Code, relating to compensation of county and township officers in counties of the twenty-fourth class; and to repeal section 9a19 of chapter 68, Statutes of 1911, entitled "An act to provide for the establishment and maintenance of county free libraries in the State of California, and repealing 'An act entitled "An act to provide county library systems," approved April 12, 1909, and all acts and parts of acts in conflict with this act.'"

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Senate Bill No. 740 passed by the following vote:

AYES—Senators Allen, Baker, Breed, Bush, Carter, Cassidy, Christian, Clock, Crittenden, Deuel, Duval, Harper, Hays, Ingels, Inman, Jones, Maloney, McCormack, McKinley, Mixter, Moran, Nelson, Pedrotti, Rich, Riley, Rochester, Schottky, Sharkey, Slater, Swing, Treacy, Wagy, Williams, and Young—34.

NOES—None.

Title read and approved.

Bill ordered transmitted to the Assembly.

Senate Bill No. 362—An act to prohibit the production of crude petroleum oil so as to constitute waste; to define waste; to provide for a determination of waste and the allocation of production to the several sources of supply and the several properties therein and to provide penalties for a violation of said law.

Bill read third time.

MOTION TO REFER TO SPECIAL COMMITTEE OF ONE.

During third reading of the bill, Senator Sharkey moved to refer Senate Bill No. 362 to Senator Clock, as a Special Committee of One, to amend as follows:

AMENDMENT NUMBER ONE.

On page 2 of the printed bill, as amended, strike out lines 27 to 49, inclusive; on page 3 of the printed bill, as amended, strike out lines 1 to 52, inclusive; and on page 4 of the printed bill, as amended, strike out lines 1 to 13, inclusive, and insert in lieu thereof the following:

"SEC. 3. There is hereby created the oil conservation commission, which shall consist of five (5) members, one of whom shall be elected for each of the five districts into which the state is divided by the provisions of section 10 of an act of the State of California entitled "An act to protect the natural resources of petroleum and gas from waste and destruction; relating to the creation of a division in the department of natural resources for the prevention of such waste and destruction; providing for the appointment of a state oil and gas supervisor; prescribing his duties and powers; fixing his compensation; providing for the appointment of deputies and employees; providing for their duties and compensation; providing for the inspection of petroleum and gas wells; requiring all persons operating petroleum and gas wells to make certain reports; permitting and authorizing agreements in the interests of conservation; providing for suits by the director of the department of natural resources in the name of the people of the State of California; providing procedure for arbitration of departmental rulings; creating a fund for the purposes of the act; providing for assessment of charges to be paid by operators and providing for the collection thereof; and making an appropriation for the purposes of this act," approved June 10, 1915, chapter 718; amended 1917, chapter 759; amended 1919, chapter 536; amended 1921, chapter 912; amended 1929, chapter 535; as follows:

Within thirty (30) days after this act becomes effective a meeting shall be called and held in each of said districts, respectively, at a place to be determined by the

state oil and gas supervisor. At each of such meetings a member of the oil conservation commission for the district in which such meeting is held shall be elected by ballot by a plurality vote of the persons, corporations, copartnerships and associations entitled to vote for district oil and gas commissioners within such district, as provided by said section 10 of said act above referred to, each of whom shall be entitled to one vote. The place and time and details of such meetings, respectively, shall be fixed by the state oil and gas supervisor and at least two weeks' previous notice thereof shall be given by such supervisor by letter addressed to each of said persons, corporations, copartnerships and associations entitled to vote, as aforesaid, at his or its post-office address or principal place of business. At each such meeting each of those entitled to vote, as hereinabove provided, may be represented by one person holding the written authority of such voter to act for him at such meeting.

The members first elected for districts No. 1 and No. 2, as defined in said section 10, shall serve until the third Monday in September, in 1933; the members elected for districts No. 3 and No. 4, as defined in said section 10, shall serve until the third Monday in September, in 1934; and the member elected for district No. 5, as defined in said section 10, shall serve until the third Monday in September, in 1935; and thereafter until their respective successors are elected or appointed and qualified. The successors of all members shall thereafter serve for terms of four years each and until their successors are elected or appointed and qualified and shall each be elected on the third Monday in September of the year in which his term of office expires, at the meeting held for the election of district oil and gas commissioners in the district for which his predecessor was elected. The notice of each such meeting shall state that a member of the oil conservation commission is to be elected thereat and the election shall be held in the same manner as hereinabove specified for the election of the first members.

The chairman and secretary of each such meeting shall issue a written certificate to the state oil and gas supervisor, setting forth the results of the election and the name and address of the person elected as such member for said district, and such supervisor in turn shall notify each person so elected of his election and shall certify the same to the secretary of state of the State of California.

Each person so elected shall, within thirty (30) days after notice of his election, as aforesaid, qualify by taking oath of office and by filing the same with the secretary of state, as required by law.

In case of vacancy, the remaining members of the oil conservation commission shall appoint a person to serve until the next regular meeting called and held for the election of district oil and gas commissioners in the district for which the member whose office has become vacant served. The notice of such meeting shall state the fact of such vacancy and that a member of the oil conservation commission is to be elected thereat to fill such vacancy, and at such meeting the vacancy shall be filled by an election held in the same manner as hereinabove specified for the election of the first members, and the result of such election shall be certified and all subsequent proceedings taken as hereinabove specified for the regular election and qualification of members.

The state oil and gas supervisor shall be ex officio secretary of said commission and shall keep a record of its proceedings, and his office shall be the office of said commission. The powers and duties of such commission shall be as hereinafter set forth. Said commission shall have power to appoint such deputies and to employ such legal, technical, clerical and other assistants as may be necessary to enable it to perform its duties under this act and shall fix their compensation with the approval of the director of finance, which, together with all reasonable and necessary costs and charges of the enforcement of this act, shall be payable out of the petroleum gas fund hereinafter referred to.

Immediately upon the commencement of the respective terms of office of the oil conservation commissioners the state oil and gas supervisor shall call the first meeting thereof, giving at least five (5) days' written notice to each commissioner of the time and place thereof. At such meeting the said commissioner shall appoint a chairman and such officers other than secretary as it shall deem necessary and shall adopt rules and regulations for the conduct of its meetings.

The oil conservation commissioner elected for any district hereunder may be recalled from office in the following manner: Upon the filing in the office of the state oil and gas supervisor of a written petition, signed by not less than forty per cent (40%) of the voters entitled to vote on the election of such member, as hereinabove set forth, for such district, asking the recall of such member, said supervisor shall forthwith examine and verify the signatures to such petition, and if he shall find the same sufficient he shall, within ten (10) days from the date of the filing of such petition, give written notice to all of the voters entitled to vote for the election of such member of a meeting for a special election to be held at a place within the district for which such member was elected, and at a time, designated by said supervisor in such notice. Such notice shall be given at least two (2) weeks prior to the day fixed for such election, and shall be by letter addressed to each of the persons, corporations, copartnerships and associations entitled to vote for such member, as aforesaid, at his or its post-office address or principal place of business. Such election shall be held in the same manner as a regular election for a member for such district except that the election shall be for the unexpired portion of the term

for which such member was originally elected, and any other candidates may at the same time be voted upon with such member. It shall require a majority of the votes of all the voters entitled to vote for the election of such member to office to elect any candidate for such unexpired portion in his place. In the event no candidate other than such member shall receive a majority of all such votes, such recall shall be deemed to have failed and such member shall continue to serve until the expiration of said term as if no such election had been held. In case any candidate other than such member shall receive a majority of such votes at such election, then such recall shall be deemed to have become effective, and the candidate so receiving such majority of votes shall be deemed elected to such office for such unexpired portion of said term. The chairman and secretary of the meeting at which such election shall be so held shall issue a written certificate to the state oil and gas supervisor setting forth the results of such election, and, if a new member is elected, the name and address of the person so elected. If a new member is so elected said supervisor shall notify him of his election, and shall certify the same to the secretary of state of the State of California. Each person so elected shall qualify as required by law and shall thenceforth be the member of the commission for the district in which such election was held."

AMENDMENT NUMBER TWO.

On page 5, lines 19 and 20, of the printed bill, as amended, after the word "held", strike out the words "within the county where the field is located".

AMENDMENT NUMBER THREE.

On page 5, line 26, of the printed bill, as amended, strike out the period after the word "hearing", insert a comma in lieu thereof and the following: "provided, that each operator shall be permitted to present the testimony relating to the alleged waste committed on his property in the county in which his property is located."

AMENDMENT NUMBER FOUR.

On page 6, lines 38 and 39, of the printed bill, as amended, after the word "properties", strike out the following: "and their recoverable oil content", and after the comma following the word "content", which has been stricken out, insert the following: "the relative accessible oil reserves at the times of allocation,".

Motion carried.

REPORT OF SPECIAL COMMITTEE OF ONE.

SENATE CHAMBER, SACRAMENTO, April 21, 1931.

MR. PRESIDENT: Your Special Committee of One, to which was referred Senate Bill No. 362, with instructions to amend, respectfully reports the same back, amended as per instructions.

CLOCK, Committee.

Report read, and on motion of Senator Sharkey adopted.

Bill ordered to print, and re-engrossment.

Senate Bill No. 689—An act to amend sections 3463, 3464, 3465 and 3466 of the Political Code, relating to reclamation districts.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Senate Bill No. 689 passed by the following vote:

AYES—Senators Allen, Baker, Breed, Bush, Carter, Cassidy, Christian, Clock, Crittenden, Denel, Duval, Fellom, Harper, Hays, Ingels, Inman, Jones, Maloney, McCormack, McKinley, Mixer, Moran, Pedrotti, Rich, Riley, Rochester, Schottky, Sharkey, Slater, Swing, Treacy, Wagy, and Williams—33.

NOES—None.

Title read and approved.

Bill ordered transmitted to the Assembly.

Senate Bill No. 547—An act to amend section 159 of the California Vehicle Act, relating to the Motor Vehicle Fund.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Senate Bill No. 547 passed by the following vote:

AYES—Senators Allen, Baker, Breed, Bush, Cassidy, Christian, Crittenden, Deuel, Duval, Evans, Fellom, Harper, Hays, Ingels, Inman, Jones, Maloney, McKinley, Mixter, Moran, Pedrotti, Rochester, Schottky, Sharkey, Slater, Swing, Treacy, Wag, and Williams—29.

NOES—None.

Title read and approved.

Bill ordered transmitted to the Assembly.

Senate Bill No. 83—An act to prohibit the employment of aliens by contractors and subcontractors on all public work, except in certain cases of extraordinary emergency, providing for the reporting of such cases of extraordinary emergency and the keeping of records of the citizenship of workers employed upon public work and the inspection of such records by the proper officials, providing for a forfeiture for each calendar day or portion thereof any alien is permitted to work on public work and for a stipulation to this effect in the contract, and providing other penalties for violation of the provisions thereof.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Senate Bill No. 83 passed by the following vote:

AYES—Senators Allen, Baker, Breed, Bush, Cassidy, Christian, Clock, Crittenden, Deuel, Duval, Fellom, Harper, Hays, Ingels, Inman, Jones, Maloney, McKinley, Mixter, Moran, Pedrotti, Rich, Riley, Rochester, Schottky, Sharkey, Slater, Swing, Treacy, Wag, Williams, and Young—32.

NOES—None.

Title read and approved.

Bill ordered transmitted to the Assembly.

CONSIDERATION OF DAILY FILE.

UNFINISHED BUSINESS FILE.

Senate Bill No. 311—An act to provide for the impounding and utilization of the waters of the American River for flood control, river flow control and equation, domestic use, irrigation, reclamation, power development, or any one or more of such or other public uses; authorizing the State Department of Finance to acquire for the State property useful in connection therewith; defining the powers and duties of State officers and departments and of public and private agencies in relation thereto; authorizing the leasing of property of the State for any one or more of such uses and specifying certain terms and conditions to which said lease shall be subject.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Senate Bill No. 311 passed by the following vote:

AYES—Senators Allen, Baker, Breed, Bush, Cassidy, Christian, Clock, Crittenden, Deuel, Duval, Edwards, Evans, Fellom, Harper, Hays, Ingels, Inman, Jones, Maloney, McKinley, Mixter, Moran, Pedrotti, Rich, Riley, Rochester, Schottky, Sharkey, Slater, Tubbs, Wag, Williams, and Young—33.

NOES—None.

Title read and approved.

Bill ordered transmitted to the Assembly.

CONSIDERATION OF DAILY FILE.

THIRD READING OF SENATE BILLS—(RESUMED).

Senate Bill No. 887—An act to amend section 4267 of the Political Code, relating to compensation of county and township officers in counties of the thirty-eighth class.

Bill read third time.

SECRETARY JOSEPH A. BEEK AT THE DESK.

MOTION TO REFER TO SPECIAL COMMITTEE OF ONE.

During third reading of the bill, Senator Moran moved to refer Senate Bill No. 887 to Senator Rich, as a Special Committee of One, to amend as follows:

AMENDMENT NUMBER ONE.

On page 3 of the printed bill, strike out lines 9 and 10, and insert in lieu thereof the following:

"12. The county surveyor shall receive a salary".

AMENDMENT NUMBER TWO.

On page 3, line 25, of the printed bill, after "month.", insert the following: "For the purposes of this section, the population of townships in counties of this class is hereby determined to be the population of such townships as shown by the federal census taken in the year 1920."

AMENDMENT NUMBER THREE.

On page 3, line 40, of the printed bill, after "actions.", insert the following: "For the purposes of this section, the population of townships in counties of this class is hereby determined to be the population of such townships as shown by the federal census taken in the year 1920."

AMENDMENT NUMBER FOUR.

On page 4 of the printed bill, after line 13, insert as a new paragraph the following:

"SEC. 2. Section 4267a of the Political Code is hereby repealed."

Motion carried.

REPORT OF SPECIAL COMMITTEE OF ONE.

SENATE CHAMBER, SACRAMENTO, April 21, 1931.

MR. PRESIDENT: Your Special Committee of One, to which was referred Senate Bill No. 887, with instructions to amend, respectfully reports the same back, amended as per instructions.

RICH, Committee.

Report read, and on motion of Senator Moran adopted.

Bill ordered to print, and re-engrossment.

Senate Bill No. 402—An act to promote the development of the egg industry in California, to prohibit the sale of eggs unfit for human food, to provide standards of quality and weight for the sale of eggs, to provide for proper labeling of all eggs displayed for sale to the consumer, to protect the consuming public by preventing deception in the sale of eggs, providing penalties for the violation of the provisions of this act, and repealing all acts or parts of acts in conflict herewith.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Senate Bill No. 402 passed by the following vote:

AYES—Senators Allen, Baker, Breed, Bush, Carter, Cassidy, Christian, Clock, Crittenden, Deuel, Duval, Edwards, Evans, Fellom, Harper, Hays, Ingels, Inman, Jones, Maloney, McCormack, McKinley, Mixter, Moran, Rich, Riley, Schottky, Sharkey, Slater, Tubbs, Waggy, Williams, and Young—33.

NOES—None.

Title read and approved.

Bill ordered transmitted to the Assembly.

Senate Bill No. 584—An act to amend sections 2, 3, 4, 5, 6, 7, 8, 9, 10, 12, 12a, 13, 14, 15, 16, 18, 19, 20, 21, and to add a new section to be numbered 24 to chapter 845, Statutes 1927, "An act to regulate the occupations and practices of hairdressers and cosmeticians, cosmetologists, and the branches of cosmetology; to create the State Board of Cosmetology, and to provide for the issuance by said board of certificates of registration and licenses entitling the holders thereof to engage in and to teach such occupations and practices; to insure the better education of hairdressers and cosmeticians; to provide for rules regulating the proper conduct and sanitation of cosmetological establishments, schools of cosmetology, and places where the occupations of hairdressers and cosmeticians are practiced; prescribing penalties for the violation of the provisions of this act," approved by the Governor, May 31, 1927.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Senate Bill No. 584 passed by the following vote:

AYES—Senators Allen, Baker, Breed, Bush, Cassidy, Christian, Clock, Crittenden, Deuel, Duval, Fellom, Harper, Hays, Ingels, Jones, Maloney, McCormack, McKinley, Mixer, Moran, Rich, Riley, Schottky, Sharkey, Slater, Swing, Tubbs, Waggy, Williams, and Young—30.

NOES—None.

Title read and approved.

Bill ordered transmitted to the Assembly.

SENATE CONCURRENT RESOLUTION No. 28.

Relating to a survey and an estimate of the cost of reconstructing the committee rooms in the State Capitol building.

WHEREAS, The committee rooms in the State Capitol building are entirely inadequate to meet the present needs of the Legislature when any considerable number of people are present; and

WHEREAS, The poor and insufficient lighting and total absence of any ventilating system make confinement in committee rooms for any period of time extremely fatiguing, and create a serious menace to the health and welfare of committee members and spectators in attendance at committee meetings; and

WHEREAS, It is unjust and unfair to the members of the Legislature and their constituents who attend committee meetings to allow such a condition to continue; now, therefore, be it

Resolved by the Senate, the Assembly concurring, That the Chief of the Bureau of Building and Grounds, the State Architect and the Director of Finance be, and they are hereby directed to make a survey and an estimate of the cost of reconstruction of the committee rooms in the State Capitol building, with particular reference to proper ventilation and lighting, and report their findings to the Legislature.

Resolution read.

The question being on the adoption of the resolution.

The roll was called, and Senate Concurrent Resolution No. 28 adopted by the following vote:

AYES—Senators Allen, Baker, Breed, Bush, Carter, Cassidy, Clock, Crittenden, Deuel, Duval, Edwards, Evans, Fellom, Hays, Ingels, Inman, Jones, Maloney, McCormack, McKinley, Mixer, Moran, Pedrotti, Rich, Riley, Schottky, Sharkey, Slater, Swing, Tubbs, Waggy, Williams, and Young—33.

NOES—None.

Senate Concurrent Resolution No. 28 ordered transmitted to the Assembly.

Senate Bill No. 812—An act to amend section 3480 of the Political Code, relating to the issuance of bonds in reclamation districts and the calling of special elections for that purpose.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Senate Bill No. 812 passed by the following vote:

AYES—Senators Allen, Baker, Breed, Bush, Carter, Cassidy, Christian, Clock, Crittenden, Deuel, Duval, Edwards, Fellom, Harper, Hays, Ingels, Inman, Maloney, McCormack, McKinley, Mixer, Moran, Rich, Riley, Schottky, Sharkey, Slater, Swing, Tubbs, Wagy, and Young—31.

NOES—None.

Title read and approved.

Bill ordered transmitted to the Assembly.

CONSIDERATION OF DAILY FILE.

SECOND READING OF ASSEMBLY BILLS—(RESUMED).

Assembly Bill No. 53—An act making appropriations for the support of the government of the State of California and for several public purposes in accordance with the provisions of section 34 of article IV of the constitution of the State of California, approved and adopted by the people at the general election held November 7, 1922, declaring the urgency thereof, and providing that this act shall take effect immediately.

Bill read third time.

URGENCY CLAUSE.

SEC. 8. This act, inasmuch as it provides for an appropriation for the usual current expenses of the State, shall, under the provisions of section 1, of article IV of the constitution of the State of California, take effect immediately.

Urgency clause read.

The question being on the adoption of the urgency clause.

The roll was called, and the urgency clause adopted by the following vote:

AYES—Senators Allen, Baker, Breed, Bush, Carter, Cassidy, Christian, Crittenden, Deuel, Edwards, Evans, Fellom, Harper, Ingels, Inman, Jones, Maloney, McCormack, McKinley, Mixer, Moran, Rich, Riley, Schottky, Sharkey, Slater, Swing, Tubbs, Wagy, Williams, and Young—31.

NOES—None.

The question being on the passage of the bill.

The roll was called, and Assembly Bill No. 53 passed by the following vote:

AYES—Senators Allen, Baker, Breed, Bush, Carter, Cassidy, Christian, Crittenden, Deuel, Edwards, Evans, Fellom, Harper, Ingels, Inman, Jones, Maloney, McCormack, McKinley, Mixer, Moran, Rich, Riley, Schottky, Sharkey, Slater, Swing, Tubbs, Wagy, and Young—30.

NOES—Senator Williams—1.

Title read and approved.

Bill ordered transmitted to the Assembly.

PETITION.

The following petition was presented, and on motion of Senator Maloney ordered printed in the Journal:

SOUTHERN CIVIC CLUBS,
SAN FRANCISCO, CALIFORNIA.

RESOLUTION.

WHEREAS, His Excellency, Governor James Rolph, Jr., in full realization of the importance of executing the important office of Governor impartially and beneficial to all sections of California, has adopted the most modern method of transportation for the purpose of personally supervising and executing official business relative to this office; and

WHEREAS, It is the desire of this organization that these policies should be encouraged and continued; and

WHEREAS, Aviation has progressed to a degree of safety and is an essential factor in modern transportation; now, therefore, be it

Resolved, That the forty-ninth session of the California Legislature be requested to appropriate sufficient funds to purchase, for His Excellency, Governor James Rolph, Jr., an airplane to be used exclusively by him for official business; now, therefore, be it further

Resolved, That a copy of this resolution be forwarded to Hon. Thomas A. Maloney to be introduced by him at the forty-ninth session of the California Legislature assembled.

WILBUR W. RAISNER, President.
By FRED A. STEINMANN, Secretary.

RECESS.

On motion of Senator Breed, at twelve o'clock and forty minutes p.m., the President of the Senate declared recess until two o'clock p.m.

RECONVENED.

At two o'clock p.m., the Senate reconvened.

Lieutenant Governor Frank F. Merriam, President of the Senate, in the chair.

Secretary Joseph A. Beek at the desk.

MESSAGE FROM THE ASSEMBLY.

The following message from the Assembly was received and read:

ASSEMBLY CHAMBER, SACRAMENTO, April 20, 1931.

MR. PRESIDENT: I am directed to inform your honorable body that the Assembly on this day adopted the report of the Committee on Free Conference concerning Assembly Bill No. 487—An act to amend section 8 of an act entitled "An act to regulate the practice of architecture," approved March 23, 1901, as amended, relating to the State Board of Architectural Examiners.

ARTHUR A. OHNIMUS, Chief Clerk.
By C. W. BOOTH, Assistant Clerk.

REPORTS OF STANDING COMMITTEES—(RESUMED).

The following reports of standing committees were received and read:

ON FINANCE.

SENATE CHAMBER, SACRAMENTO, April 21, 1931.

MR. PRESIDENT: Your Committee on Finance, to which was referred Senate Bill No. 942—An act relating to citrus fruit fairs and expositions and providing that such fairs and expositions shall be entitled to receive and participate in the benefits and aid provided for agricultural fairs in and by the act entitled "An act to form agricultural districts, to provide for the formation, organization and powers, of agricultural associations therein and for the management and control of the same by the State, and repealing all acts and portions of acts in conflict with this act," approved April 17, 1900—has had the same under consideration, and respectfully reports the same back, and recommends that it do pass.

Committee membership—18; committee vote: Ayes—18.

SWING, Chairman.

Senate Bill No. 942 ordered on file for second reading.

Also:

MR. PRESIDENT: Your Committee on Finance, to which was referred Senate Constitutional Amendment No. 17—A resolution to propose to the people of the State of California an amendment to section 23a of article IV of the constitution of said state, relating to officers, employees and attaches—has had the same under consideration, and respectfully reports the same back, and recommends that same be adopted.

Committee membership—18; committee vote: Ayes—18.

SWING, Chairman.

Senate Constitutional Amendment No. 17 ordered on file.

Also:

MR. PRESIDENT: Your Committee on Finance, to which was referred Senate Bill No. 270—An act to add a new section to chapter 808, Statutes of 1927, entitled "American River Flood Control District Act," as amended, to be numbered 18b,

making an appropriation in the sum of \$20,000 to defray the expenses of the district and providing that said appropriation shall be returned to the State, and relating to the manner of repayment and containing a provision declaring this act to be an emergency measure stating the facts constituting such emergency, and providing this act shall take effect immediately upon its passage—has had the same under consideration, and respectfully reports the same back with amendments, and recommends that the amendments be adopted, and the bill be re-referred to this committee.

Committee membership—18; committee vote: Ayes—18.

SWING, Chairman.

CONSIDERATION OF COMMITTEE AMENDMENTS.

Pursuant to the report of the Committee on Finance, the following amendments to Senate Bill No. 270 were read and adopted:

AMENDMENT NUMBER ONE.

In line 1 of the title of the printed bill, as amended in Senate March 25, 1931, strike out the words "add a new section to", and insert in lieu thereof the word "amend".

AMENDMENT NUMBER TWO.

In line 4 of the title of the printed bill, as amended in Senate March 25, 1931, after the comma following the word "amended", insert the following: "by amending section 2 thereof relating to the objects and purposes of the act and to the powers of the district, and section 17 relating to the levy and collection of assessments, and by adding a new section thereto."

AMENDMENT NUMBER THREE.

On page 1, line 1, of the printed bill, as amended in Senate March 25, 1931, insert the following:

"SECTION 1. Section 2 of said act is hereby amended to read as follows:

Sec. 2. The objects and purposes of this act are to provide, to the extent that the board of directors of said district may deem expedient and/or economical, for the control and disposition of the storm and flood waters of said district and to that end the American river flood control district is hereby declared to be a body corporate and politic and as such shall have power:

- (a) To have perpetual succession.
- (b) To sue and be sued in the name of said district in all actions and proceedings in all courts and tribunals of competent jurisdiction.
- (c) To adopt a seal and alter it at pleasure.
- (d) To take by grant, purchase, gift, devise or lease; to hold, use, enjoy, sell, and/or contract to sell, lease, and/or dispose of real, personal, and/or mixed property of every kind within or without the district necessary, expedient or advantageous to the full exercise and economic enjoyment of its purposes.
- (e) To acquire or contract to acquire lands, rights of way, easements, privileges or property of every kind within or without the district, and construct, maintain and operate any and all works and improvements within or without the district necessary, convenient or proper to carry out any of the provisions, objects or purposes of this act, and to complete, extend, add to, repair, or otherwise improve any works or improvements acquired by it as herein authorized.
- (f) To have and exercise the right of eminent domain, and in the manner provided by law for the condemnation of private property for public use by the state, any political subdivision or district thereof.
- (g) To construct, maintain, repair and operate all levees, bulkheads, walls of rock or other material, pumps, dams, channels, conduits, pipes, ditches, canals, reservoirs, tunnels, drains, poles, posts, wires, lamps, power plants, railroads, dredgers and all other auxiliary, incidental, necessary or convenient agencies, work or improvements that may be required to carry out, facilitate, repair, maintain and/or complete the same.
- (h) To incur indebtedness, and to issue bonds in the manner herein provided and to provide for the issuance of warrants of the district in payment of district obligations and the registration of any warrants not paid for want of funds and the rate of interest such warrants shall bear after registration and until such payment.
- (i) To cause assessments to be levied and collected for the purpose of paying any obligations of the district in the manner hereinafter provided.
- (j) To appoint and employ such engineers, attorneys, assistants and other employees as may be necessary and fix their compensation, including, if it deem advisable, a clerk, superintendent of work, assessor, treasurer and collector and define their powers and duties, and fix and determine the amount of bond required of each appointee and pay the premium on each such bond; which said officers and employees and each of them shall serve at the pleasure of the board of trustees of said district. Said board shall have the power to combine any two or more offices in its discretion.
- (k) To establish and fix the boundaries of zones in said district as in this act hereinafter provided; to make transfers of money from the general fund of said

district to any special fund and to create and administer such special funds as in their discretion may seem advisable; to create and administer revolving funds to facilitate and assist in the carrying on and completing of such acquisitions, works, and improvements provided for herein, and to do any and all things necessary or incidental to the accomplishment of the things which are permitted to be done under this act.

(l) To make and enter into contracts with the United States of America, the State of California, any political subdivision, county, municipality, district, agency or mandatory of the State of California or of the United States and any department, board, bureau or commission of the State of California or the United States of America, and/or any person, firm, association or corporation, jointly and/or severally, for the acquisition of property or rights and/or the construction, maintenance and/or operation in whole or in part of any and/or all works and/or improvements provided in this act.

(m) To lease and/or rent to or from any of the parties named in subdivision (l) of this section any property or rights necessary, in the opinion of the board of trustees of said district, to accomplish or carry out any of the work or improvement or the maintenance thereof herein provided and under such terms and conditions as may be agreed upon between the parties.

(n) To receive and accept any and all contributions in labor, materials or money from any of the parties named in subdivision (l) of this section, to be applied to the work or improvement herein provided for."

SEC. 2. Section 17 of said act is hereby amended to read as follows:

SEC. 17. The board of trustees of such district shall at the time for fixing the general tax levy for county purposes and in the manner of such general tax levy provided, levy and collect annually each year until said bonds are paid or until there shall be a sum in the treasury of such district set apart for that purpose to meet all sums coming due for principal and interest on said bonds, a tax sufficient to pay the annual interest on said bonds and also such part of the principal thereof as shall become due before the time for fixing the next general tax levy in which tax may be included a sum sufficient, in the judgment of the board of trustees, to take care of anticipated delinquencies; *provided, however*, that if the maturity of the indebtedness created by the issuance of bonds be made to begin more than one year after the date of issuance thereof, such tax shall be levied and collected at the time and in the manner aforesaid, annually each year, in an amount sufficient to pay the interest on said indebtedness as it falls due and also to constitute a sinking fund for the redemption thereof on or before maturity. The tax herein required to be levied and collected shall be in addition to all other taxes levied for the district purposes and shall be collected at the time and in the same manner as other district taxes are collected, and be used for no other purpose than the payment of said bonds and accruing interest.

Such tax shall be levied solely upon the lands within the district including any land which is the operative property of any public utility and excluding any lands belonging to any county municipality, or political subdivision within said district, or lands belonging to the State of California or the United States of America; *provided, however*, that nothing herein contained shall be deemed to exempt from assessment the lands of any political subdivision the corporate boundaries of which are wholly outside the boundaries of said district, and all such lands of any such political subdivision shall be subject to the taxes herein provided to be levied with the same force and effect as though such lands were held by private individuals.

If the district has been divided into zones and the percentage of the amount to be raised for the redemption of principal and interest of said bonds from each such zone has been determined as provided in this act, the said amount of said tax levied shall be divided according to said percentage, and the percentage to be raised from the lands within each zone shall be levied upon and against the property in such zone as hereinbefore provided.

The board of trustees may elect to avail itself of the assessment made by the assessor of the county of Sacramento and may take such assessment as the basis for district taxes and have its taxes collected by the county officials of such county; *provided*, the board of trustees shall declare its said election by resolution and file a certified copy of the same with the auditor of Sacramento county on or before the first day of August, and such board of trustees shall likewise file with such resolution a certified copy of the map or plat showing the zones and the percentages of the amount to be raised from each zone. Thereafter each year until otherwise provided by the board of trustees, all assessments shall be made and taxes collected for such district by the county assessor and tax collector, respectively, of said county of Sacramento. In such case, the auditor of such county must, on or before the second Monday of August of each year, transmit to the board of trustees of the district a statement in writing showing the total value of all property within the district, which value shall be ascertained from the assessment book of such county for that year as equalized and corrected by the board of supervisors of said county; and which said statement shall also show the total value of all property in each of the said zones respectively.

All land situated within said district and subject to assessment and/or taxation for district purposes, and not included on said county rolls for taxation for county

purposes, shall immediately upon the effective date of this act be placed upon and thereafter carried on said rolls, and the assessed valuation of said lands shall be determined and fixed by said county assessor and the amount of such assessed valuation corrected and equalized by said board of supervisors at the same time or times and in the same manner as the assessed valuation of other lands upon said assessment rolls are fixed, determined, corrected and equalized by said county officials."

AMENDMENT NUMBER FOUR.

On page 2, line 3, of the printed bill, as amended in Senate March 25, 1931, strike out the following: "SECTION 1", and insert in lieu thereof the following: "Sec. 3".

AMENDMENT NUMBER FIVE.

On page 2, line 50, of the printed bill, as amended in Senate March 25, 1931, strike out the figure "2", after the word "Sec.", and insert in lieu thereof the figure "4".

Bill ordered to print, and re-referred to Committee on Finance.

ON ENGROSSMENT, ENROLLMENT AND PRINTING.

SENATE CHAMBER, SACRAMENTO, April 21, 1931.

MR. PRESIDENT: Your Committee on Engrossment, Enrollment and Printing has examined Senate Bill No. 829—An act to amend section 4.280 of the School Code, relating to the powers and duties of governing boards of school districts—and reports that the same has been correctly engrossed.

CASSIDY, Vice Chairman.

Also:

MR. PRESIDENT: Your Committee on Engrossment, Enrollment and Printing has examined Senate Bill No. 10—An act to amend section 736b and repeal section 736c of the Political Code, relating to salaries of judges of the superior court and to make an appropriation to cover increases in the payments by the State therefor—and reports that the same has been correctly re-engrossed.

CASSIDY, Vice Chairman.

CONSIDERATION OF DAILY FILE.

THIRD READING OF SENATE BILLS—(RESUMED).

Senate Bill No. 944—An act to amend an act entitled "An act to authorize the counties of the State of California to establish retirement systems for their employees," approved May 20, 1919, by adding a new section thereto to be designated section 3½, relating to the exclusion of certain employees.

Bill read third time.

MOTION TO REFER TO SPECIAL COMMITTEE OF ONE.

During third reading of the bill, Senator Pedrotti moved to refer Senate Bill No. 944 to Senator Rochester, as a Special Committee of One, to amend as follows:

AMENDMENT NUMBER ONE.

On page 1, line 3, of the printed bill, strike out the word "of", and insert in lieu thereof the word "or".

Motion carried.

REPORT OF SPECIAL COMMITTEE OF ONE.

SENATE CHAMBER, SACRAMENTO, April 20, 1931.

MR. PRESIDENT: Your Special Committee of One, to which was referred Senate Bill No. 944, with instructions to amend, respectfully reports the same back, amended as per instructions.

ROCHESTER, Committee.

Report read, and on motion of Senator Pedrotti adopted.

Bill ordered to print, and re-engrossment.

Senate Bill No. 484—An act relating to the maintenance of professorships of nursing education at the University of California at Berkeley and Los Angeles, defining the powers and duties of the State

Director of Finance in relation thereto, and making an appropriation therefor.

Bill read third time.

MOTION TO REFER TO SPECIAL COMMITTEE OF ONE.

During third reading of the bill, Senator McCormack moved to refer Senate Bill No. 484 to Senator Hays, as a Special Committee of One, to amend as follows:

AMENDMENT NUMBER ONE.

On page 2, line 4, of the printed bill, strike out the following: "not otherwise appropriated,".

Motion carried.

REPORT OF SPECIAL COMMITTEE OF ONE.

SENATE CHAMBER, SACRAMENTO, April 21, 1931.

MR. PRESIDENT: Your Special Committee of One, to which was referred Senate Bill No. 484, with instructions to amend, respectfully reports the same back, amended as per instructions.

HAYS, Committee.

Report read, and on motion of Senator McCormack adopted.

Bill ordered to print, and re-engrossment.

CONSIDERATION OF DAILY FILE.

THIRD READING OF ASSEMBLY BILLS.

Assembly Bill No. 1185—An act to amend sections 2 and 9 of an act entitled "An act to control and regulate the possession, sale and use of pistols, revolvers and other firearms capable of being concealed upon the person; to prohibit the manufacture, sale, possession or carrying of certain other dangerous weapons within this State; to provide for registering all sales of pistols, revolvers or other firearms capable of being concealed upon the person; to prohibit the carrying of concealed firearms except by lawfully authorized persons; to provide for the confiscation and destruction of such weapons in certain cases; to prohibit the ownership, use, or possession of any of such weapons by certain classes of persons; to prescribe penalties for violations of this act and increased penalties for repeated violations hereof; to authorize, in proper cases, the granting of licenses or permits to carry firearms concealed upon the person; to provide for licensing retail dealers in such firearms and regulating sales thereunder; and to repeal chapter 145 of California Statutes of 1917, relating to the same subject," approved June 13, 1923, as amended.

Bill read third time.

MOTION TO REFER TO SPECIAL COMMITTEE OF ONE.

During third reading of the bill, Senator Pedrotti moved to refer Assembly Bill No. 1185 to Senator Rochester, as a Special Committee of One, to amend as follows:

AMENDMENT NUMBER ONE.

On page 3, line 3, of the printed bill, insert before the word "board", the following: "bureau of criminal identification and investigation at Sacramento and one of said triplicate sheets of said register shall be mailed, postage prepaid, to the".

Motion carried.

REPORT OF SPECIAL COMMITTEE OF ONE.

SENATE CHAMBER, SACRAMENTO, April 20, 1931.

MR. PRESIDENT: Your Special Committee of One, to which was referred Assembly Bill No. 1185, with instructions to amend, respectfully reports the same back, amended as per instructions.

ROCHESTER, Committee.

Report read, and on motion of Senator Pedrotti adopted.
Bill ordered to print.

CONSIDERATION OF DAILY FILE.

THIRD READING OF SENATE BILLS—(RESUMED).

Senate Bill No. 939—An act to add a new section to the Political Code to be numbered 695, relating to a Bureau of Publications and Documents in the Department of Finance.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Senate Bill No. 939 passed by the following vote:

AYES—Senators Baker, Breed, Bush, Cassidy, Christian, Duell, Edwards, Evans, Hays, Inman, Jones, Maloney, McCormack, McKinley, Moran, Nelson, Pedrotti, Riley, Rochester, Schottky, Sharkey, Williams, and Young—23.

NOES—None.

Title read and approved.

Bill ordered transmitted to the Assembly.

Senate Bill No. 161—An act to add a new section to the Civil Code to be known as section 3045, covering the lien of an attorney at law.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Senate Bill No. 161 passed by the following vote:

AYES—Senators Baker, Breed, Bush, Christian, Duell, Edwards, Evans, Hays, Ingels, Jones, Maloney, McKinley, Mixter, Moran, Nelson, Pedrotti, Riley, Rochester, Schottky, Sharkey, Slater, and Williams—22.

NOES—Senator McCormack—1.

Title read and approved.

Bill ordered transmitted to the Assembly.

CONSIDERATION OF DAILY FILE.

THIRD READING OF ASSEMBLY BILLS—(RESUMED).

Assembly Bill No. 376—An act to amend the Irrigation District Improvement Act, as amended, by amending sections 1, 2, 6, 7, 8, 9, and 10, thereof, relating to the time in which proceedings may be attacked, and actions to determine the validity of assessments and warrants and to organization, notice to bidders, carrying of water, control of weeds, assessments, warrants and property, and by adding three new sections to be numbered 15, 16 and 17, relating to assessments.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Assembly Bill No. 376 passed by the following vote:

AYES—Senators Baker, Breed, Bush, Cassidy, Christian, Deuel, Edwards, Evans, Hays, Ingels, Inman, Jones, Maloney, McCormack, McKinley, Mixter, Moran, Nelson, Pedrotti, Riley, Rochester, Schottky, Sharkey, Tubbs, and Williams—25.
 NOES—None.

Title read and approved.

Bill ordered transmitted to the Assembly.

Assembly Bill No. 1228—An act to protect trade owners, distributors and the public against injurious and uneconomic practices in the distribution of articles of standard quality under a distinguished trademark, brand or name.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Assembly Bill No. 1228 passed by the following vote :

AYES—Senators Allen, Baker, Breed, Bush, Cassidy, Christian, Crittenden, Deuel, Edwards, Evans, Hays, Ingels, Inman, Jones, Maloney, McCormack, McKinley, Nelson, Pedrotti, Riley, Rochester, Schottky, Sharkey, Tubbs, Williams, and Young—26.
 NOES—None.

Title read and approved.

Bill ordered transmitted to the Assembly.

Assembly Bill No. 1138—An act to repeal part V of division IV of the School Code, embracing sections 4.960 to 4.1353, both inclusive thereof, and to add a new part to division IV thereof, to be known as part V, embracing sections 4.960 to 4.1044, both inclusive, all relating to elementary district, high school district and junior college district bonds.

Bill read third time.

MOTION TO REFER TO SPECIAL COMMITTEE OF ONE.

During third reading of the bill, Senator Sharkey moved to refer Assembly Bill No. 1138 to Senator Hays, as a Special Committee of One, to amend as follows :

AMENDMENT NUMBER ONE.

On page 2, line 38, of the printed bill, as amended in Senate April 14, 1931, after the period insert the following : "The polls shall be kept open only during the hours specified in the notice of the bond election and not otherwise; *provided*, that the polls shall not be opened before six o'clock a.m. nor kept open later than eight o'clock p.m. and must be kept open for not less than four hours."

Motion carried.

REPORT OF SPECIAL COMMITTEE OF ONE.

SENATE CHAMBER, SACRAMENTO, April 21, 1931.

MR. PRESIDENT: Your Special Committee of One, to which was referred Assembly Bill No. 1138, with instructions to amend, respectfully reports the same back, amended as per instructions.

HAYS, Committee.

Report read, and on motion of Senator Sharkey adopted.

Bill ordered to print.

Assembly Bill No. 1417—An act to amend section 19x24 of the Juvenile Court Law, as relating to salaries of probation officers in counties of the twenty-fourth class.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Assembly Bill No. 1417 passed by the following vote:

AYES—Senators Allen, Baker, Breed, Bush, Cassidy, Christian, Cloek, Deuel, Edwards, Evans, Hays, Ingels, Inman, Jones, Maloney, McCormack, McKinley, Mixer, Moran, Nelson, Riley, Rochester, Schottky, Sharkey, Slater, Treacy, and Williams—27.

NOES—None.

Title read and approved.

Bill ordered transmitted to the Assembly.

Assembly Bill No. 612—An act to amend section 239 of the Political Code, relating to organization of the Assembly.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Assembly Bill No. 612 passed by the following vote:

AYES—Senators Allen, Baker, Breed, Bush, Christian, Cloek, Crittenden, Deuel, Edwards, Evans, Fellom, Hays, Ingels, Inman, Jones, Maloney, McCormack, McKinley, Mixer, Moran, Nelson, Pedrotti, Schottky, Sharkey, Slater, Treacy, and Williams—27.

NOES—None.

Title read and approved.

Bill ordered transmitted to the Assembly.

Assembly Bill No. 1605—An act to amend section 4262 and to repeal section 4257a of the Political Code, relating to compensation of county and township officers in counties of the thirty-third class.

Bill read third time.

MOTION TO REFER TO SPECIAL COMMITTEE OF ONE.

During third reading of the bill, Senator Ingels moved to refer Assembly Bill No. 1605 to Senator Rich, as a Special Committee of One, to amend as follows:

AMENDMENT NUMBER ONE.

On page 3 of the printed bill, strike out lines 39 to 52, inclusive, and on page 4, strike out lines 1 to 11, inclusive, and insert in lieu thereof the following:

"13. The surveyor shall receive ten dollars per diem while engaged in the discharge of the duties of the office, and he shall be allowed one deputy at a salary of ten dollars per diem while engaged in the discharge of his official duties. The surveyor shall also be paid the actual and necessary expenses of transportation of himself, his deputy and surveying crews, and subsistence of himself and deputy, all while in the field. He shall also be allowed four helpers at a wage of five dollars per diem, each, while actually and necessarily engaged in assisting the surveyor in the discharge of his duties. The county shall also provide for the use of the surveyor, a suitable office, office furniture, field and office equipment, lights and care for said office, office and record books, and other necessary materials for the performance of his duties. In computing the per diem of the surveyor, his deputy and crews, the time spent in traveling shall be included."

Motion carried.

REPORT OF SPECIAL COMMITTEE OF ONE.

SENATE CHAMBER, SACRAMENTO, April 21, 1931.

MR. PRESIDENT: Your Special Committee of One, to which was referred Assembly Bill No. 1605, with instructions to amend, respectfully reports the same back, amended as per instructions.

RICH, Committee.

Report read, and on motion of Senator Ingels adopted.

Bill ordered to print.

Assembly Bill No. 1689—An act to amend section 69 of the California Vehicle Act, approved May 30, 1923, relating to vehicles.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Assembly Bill No. 1689 passed by the following vote:

AYES—Senators Allen, Baker, Breed, Bush, Cassidy, Christian, Clock, Crittenden, Deuel, Edwards, Evans, Ingels, Jones, Maloney, McCormack, McKinley, Mixer, Pedrotti, Riley, Schottky, Sharkey, Slater, Treacy, and Williams—24.

NOES—None.

Title read and approved.

Bill ordered transmitted to the Assembly.

Assembly Bill No. 141—An act to amend the title of and to revise chapter 577, Statutes of 1919, entitled "An act to provide for the certification of potato seed, authorizing the State Commissioner of Horticulture to employ a Potato Inspector and to fix his salary, declaring the violation of the provisions hereof to be a misdemeanor and making an appropriation to carry out the purposes hereof," approved May 27, 1919, relating to the State Department of Agriculture and the growing of potatoes and the inspection and certification thereof.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Assembly Bill No. 141 passed by the following vote:

AYES—Senators Allen, Baker, Breed, Bush, Cassidy, Christian, Clock, Crittenden, Deuel, Edwards, Evans, Hays, Ingels, Inman, Maloney, McCormack, McKinley, Mixer, Nelson, Pedrotti, Riley, Schottky, Sharkey, Slater, Treacy, Tubbs, Williams, and Young—28.

NOES—None.

Title read and approved.

Bill ordered transmitted to the Assembly.

ASSEMBLY CONSTITUTIONAL AMENDMENT No. 28.

A resolution proposing to the people of the State of California an amendment of section 4 of article XIII of the constitution of the State of California, relating to the exemption of vessels engaged in commerce from taxation.

Resolved by the Assembly, the Senate concurring, That the Legislature of the State of California at its regular session commencing on the fifth day of January, 1931, two-thirds of all the members elected to each of the houses of said Legislature voting in favor thereof hereby propose to the electors of the State of California that section 4 of article XIII of the constitution of the State of California be amended to read as follows:

SEC. 4. All vessels of more than fifty (50) tons burden registered at any port in this State and engaged in the transportation of freight or passengers shall be exempt from taxation except for State purposes until and including the first day of January, 1955.

Amendment read.

The question being on the adoption of the amendment.

The roll was called, and Assembly Constitutional Amendment No. 28 adopted by the following vote:

AYES—Senators Allen, Baker, Breed, Bush, Cassidy, Christian, Clock, Crittenden, Deuel, Edwards, Evans, Hays, Ingels, Inman, Jones, Maloney, McCormack, McKinley, Mixer, Nelson, Pedrotti, Schottky, Sharkey, Slater, Treacy, Tubbs, Williams, and Young—28.

NOES—None.

Assembly Constitutional Amendment No. 28 ordered transmitted to the Assembly.

Assembly Bill No. 965—An act to amend sections 2, 3 and 4 of, and to add sections 7, 8, 9, 10, 11, 12, 13, 14, 15 and 16 to, an act entitled "An act to define personal property brokers and regulate their charges and business," approved April 16, 1909, as amended, relating to charges of personal property brokers, and the licensing of such brokers.

Bill read third time.

MOTION TO RE-REFER ASSEMBLY BILL NUMBER NINE HUNDRED SIXTY-FIVE.

Senator Christian moved, seconded by Senator Baker, that Assembly Bill No. 965 be re-referred to Committee on Judiciary.

AYES AND NOES DEMANDED.

A roll call was demanded by Senators Crittenden, Christian and Young, on Senator Christian's motion to re-refer Assembly Bill No. 965 to Committee on Judiciary.

The roll was called, and Senator Christian's motion to re-refer Assembly Bill No. 965 to Committee on Judiciary, lost by the following vote:

AYES—Senators Allen, Baker, Bush, Cassidy, Christian, Edwards, Evans, Hays, Jones, Schottky, Swing, and Tubbs—12.

NOES—Senators Breed, Clock, Crittenden, Deuel, Fellom, Harper, Ingels, Inman, Maloney, McCormack, McKinley, Mixer, Moran, Nelson, Riley, Rochester, Sharkey, Slater, Treacy, Williams, and Young—21.

MOTION TO REFER TO SPECIAL COMMITTEE OF ONE.

During third reading of the bill, Senator Swing moved to refer Assembly Bill No. 965 to Senator Sharkey, as a Special Committee of One, to amend as follows:

AMENDMENT NUMBER ONE.

On page 1, line 7, of the printed amended bill, strike out the word "three", and insert in lieu thereof the word "two".

AMENDMENT NUMBER TWO.

On page 1, line 8, of the printed amended bill, strike out the words "one and one-half".

SPECIAL ORDER.

Senator Slater moved that Assembly Bill No. 965 be made a special order for Wednesday, April 22, 1931, at two o'clock p.m.

AYES AND NOES DEMANDED.

A roll call was demanded by Senators Inman, Swing, and Crittenden, on Senator Slater's motion to make Assembly Bill No. 965 a special order for Wednesday, April 22, 1931, at two o'clock p.m.

The roll was called, and Senator Slater's motion to make Assembly Bill No. 965 a special order for Wednesday, April 22, 1931, at two o'clock p.m., carried by the following vote:

AYES—Senators Allen, Baker, Breed, Bush, Christian, Edwards, Evans, Harper, Hays, Ingels, Jones, McCormack, Nelson, Pedrotti, Riley, Schottky, Slater, Tubbs, and Young—19.

NOES—Senators Cassidy, Clock, Crittenden, Deuel, Fellom, Inman, Maloney, Mixer, Moran, Rochester, Sharkey, Swing, Treacy, and Williams—14.

REQUEST FOR PERMISSION TO INTRODUCE A BILL.

The following request for permission to introduce a bill was presented:
By Senator Cassidy:

SENATE CHAMBER, SACRAMENTO, April 21, 1931.

MR. PRESIDENT: In accordance with the provisions of section 2, article IV of the constitution, I request permission to introduce a bill, the title of which is set forth below:

An act to amend section 37 of an act entitled "An act providing for the incorporation of public utility districts in unincorporated territory, authorizing such districts

to incur bonded indebtedness for the purpose of the construction of works and the acquisition of property and to levy and collect taxes to pay the principal and interest on bonds and for carrying on their operations, and providing for the powers, management and government of such districts, and imposing certain duties and functions in connection with such districts upon certain county officers," approved May 31, 1921, relating to books of account of public utility districts.

Request referred to Committee on Rules.

REPORTS OF STANDING COMMITTEES—(RESUMED).

The following report of standing committee was received and read:

ON RULES.

SENATE CHAMBER, SACRAMENTO, April 21, 1931.

MR. PRESIDENT: Your Committee on Rules, to which was referred the request of Senator Cassidy to introduce a bill entitled "An act to amend section 37 of an act entitled 'An act providing for the incorporation of public utility districts in unincorporated territory, authorizing such districts to incur bonded indebtedness for the purpose of the construction of works and the acquisition of property, and to levy and collect taxes to pay the principal and interest on bonds and for carrying on their operations, and providing for the powers, management and government of such districts, and imposing certain duties and functions in connection with such districts upon certain county officers,'" approved May 31, 1921, relating to books of account of public utility districts—has had the same under consideration, and respectfully reports the same back, and recommends that said request be granted.

Committee membership—5; committee vote: Ayes—5.

BREED, Chairman.

The question being on the adoption of the report.

The roll was called in accordance with the provisions of section 2 of article IV of the constitution, and the report adopted by the following vote:

AYES—Senators Allen, Baker, Breed, Bush, Cassidy, Christian, Clock, Crittenden, Deuel, Edwards, Evans, Fellom, Harper, Hays, Ingels, Inman, Jones, Maloney, McCormack, McKinley, Mixter, Moran, Nelson, Pedrotti, Riley, Rochester, Schottky, Sharkey, Slater, Treacy, Tubbs, Williams, and Young—33.

NOES—None.

INTRODUCTION, FIRST READING AND REFERENCE OF BILLS—(RESUMED).

The following bill was introduced:

By Senator Cassidy: Senate Bill No. 949—An act to amend section 37 of an act entitled "An act providing for the incorporation of public utility districts in unincorporated territory, authorizing such districts to incur bonded indebtedness for the purpose of the construction of works and the acquisition of property, and to levy and collect taxes to pay the principal and interest on bonds and for carrying on their operations, and providing for the powers, management and government of such districts, and imposing certain duties and functions in connection with such districts upon certain county officers," approved May 31, 1921, relating to books of account of public utility districts.

Senate Bill No. 949 read first time, and referred to Committee on Public Utilities.

CONSIDERATION OF DAILY FILE.

THIRD READING OF ASSEMBLY BILLS—(RESUMED).

Assembly Bill No. 58—An act providing for cooperative construction or improvement of highways by the State and a county or counties, and repealing an act entitled "An act providing for the construction and maintenance by the State of State aid highways in counties and towns," approved June 5, 1913, and all other acts or parts of acts in conflict herewith.

Bill read third time.

MOTION TO REFER TO SPECIAL COMMITTEE OF ONE.

During third reading of the bill, Senator Ingels moved to refer Assembly Bill No. 58 to Senator Williams, as a Special Committee of One, to amend as follows:

AMENDMENT NUMBER ONE.

On page 3, line 21, of the printed bill, after the figures "1913", insert a period, and strike out the balance of line 21, and all of lines 22 and 23.

Motion carried.

REPORT OF SPECIAL COMMITTEE OF ONE.

SENATE CHAMBER, SACRAMENTO, April 21, 1931.

MR. PRESIDENT: Your Special Committee of One, to which was referred Assembly Bill No. 58, with instructions to amend, respectfully reports the same back, amended as per instructions.

WILLIAMS, Committee.

Report read, and on motion of Senator Ingels adopted.

Bill ordered to print.

Assembly Bill No. 1140—An act providing for the formation, government and operation of harbor districts; for the creation, improvement, development and maintenance of recreational harbors; for the acquisition and improvement, government and operation of lands and works in connection therewith or appurtenant thereto, whether lying entirely within unincorporated territory of a county or wholly or partially including territory of one or more municipalities within such county, defining the term, "recreational harbor," within the meaning of this act; and providing generally what may and may not be done in such harbor so classified and authorizing the governing body of such harbor district to adopt rules and regulations in relation to said harbor, and to adopt and enforce ordinances restricting and governing the said harbor and its use, violation of any said ordinance being punishable as are misdemeanors by fine or imprisonment, or both fine and imprisonment; providing a means for defraying the cost and expense of forming, constructing, improving, governing and operating such harbor district and harbors, and authorizing counties and cities, jointly and separately, to contribute out of their general funds the costs and expenses of such harbor district, and authorizing the incurring of indebtedness, and the issuance of bonds and the levy and collection of taxes within such district and the enforcement of such bonds and taxes to defray the cost of the organization of such harbor district and of the creation, construction, improvement, and extension of such harbor, and the works incidental thereto, and to defray the cost of operating and managing such harbor district and harbor; authorizing the establishment of appropriate funds in the manner provided by law for the impounding and disbursement of the moneys required to meet such costs and expenses; providing for the levy of special assessments within such district to defray such costs and expenses, either wholly or partially, and authorizing the legislative body of the county or city assuming jurisdiction to call the election upon the question of the formation of such harbor district to determine what zone or zones, if any, within the proposed harbor district are to be benefited to a greater or less extent than other zone or zones therein, and to define said zones within such district and assess the cost of the said harbor works and improvements within said district zones, and each of them, in accordance with the benefits so found to be enjoyed by the several zones therein

delineated; providing and empowering such district to accept financial or other aid for improvements and operations from the United States of America, the State of California, and from any person or persons; providing the means whereby the legislative body of any city heretofore or hereafter granted any rights in respect to tidelands and submerged lands may permit the exercise of such rights by the board of governors of any harbor district formed hereunder and defining rights of littoral owners; and providing the means for obtaining action by the State through the State Engineer and Governor whereby tidelands, submerged lands and coastal waters may be segregated for recreational use, as herein defined, and providing for the appointment within any such harbor district formed under this act of a board of governors and fixing the qualifications, tenure of office, powers, duties of such board of governors, and providing the means and terms by which territory may be annexed to any harbor district formed hereunder.

Bill read third time.

MOTION TO REFER TO SPECIAL COMMITTEE OF ONE.

During third reading of the bill, Senator Crittenden moved to refer Assembly Bill No. 1140 to Senator Evans, as a Special Committee of One, to amend as follows:

AMENDMENT NUMBER ONE.

In lines 23, 24, 25 and 26 of the title of the printed bill, as amended, strike out the following: "and providing that accretions caused by work or structures constructed shall be deemed and treated as natural accretions."

AMENDMENT NUMBER TWO.

On page 6, line 38, of the printed bill, as amended, strike out "state engineer", and insert in lieu thereof the following: "chief of the division of state lands in the department of finance of the state".

AMENDMENT NUMBER THREE.

On page 7, line 35, of the printed bill, as amended, strike out the word "transmit", and insert in lieu thereof the word "submit", and after the word "the", insert the words "director of finance for approval and transmittal to the".

AMENDMENT NUMBER FOUR.

On page 7, line 38, of the printed bill, as amended, strike out the comma after the word "unfavorable", and insert the following: "he shall submit the report to the director of finance and should the director of finance approve said report the".

AMENDMENT NUMBER FIVE.

On page 7, line 41, of the printed bill, as amended, strike out, after the word "favorable", insert the word "approved", and strike out the word "of", following the word "report", and insert in lieu thereof the word "from".

AMENDMENT NUMBER SIX.

On page 7, lines 42 and 43, of the printed bill, as amended, strike out the following words: "chief of the division of state lands in the department of finance of the state", and insert in lieu thereof the words "director of finance".

AMENDMENT NUMBER SEVEN.

On page 8 of the printed bill, as amended, insert at the end of line 3, the following: "report of".

AMENDMENT NUMBER EIGHT.

On page 8, line 5, of the printed bill, as amended, strike out the word "report".

AMENDMENT NUMBER NINE.

On page 20 of the printed bill, as amended, strike out all of lines 41 to 44, inclusive, and substitute therefor the following: "Should any accretions be occasioned upon sovereign tide and submerged lands on account of harbor work or structures authorized hereby, walks, lighting facilities, life saving stations and equipment, bulkheads, sea walls and piers, may under proper public authority be constructed and maintained over across and upon such accreted lands".

AMENDMENT NUMBER TEN.

On page 24, line 51, of the printed bill, as amended, strike out the word "other".

AMENDMENT NUMBER ELEVEN.

On page 24, line 52, of the printed bill, as amended, strike out the first word "or", and insert in lieu thereof the following: "thereof and from any".

Motion carried.

REPORT OF SPECIAL COMMITTEE OF ONE.

SENATE CHAMBER, SACRAMENTO, April 13, 1931.

MR. PRESIDENT: Your Special Committee of One, to which was referred Assembly Bill No. 1140, with instructions to amend, respectfully reports the same back, amended as per instructions.

EVANS, Committee.

Report read, and on motion of Senator Crittenden adopted.
Bill ordered to print.

REPORTS OF STANDING COMMITTEES—(RESUMED).

The following reports of standing committee were received and read:

ON JUDICIARY.

SENATE CHAMBER, SACRAMENTO, April 21, 1931.

MR. PRESIDENT: Your Committee on Judiciary, to which was referred Assembly Bill No. 1000—An act substituting for the existing title I of part IV of division I of the Civil Code of the State of California a new title I of said part IV consisting of 16 chapters which shall supersede said existing title I and sections numbered consecutively 1227 to 1235, both numbers included, of the Code of Civil Procedure of California, all relating to corporations has had the same under consideration, and respectfully reports the same back with amendments, and recommends that the amendments be adopted, and the bill be re-referred to this committee.

Committee membership—17; committee vote: Ayes—16; absent—1.

CHRISTIAN, Chairman.

CONSIDERATION OF COMMITTEE AMENDMENTS.

Pursuant to the report of the Committee on Judiciary, the following amendments to Assembly Bill No. 1000 were read and adopted:

AMENDMENT NUMBER ONE.

In line 2 of the title of the printed engrossed bill, strike out the word "one", and insert in lieu thereof the word "first".

AMENDMENT NUMBER TWO.

On page 1, line 3, of the printed engrossed bill, strike out the word "one", and insert in lieu thereof the word "first".

AMENDMENT NUMBER THREE.

On page 1, line 18, of the printed engrossed bill, strike out the comma following the word "incurred".

AMENDMENT NUMBER FOUR.

On page 2, line 9, of the printed engrossed bill, strike out the period at the end of said line, and insert in lieu thereof a semicolon followed by "capital", and a period.

AMENDMENT NUMBER FIVE.

On page 2, line 21, of the printed engrossed bill, strike out the comma following the word "changes", and insert in lieu thereof a semicolon.

AMENDMENT NUMBER SIX.

On page 3, line 9, of the printed engrossed bill, insert a comma after the word "action".

AMENDMENT NUMBER SEVEN.

On page 3, line 21, of the printed engrossed bill, insert a comma after the word "debt".

AMENDMENT NUMBER EIGHT.

On page 5 of the printed engrossed bill, strike out line 2 thereof, and insert in lieu thereof the following: "of part four of division first of this code, unless such corpora-".

AMENDMENT NUMBER NINE.

On page 10, line 52, of the printed engrossed bill, strike out the word "or", and insert in lieu thereof the word "of".

AMENDMENT NUMBER TEN.

On page 13, line 47, of the printed engrossed bill, after the word "decision", strike out the word "of", and insert in lieu thereof "done or made by".

AMENDMENT NUMBER ELEVEN.

On page 13, lines 48 and 49, of the printed engrossed bill, strike out the following: "done or made,".

AMENDMENT NUMBER TWELVE.

On page 13, line 49, of the printed engrossed bill, insert a comma after the word "directors", at the end of said line.

AMENDMENT NUMBER THIRTEEN.

On page 14, line 9, of the printed engrossed bill, strike out the comma following the word "meetings".

AMENDMENT NUMBER FOURTEEN.

On page 14, lines 49 and 50, of the printed engrossed bill, strike out the words "Such committees", and insert in lieu thereof the following: "Any such executive committee".

AMENDMENT NUMBER FIFTEEN.

On page 15 of the printed engrossed bill, enclose the numerals "1", "2" and "3", appearing in lines 12, 23 and 32, respectively, within parentheses.

AMENDMENT NUMBER SIXTEEN.

On page 21, line 44, of the printed engrossed bill, after the word "proxy", insert a comma.

AMENDMENT NUMBER SEVENTEEN.

On page 23, line 37, of the printed engrossed bill, insert the word "any", before the word "trustee".

AMENDMENT NUMBER EIGHTEEN.

On page 23, line 47, of the printed engrossed bill, insert the word "its", before the word "trustee".

AMENDMENT NUMBER NINETEEN.

On page 26, line 4, of the printed engrossed bill, insert a comma following the word "corporation".

AMENDMENT NUMBER TWENTY.

On page 27, line 25, of the printed engrossed bill, insert a comma following the word "incompetent".

AMENDMENT NUMBER TWENTY-ONE.

On page 30, line 22, of the printed engrossed bill, strike out the word "endorse", and insert in lieu thereof the word "enforce".

AMENDMENT NUMBER TWENTY-TWO.

On page 30, line 34, of the printed engrossed bill, strike out the comma following the word "value".

AMENDMENT NUMBER TWENTY-THREE.

On page 30, line 45, of the printed engrossed bill, insert a comma following the word "delivering".

AMENDMENT NUMBER TWENTY-FOUR.

On page 31, line 21, of the printed engrossed bill, strike out the commas following the words "not", and "doing", respectively.

AMENDMENT NUMBER TWENTY-FIVE.

On page 31, line 22, of the printed engrossed bill, insert a comma following the word "certificate".

AMENDMENT NUMBER TWENTY-SIX.

On page 31, line 48, of the printed engrossed bill, strike out the word "of", and insert in lieu thereof the word "to".

AMENDMENT NUMBER TWENTY-SEVEN.

On page 36, line 32, of the printed engrossed bill, after the word "made", insert the following: "after delinquency and".

AMENDMENT NUMBER TWENTY-EIGHT.

On page 38, line 37, of the printed engrossed bill, after the word "repurchase", strike out the semicolon, and insert "or obligating it to repurchase;".

AMENDMENT NUMBER TWENTY-NINE.

On page 39, line 23, of the printed engrossed bill, strike out the period following the word "capital", and insert in lieu thereof the following: "or paid-in surplus, in accordance with section 300 of this code."

AMENDMENT NUMBER THIRTY.

On page 40, line 17, of the printed engrossed bill, strike out the numerals "343a", and insert in lieu thereof the numerals "343b".

AMENDMENT NUMBER THIRTY-ONE.

On page 40, line 21, of the printed engrossed bill, strike out the following: "under the corporate seal,".

AMENDMENT NUMBER THIRTY-TWO.

On page 42, line 8, of the printed engrossed bill, strike out the word "surplus", where it first appears in said line preceding the word "or".

AMENDMENT NUMBER THIRTY-THREE.

On page 42, lines 21 and 22, of the printed engrossed bill, strike out the following: "in proportion to the stated capital represented by similar shares," and insert in lieu thereof the following: "on the basis of the estimated fair value of such shares upon issue,".

AMENDMENT NUMBER THIRTY-FOUR.

On page 43, line 46, of the printed engrossed bill, strike out the word "changes", and insert in lieu thereof the word "change".

AMENDMENT NUMBER THIRTY-FIVE.

On page 44, line 36, of the printed engrossed bill, strike out the comma.

AMENDMENT NUMBER THIRTY-SIX.

On page 45, line 10, of the printed engrossed bill, strike out the word "of", and insert in lieu thereof the word "or".

AMENDMENT NUMBER THIRTY-SEVEN.

On page 45, line 23, of the printed engrossed bill, strike out the word "its", and insert in lieu thereof the word "the".

AMENDMENT NUMBER THIRTY-EIGHT.

On page 47, line 16, of the printed engrossed bill, strike out the word "of".

AMENDMENT NUMBER THIRTY-NINE.

On page 47, line 25, of the printed engrossed bill, strike out the comma following the words "organic changes", and insert in lieu thereof a semicolon.

AMENDMENT NUMBER FORTY.

On page 50, line 4, of the printed engrossed bill, strike out the period following the word "merger", and insert in lieu thereof a comma followed by the following: "or provided such consolidation or merger be approved by the unanimous vote or consent of the shareholders of the corporations involved, entitled to vote or dissent."

AMENDMENT NUMBER FORTY-ONE.

On page 50, line 12, of the printed engrossed bill, after the word "state", insert the word "of".

AMENDMENT NUMBER FORTY-TWO.

On page 50, line 43, of the printed engrossed bill, after the word "county", insert the following: "or city and county".

AMENDMENT NUMBER FORTY-THREE.

On page 50, line 47, of the printed engrossed bill, strike out the word "terms", and insert in lieu thereof the word "term".

AMENDMENT NUMBER FORTY-FOUR.

On page 52, line 35, of the printed engrossed bill, strike out the following: "under the seal of the corporation,".

AMENDMENT NUMBER FORTY-FIVE.

On page 52, line 48, of the printed engrossed bill, strike out the period following the word "articles", and insert in lieu thereof a semicolon.

AMENDMENT NUMBER FORTY-SIX.

On page 53, line 48, of the printed engrossed bill, strike out the word "violations", and insert in lieu thereof the word "violation".

AMENDMENT NUMBER FORTY-SEVEN.

On page 53, line 49, of the printed engrossed bill, strike out the comma following the word "directors".

AMENDMENT NUMBER FORTY-EIGHT.

On page 54, line 10, of the printed engrossed bill, insert the word "a", following the word "whom", and before the word "claim".

AMENDMENT NUMBER FORTY-NINE.

On page 54, line 35, of the printed engrossed bill, after the word "or", insert the word "its".

AMENDMENT NUMBER FIFTY.

On page 54, line 41, of the printed engrossed bill, insert a comma following the word "to".

AMENDMENT NUMBER FIFTY-ONE.

On page 54, line 48, of the printed engrossed bill, strike out the word "guarantee", and insert in lieu thereof the word "guaranty".

AMENDMENT NUMBER FIFTY-TWO.

On page 55, line 38, of the printed engrossed bill, insert a comma after the word "dollars".

AMENDMENT NUMBER FIFTY-THREE.

On page 56, line 4, of the printed engrossed bill, strike out the comma.

AMENDMENT NUMBER FIFTY-FOUR.

On page 57, line 34, of the printed engrossed bill, strike out the comma following the word "merger", and insert in lieu thereof the word "or".

AMENDMENT NUMBER FIFTY-FIVE.

On page 57, lines 34 and 35, of the printed engrossed bill, strike out the following: "sale, plan of distribution or amendment,".

AMENDMENT NUMBER FIFTY-SIX.

On page 58, line 3, of the printed engrossed bill, strike out the word "or", following the word "certificate", and insert in lieu thereof the word "of".

AMENDMENT NUMBER FIFTY-SEVEN.

On page 58, line 38, of the printed engrossed bill, strike out the comma following the word "delivery".

AMENDMENT NUMBER FIFTY-EIGHT.

On page 58, line 38, of the printed engrossed bill, strike out the comma following the word "agent".

AMENDMENT NUMBER FIFTY-NINE.

On page 60, line 7, of the printed engrossed bill, strike out the word "not".

AMENDMENT NUMBER SIXTY.

On page 60, line 27, of the printed engrossed bill, insert the following after the word "a", and before the word "dissolved", to wit: "corporation heretofore".

AMENDMENT NUMBER SIXTY-ONE.

On page 60, line 28, of the printed engrossed bill, strike out the word "corporation".

AMENDMENT NUMBER SIXTY-TWO.

On page 61, line 16, of the printed engrossed bill, strike out the word "county", and insert in lieu thereof the word "mailing".

AMENDMENT NUMBER SIXTY-THREE.

On page 62, line 37, of the printed engrossed bill, strike out the semicolon, and insert in lieu thereof the word "and".

AMENDMENT NUMBER SIXTY-FOUR.

On page 63, line 25, of the printed engrossed bill, strike out the comma in said line.

AMENDMENT NUMBER SIXTY-FIVE.

On page 63, line 30, of the printed engrossed bill, strike out the word "or", following the word "disposition", and insert in lieu thereof the word "of".

AMENDMENT NUMBER SIXTY-SIX.

On page 63, line 38, of the printed engrossed bill, following the comma after the word "found", insert the word "to", before the word "any".

AMENDMENT NUMBER SIXTY-SEVEN.

On page 65, line 33, of the printed engrossed bill, strike out the word "whereabout", and insert in lieu thereof the word "whereabouts".

AMENDMENT NUMBER SIXTY-EIGHT.

On page 66, line 12, of the printed engrossed bill, insert a comma following the word "creditors".

AMENDMENT NUMBER SIXTY-NINE.

On page 67, line 6, of the printed engrossed bill, after the word "those", insert the word "others".

AMENDMENT NUMBER SEVENTY.

On page 67, line 47, of the printed engrossed bill, strike out the word "so", following the word "deadlocked", at the end of said line.

AMENDMENT NUMBER SEVENTY-ONE.

On page 68, line 42, of the printed engrossed bill, insert the word "its", following the word "forfeited".

AMENDMENT NUMBER SEVENTY-TWO.

On page 69, line 3, of the printed engrossed bill, strike out the word "thereupon", and insert in lieu thereof the word "also".

AMENDMENT NUMBER SEVENTY-THREE.

On page 69, line 5, of the printed engrossed bill, strike out the following: "(4)", and insert in lieu thereof "404c. Filing decree."

AMENDMENT NUMBER SEVENTY-FOUR.

On page 69, line 22, of the printed engrossed bill, strike out the word "and", and insert in lieu thereof the word "or".

AMENDMENT NUMBER SEVENTY-FIVE.

On page 70, line 11, of the printed engrossed bill, after the word "corporation", insert the following: "or to any such reserved name".

AMENDMENT NUMBER SEVENTY-SIX.

On page 72 of the printed engrossed bill, strike out all of lines 26, 27, 28 and 29, and insert in lieu thereof the following: "state until".

AMENDMENT NUMBER SEVENTY-SEVEN.

On page 72, line 51, of the printed engrossed bill, strike out the comma in said line.

AMENDMENT NUMBER SEVENTY-EIGHT.

On page 73, line 51, of the printed engrossed bill, strike out the numeral "3", and the period following said numeral, and insert in lieu thereof the following: "SEC. 3."

AMENDMENT NUMBER SEVENTY-NINE.

On page 8 of the printed engrossed bill, insert a new paragraph following line 35, and prior to line 36, to read as follows:

"297a. Employee stock purchase plan. A corporation may, upon such terms and conditions as the articles or by-laws may authorize, provide and carry out a plan for the issue and sale of its unissued shares, or of issued shares purchased, or to be purchased or acquired, to the employees of the corporation other than officers or directors thereof, or to the employees of subsidiary corporations other than their officers and directors, or to a trustee on their behalf, and for the payment of such shares in installments or at one time, and for such consideration as may be fixed, and may provide for aiding any such employees in paying for such shares by compensation for services or otherwise. And such plan may include, among other features, the fixing of eligibility for participation therein, the class and price of shares to be issued or sold under the plan, the number of shares which may be subscribed for, the method of payment therefor, the reservation of title until full payment, the effect of the termination of employment, an option or obligation on the part of the corporation to repurchase the shares upon termination of the employment, restrictions upon the transfer of the shares, the time limits and termination of the plan. Any shares subject to preemptive rights under the provisions of the articles may be issued and sold under such plan without prior offering to shareholders entitled to preemptive rights, but only with the written consent or vote of the holders of two-thirds of the shares entitled to exercise preemptive rights with respect thereto.

Nothing in this section shall be construed to limit the right of a corporation to issue by way of subscription, sale or otherwise, its shares or securities to employees, officers, directors, or those engaged in the conduct of its business on the same terms as to other persons."

AMENDMENT NUMBER EIGHTY.

On page 17, line 18, of the printed engrossed bill, strike out the word "meeting", and insert in lieu thereof the word "meetings".

AMENDMENT NUMBER EIGHTY-ONE.

On page 34 of the printed engrossed bill, insert a new paragraph following line 11, and prior to line 12, to read as follows:

"330.23. Notice of appeal from court order. The setting aside, modification, or reversal of an order of court pursuant to, and in accordance with which, a transfer of a certificate for shares or a registered bond or other security has been registered by a corporation or its transfer agent shall not subject the corporation, its transfer agent or registrar to any liability whatsoever, unless, prior to the registration of the new certificate, registered bond or other security, written notice was served upon the corporation or its transfer agent in the manner provided for the service of summons in section 411 of the Code of Civil Procedure, stating that an appeal or other further court proceeding had been or was to be taken from or with regard to such order of court. After the service of such notice neither the corporation nor its transfer agent shall have any duty to register the requested transfer or deliver the new certificate, or registered bond or other security until the corporation or its transfer agent shall have been given a certificate of the county clerk of the county in which such order of court was made, showing that the order of court has become final."

AMENDMENT NUMBER EIGHTY-TWO.

On page 34, line 12, of the printed engrossed bill, strike out the numerals "330.23" and insert in lieu thereof the numerals "330.24".

Bill ordered to print, and re-referred to Committee on Judiciary.

Also:

SENATE CHAMBER, SACRAMENTO, April 21, 1931.

MR. PRESIDENT: Your Committee on Judiciary, to which was referred Senate Bill No. 937—An act to amend section 1980 of the Civil Code, relating to contracts for personal service—has had the same under consideration, and respectfully reports the same back with amendments, and recommends that the amendments be adopted, and that it do pass as amended.

Committee membership—17; committee vote: Ayes—16; absent—1.

CHRISTIAN, Chairman.

Senate Bill No. 937 ordered on file for second reading.

MESSAGES FROM THE ASSEMBLY.

The following messages from the Assembly were received and read:

ASSEMBLY CHAMBER, SACRAMENTO, April 21, 1931.

MR. PRESIDENT: I am directed to inform your honorable body that the Assembly on this day concurred in Senate amendments to Assembly Bill No. 53—An act making appropriations for the support of the government of the State of California and for several public purposes in accordance with the provisions of section 34 of article IV of the constitution of the State of California, approved and adopted by the people at the general election held November 7, 1922, declaring the urgency thereof, and providing that this act shall take effect immediately.

ARTHUR A. OHNIMUS, Chief Clerk.
By A. W. ENGELKE, Assistant Clerk.

Also:

ASSEMBLY CHAMBER, SACRAMENTO, April 21, 1931.

MR. PRESIDENT: I am directed to inform your honorable body that the Assembly on this day passed Assembly Bill No. 944—An act to define building and loan associations and to regulate them and their organization, business, operation, consolidation and liquidation, and (without limiting the generality of the foregoing) also to do the following: to define and regulate the agents, salesmen and collectors of such associations, and to regulate their officers, directors and employees; to define, authorize, and regulate the issuance of, shares, stock and investment certificates of such associations, and to prescribe the rights, remedies and liabilities of holders thereof, and to make such investment certificates legal investments for certain purposes; to prescribe the rights, powers, remedies, duties and liabilities of such associations and the rights and remedies of their creditors; to regulate the investments, loans and borrowings of such associations, and their accounts, reports, audits, statements and advertising; to create and continue the Bureau of Building and Loan Supervision and the office of Building and Loan Commissioner, provide for the salaries and expenses of such commissioner and his assistants and employees and define their rights, powers, remedies and duties; to provide penalties for offenses by such associations, their directors, officers, agents, salesmen, collectors and employees and by other persons and corporations; and to repeal title XVI of part IV of division I of the Civil Code, chapter 354 of the Statutes of 1911 and acts amendatory thereof and supplemental thereto, chapter 133 of the Statutes of 1927, and all other acts and parts of acts inconsistent herewith;

Also: Assembly Bill No. 1469—An act to amend section 1168 of the Penal Code, relating to terms of imprisonment, credits to prisoners for good behavior and parole of prisoners; and to repeal sections 18, 18a and 1588, of the Penal Code, relating to terms of imprisonment.

ARTHUR A. OHNIMUS, Chief Clerk.
By A. W. ENGELKE, Assistant Clerk.

Assembly Bill No. 944 read first time, and referred to Committee on Building and Loan Associations.

Assembly Bill No. 1469 read first time, and referred to Committee on Prisons and Reformatories.

Also:

ASSEMBLY CHAMBER, SACRAMENTO, April 21, 1931.

MR. PRESIDENT: I am directed to inform your honorable body that the Assembly on this day passed Assembly Bill No. 1013—An act to amend sections 283 to 404, inclusive, of the Civil Code, relating to corporations;

Also: Assembly Bill No. 667—An act validating all leases entered into by municipalities in and to lands for fair and exhibition purposes;

Also: Assembly Bill No. 675—An act requiring licensed contractors to report the name and address of the insurance carrier carrying workmen's compensation on their employees to the Department of Professional and Vocational Standards and send a copy of such report to the insurance carrier, requiring the said insurance

carrier to thereafter report to the same department any cancellation or lapse of such policy of workmen's compensation insurance, and providing penalties for violation of the provisions thereof;

Also: Assembly Bill No. 1178—An act to add a new section to the School Code, to be numbered 5.805, providing for the exemption of certain persons from the benefits and burdens of part IV of division V of the School Code;

Also: Assembly Bill No. 1574—An act to amend section 11 of the Workmen's Compensation, Insurance and Safety Act of 1917, approved May 23, 1917, as amended, by making additional provisions regarding serious and wilful misconduct and regarding employees who are totally disabled and bedridden.

ARTHUR A. OHNIMUS, Chief Clerk.
By A. W. ENGELKE, Assistant Clerk.

Assembly Bill No. 1013 read first time, and referred to Committee on Judiciary.

Assembly Bill No. 667 read first time, and referred to Committee on Municipal Corporations.

Assembly Bill No. 675 read first time, and referred to Committee on Insurance.

Assembly Bill No. 1178 read first time, and referred to Committee on Education.

Assembly Bill No. 1574 read first time, and referred to Committee on Judiciary.

Also:

ASSEMBLY CHAMBER, SACRAMENTO, April 21, 1931.

MR. PRESIDENT: I am directed to inform your honorable body that the Assembly on this day passed Assembly Bill No. 1900—An act to amend an act entitled "An act to provide for the incorporation and organization and management of county water districts, and to provide for the acquisition of water rights or construction thereby of water works and for the acquisition of all property necessary therefor, and also to provide for the distribution and sale of water by said districts," approved June 10, 1913, as amended, by amending section 26 thereof to provide that lands situated within any such county water district may nevertheless be included within the boundaries of an irrigation district;

Also: Assembly Bill No. 1110—An act to amend sections 348 to 359a, inclusive, of the Political Code, relating to administrative departments.

Also: Assembly Bill No. 897—An act to provide for the establishment and maintenance of an institution for the confinement of the criminally insane and for the commitment of the criminally insane to such institutions;

Also: Assembly Bill No. 1222—An act to amend section 1168 of the Penal Code, relating to terms of imprisonment;

Also: Assembly Bill No. 650—An act to amend an act entitled "An act to provide for the organization and government of irrigation districts, and to provide for the acquisition or construction thereby of works for the irrigation of lands embraced within such districts, and, also, to provide for the distribution of water for irrigation purposes," approved March 31, 1897, as amended, by making a new section thereto to be numbered 93a, to provide for the calling of an election by the board of directors upon a change of boundaries in the absence of a protest, designing the form of ballot and providing for more than one proposition on such ballot and the statement thereof;

Also: Assembly Bill No. 558—An act to amend section 1172 of the Code of Civil Procedure, relating to the facts required to be proved in a proceeding for forcible entry or detainer.

ARTHUR A. OHNIMUS, Chief Clerk.
By A. W. ENGELKE, Assistant Clerk.

Assembly Bill No. 1900 read first time, and referred to Committee on Municipal Corporations.

Assembly Bill No. 1110 read first time, and referred to Committee on Governmental Efficiency.

Assembly Bill No. 897 read first time, and referred to Committee on Hospitals and Asylums.

Assembly Bill No. 1222 read first time, and referred to Committee on Judiciary.

Assembly Bill No. 650 read first time, and referred to Committee on Irrigation.

Assembly Bill No. 558 read first time, and referred to Committee on Judiciary.

Also:

ASSEMBLY CHAMBER, SACRAMENTO, April 21, 1931.

MR. PRESIDENT: I am directed to inform your honorable body that the Assembly on April 20, 1931, passed Assembly Bill No. 1195—An act to amend section 4 of an act entitled "An act to divide the State of California into fish and game districts and to repeal an act entitled 'An act to divide the State of California into fish and game districts and to repeal an act entitled 'An act to divide the State of California into six fish and game districts.'" approved March 21, 1911, and all acts or parts of acts inconsistent herewith," approved May 19, 1915, as amended, relating to fish and game districts.

ARTHUR A. OHNIMUS, Chief Clerk.
By A. W. ENGELKE, Assistant Clerk.

Assembly Bill No. 1195 read first time, and referred to Committee on Fish and Game.

Also:

ASSEMBLY CHAMBER, SACRAMENTO, April 21, 1931.

MR. PRESIDENT: I am directed to inform your honorable body that the Assembly on April 20, 1931, passed Assembly Bill No. 414—An act to amend section 626 of the Penal Code, relating to the protection of game.

ARTHUR A. OHNIMUS, Chief Clerk.
By A. W. ENGELKE, Assistant Clerk.

Assembly Bill No. 414 read first time, and referred to Committee on Fish and Game.

REPORTS OF STANDING COMMITTEES—(RESUMED).

The following report of standing committee was received and read:

ON ELECTIONS.

SENATE CHAMBER, SACRAMENTO, April 17, 1931.

MR. PRESIDENT: Your Committee on Elections, to which was referred Assembly Bill No. 354—An act to amend section 24 of chapter 690, Statutes of 1913, entitled "An act to provide for and regulate primary elections, and providing a method for choosing the delegates for political parties to State conventions and for nominating electors of President and Vice President of the United States, and providing for the election of party county central committees, and to repeal an act approved April 7, 1911, known as the Direct Primary Law, and also to repeal an act approved December 24, 1911, amending sections 1, 3, 5, 7, 10, 12, 13, 22, 23, and 24 of the said Direct Primary Law, and also to repeal all other acts or parts of acts inconsistent with or in conflict with the provisions of this act," approved June 16, 1913, as amended, relating to party conventions, membership and organization of State central committees and county central committees;

Also: Assembly Bill No. 498—An act to amend section 909 of the Political Code, relating to the filing of oaths of office;
Has had the same under consideration, and respectfully reports the same back with amendments, and recommends that the amendments be adopted, and that they do pass as amended.

Committee membership—11; committee vote: Ayes—7; noes—1; absent—3.

FELLOW, Chairman.

Assembly Bills Nos. 354 and 498 ordered on file for second reading.

RUSH ORDER TO PRINTER.

On motion of Senator Nelson, the Secretary was directed to issue a rush order for printing Assembly Bill No. 1000.

USE OF SENATE CHAMBER GRANTED.

Senator Allen moved that the Committee on Constitutional Amendments be granted the use of the Senate Chamber for this evening for the purpose of considering Senate Constitutional Amendment No. 26.

Motion carried.

ADJOURNMENT.

At four o'clock and seven minutes p.m., on motion of Senator Breed, the President declared the Senate adjourned until eleven o'clock a.m., Wednesday, April 22, 1931.

HAROLD J. POWERS, Minute Clerk.

IN SENATE.

SENATE CHAMBER,
SACRAMENTO, Wednesday, April 22, 1931.

The Senate met at eleven o'clock a.m.

Lieutenant Governor Frank F. Merriam, President of the Senate, in the chair.

Secretary Joseph A. Beek at the desk.

ROLL CALL.

The roll was called, and the following answered to their names:

Senators Allen, Breed, Bush, Carter, Cassidy, Christian, Cleveland, Clock, Crittenden, Deuel, Duval, Edwards, Evans, Fellom, Harper, Hays, Ingels, Inman, Jones, Maloney, McCormack, McKinley, Mixer, Moran, Nelson, Pedrotti, Rich, Riley, Rochester, Schottky, Sharkey, Slater, Swing, Treacy, Tubbs, Wagy, Williams, and Young—38.

Quorum present.

PRAYER.

Prayer was offered by the Chaplain, Rev. Sherman L. Divine.

READING OF THE JOURNAL.

During the reading of the Journal of Tuesday, April 21, 1931, the further reading was dispensed with, on motion of Senator Slater.

PRIVILEGE OF FLOOR OF SENATE EXTENDED.

On request of Senator Breed, the privilege of the floor of the Senate Chamber for this day was unanimously extended to former Senator Frank S. Boggs.

On request of Senator Swing, the privilege of the floor of the Senate Chamber for this day was unanimously extended to James A. Guthrie of San Bernardino, editor of the San Bernardino Daily Sun.

On request of Senator Crittenden, the privilege of the floor of the Senate Chamber for this day was unanimously extended to Elmwood School of Stockton; teachers: Mrs. L. McNamara and Mrs. M. A. Epperson and pupils as follows: Angie Croce, Irene Darrigo, Helen Thomas, Thelma Rollios, Evelyn Shankel, Alma Pizzo, Edith Pizzo, Venere Colisti, Mary Croce, Gladys Filippini, Rosie Giovanoni, Ardith Armstrong, Albert Goodnal, Frank Perry, Amanda Gogna, Edgar Fulton, Jimmie Rollios, Fred Logarmarsino, John Ruffoni, John Ransom and Bart Comera.

On request of Senator Bush, the privilege of the floor of the Senate Chamber for this day was unanimously extended to John J. Davi of Pittsburg.

On request of Senator Sharkey, the privilege of the floor of the Senate Chamber for this day was unanimously extended to Antioch High School; Wayne L. Hawkens, instructor, and pupils as follows: Mary Colville, Ralph Avery, Bill Dickerson, Albina Grosso, Dorothy Burroughs, Dixie

Delano, Lois Lindsey, Alice Herranti, Florence Henolio, Veronica Hussman, Rosalyn Kaufman, Donald Bloomfield, James Donlon, Jr., Melvin Christiansen, Ruth Woolcott, Ruby Adams, and Helen Hoyt.

On request of Senator Bush, the privilege of the floor of the Senate Chamber for this day was unanimously extended to Denair Grammar School with parents and teachers as follows: Mr. J. Wassum, Mr. H. H. Amstutz, Mrs. F. L. Nison, Mr. and Mrs. Robert Lee, Mr. and Mrs. Roy Croweh, Mr. and Mrs. F. R. Gregory, Mr. and Mrs. W. Commons, Mr. Amos Bigelow and pupils as follows: Gertrude Amstutz, Lorraine Piehn, Virginia Black, Frances Erickson, Mary Margaret Stevenson, Elaine Holveck, Bernice Iverson, Marjorie Reitzlaff, Margaret Yates, Ruby Witmer, Alice Evans, Helen Lindquist, Marie Powell, Robert Croweh, Raymond Riee, Manuel D'Almeida, Rodney Hansen, Charles Harris, Clarence Hodges, James McCauley, Howard Moore, Savery Gregory, Louis Domecq, Lee Huchingson, Robert Gault, George Gehrke, Dorman Commons, Lincoln Abraham, Harlan Bigelow, Glenn Haworth, Roger Pixley, and Alis Perry.

MESSAGE FROM THE ASSEMBLY.

The following message from the Assembly was received and read:

ASSEMBLY CHAMBER, SACRAMENTO, April 22, 1931.

MR. PRESIDENT: I am directed to inform your honorable body that the Assembly on April 21, 1931, passed Assembly Bill No. 218—An act to provide for a preliminary investigation of proposed public improvements and acquisitions of property for public purposes where the cost is to be met in whole or in part by special assessment taxes on benefited property; to provide for a basis of valuation of property for the purpose of special assessment; to limit the amount of special assessment taxes that may be imposed; and to authorize the payment of a part of the cost of public improvements and acquisitions of property for public purposes from any available public fund where the remainder of such cost is paid by special assessment on benefited property.

ARTHUR A. OHNIMUS, Chief Clerk.
By FRED J. DESCH, Assistant Clerk.

Assembly Bill No. 218 read first time, and referred to Committee on Municipal Corporations.

REPORTS OF STANDING COMMITTEES.

The following reports of standing committees were received and read:

ON ENGROSSMENT, ENROLLMENT AND PRINTING.

SENATE CHAMBER, SACRAMENTO, April 22, 1931.

MR. PRESIDENT: Your Committee on Engrossment, Enrollment and Printing has examined Senate Bill No. 475—An act providing for the organization, operation, maintenance, government and dissolution of resort districts and the inclusion of lands therein and exclusion of lands therefrom, and for the acquisition of lands or rights therein and the acquisition, construction, operation and maintenance of public improvements and works to carry into effect the provisions of this act; for the issuance, sale and payment of bonds of such districts to meet the cost of such improvements and works and for the acquisition or construction of such lands or rights therein or improvements and works; and conferring upon the State Engineer certain additional duties and powers in connection with carrying out the purposes of this act;

Also: Senate Constitutional Amendment No. 17—A resolution to propose to the people of the State of California an amendment to section 23a of article IV of the constitution of said State, relating to officers, employees and attaches—and reports that the same have been correctly engrossed.

RILEY, Chairman.

ON COMMERCE AND NAVIGATION.

SENATE CHAMBER, SACRAMENTO, April 22, 1931.

MR. PRESIDENT: Your Committee on Commerce and Navigation, to which was referred Assembly Bill No. 1901—An act to provide for the creation, organization, and government of port districts; to enumerate the powers thereof; to authorize the incurring of indebtedness, the issuance of bonds and the levy and collection of taxes by such district; to authorize municipal corporations in such districts to surrender

and transfer certain municipal powers and to grant certain municipal property to such districts for the purpose of carrying out the objects and purposes of this act—has had the same under consideration, and respectfully reports the same back with amendments, and recommends that the amendments be adopted, and that it do pass as amended.

Committee membership—9; committee vote: Ayes—5; absent—4.

CLEVELAND, Chairman.

Assembly Bill No. 1901 ordered on file for second reading.

ON REVISION OF CRIMINAL LAW AND PROCEDURE.

SENATE CHAMBER, SACRAMENTO, April 22, 1931.

MR. PRESIDENT: Your Committee on Revision of Criminal Law and Procedure, to which was referred Senate Bill No. 459—An act to amend section 667 of the Penal Code, relating to punishment for second offenses—has had the same under consideration, and respectfully reports the same back, and recommends that it do pass.

Committee membership—9; committee vote: Ayes—5; absent—3.

ROCHESTER, Chairman.

Senate Bill No. 459 ordered on file for second reading.

Also:

MR. PRESIDENT: Your Committee on Revision of Criminal Law and Procedure, to which was referred Senate Bill No. 616—An act to amend section 270 of the Penal Code, relative to omitting to provide child with necessities—has had the same under consideration, and respectfully reports the same back, and recommends that it do pass.

Committee membership—9; committee vote: Ayes—5; absent—3.

ROCHESTER, Chairman.

Senate Bill No. 616 ordered on file for second reading.

ON JUDICIARY.

SENATE CHAMBER, SACRAMENTO, April 22, 1931.

MR. PRESIDENT: Your Committee on Judiciary, to which was referred Senate Bill No. 731—An act defining cemetery and the various words and terms used in connection therewith, providing for the permanency of cemeteries by limiting their operation to corporations of unlimited existence, authorizing the operation of cemeteries for or without profit, prohibits crematories without provision for completing final interment of the cremated remains, provides for the acquisition of cemetery property, the dedication thereof to cemetery purposes, declares dedication supreme until removed by decree of court, exempts dedicated cemetery property from condemnation and from public improvement assessment, declares liens subject to dedication, provides for the sale of dedicated cemetery property for interment purposes, authorizes its sale subject to conditions and restrictions imposed by owner, defines the property rights of plot owners and the alienable and inalienable character of burial plots, provides for joint ownership and joint ownership representation, authorizes the establishing and enforcing of rules and regulations for cemetery government, authorizes perpetual care and the establishment of irreducible perpetual care funds, provides how perpetual care shall be administered, provides how and in what securities perpetual care funds shall be invested, authorizes the sale through court proceedings of surplus road and other space in cemeteries without perpetual care for purpose of providing a perpetual care fund therefor, authorizes special care of cemetery property and the administration of funds contributed therefor, specifies upon whom the right to control the disposition of remains and the duty of interring devolves, authorizes the payment for burial plot and memorial out of estate, requires records to be made and kept of the final disposition of all remains and of all removals thereof, prohibits vandalism and prescribes punishment therefor, provides method for removal of dedication through court proceedings, confers police power upon sextons and superintendents, makes sales under misrepresentations a misdemeanor, recognizes and adopts by reference the Mausoleum Construction Act, exempts certain religious and public cemeteries from operation of act, defines scope of act, repeals the Rural Cemetery Corporation Act adopted in 1859, and all acts amendatory and supplementary thereof, repeals sections 608, 609, 610, 611, 612, 613, 614, 615, 616 and 617 of the Civil Code, repeals sections 292, 294, 296 and 297 of the Penal Code, repeals all acts and parts of acts in conflict therewith, and declares the constitutionality of the act and all parts thereof—has had the same under consideration, and respectfully reports the same back with amendments, and recommends that the amendments be adopted, and the bill be re-referred to this committee.

Committee membership—17; committee vote: Ayes—16; absent—1.

CHRISTIAN, Chairman.

CONSIDERATION OF COMMITTEE AMENDMENTS.

Pursuant to the report of the Committee on Judiciary, the following amendments to Senate Bill No. 731 were read and adopted:

AMENDMENT NUMBER ONE.

On page 5, lines 6 and 11, of the printed bill, "Statement (a)", beginning in line 6 and "Statement (b)", beginning in line 11, should be contained in the same paragraph.

AMENDMENT NUMBER TWO.

On page 9, line 39, of the printed bill, strike out the word "an", immediately following the word "of", and substitute therefor the word "the".

AMENDMENT NUMBER THREE.

On page 9, line 47, of the printed bill, beginning with the word "all", immediately following the word "trust", strike out the remainder of the paragraph, to and including line 4, page 10, and substitute therefor the following: "as shall be required by the association".

AMENDMENT NUMBER FOUR.

On page 12, line 10, of the printed bill, add the following: "*Provided, however,* that the authority herein granted shall not apply to cemeteries which have been abandoned and/or in which interments have been prohibited by law."

AMENDMENT NUMBER FIVE.

On page 12, line 32, of the printed bill, immediately following the word "therein", insert a comma.

AMENDMENT NUMBER SIX.

On page 13, line 29, of the printed bill, immediately following the word "court", strike out the comma and the following words: "in settling a decedent's estate, may allow", and insert in lieu thereof the following: "may allow out of the estate of a decedent".

AMENDMENT NUMBER SEVEN.

On pages 15 and 16 of the printed bill, beginning in line 40, page 15, strike out all of section 28 to and including line 21, on page 16, and insert in lieu thereof the following: "The provisions of that certain act of the Legislature approved June 5, 1923, relating to the abandonment of cemeteries and parts thereof entitled "An act authorizing the board of supervisors or other governing body of any incorporated city, or city and county having a population of more than one hundred thousand persons, to order the disinterment and removal of all human bodies interred in any cemetery of more than five acres in extent, or from a part thereof, situate within the boundaries of such city, or city and county, and directing the reinterment of such bodies in cemeteries outside the limits of such city, or city and county, or the depositing of the same in a mausoleum or columbarium, whenever the further maintenance of such cemetery or part thereof as a burial place for the human dead threatens or endangers the health, safety, comfort or welfare of the public, and providing a mode of procedure under and by which such removals may, when so ordered, be made by the cemetery corporation, association, corporation sole or other person governing or controlling such cemetery lands, or by the relatives or friends of those whose bodies are buried therein, and providing for the sale, mortgage or pledge of cemetery lands from which the human bodies are removed." And the provisions of section 10 of said act, as amended by an act of the Legislature approved June 14, 1929, are hereby continued in full force and effect, and said act as amended is hereby approved, adopted and enacted as section 28 of this act, as fully as if copied herein. Nothing contained herein shall affect proceedings heretofore commenced for the disinterment, removal and reinterment of the remains of the dead under the provisions of said act approved June 5, 1923, as amended by said act approved June 14, 1929, but all such proceedings heretofore commenced may be prosecuted regardless of any provisions of this act, and the bodies of the dead in the cemeteries of the class mentioned in said act approved May 20, 1923, as amended, may be disinterred, removed and reinterred pursuant to the provisions of said last mentioned act; *provided, however,* that the time prescribed by any municipal ordinance heretofore enacted pursuant to the provisions of the above mentioned act for the disinterment and removal of bodies from any such cemetery, is hereby extended for the period of two years from the date of approval of this act by the governor. Such time may be further extended by the superior court of the county, in which such cemetery is located, upon good cause shown upon application for such extension by the person, corporation, association or corporation sole owning or controlling such cemetery."

AMENDMENT NUMBER EIGHT.

On page 16, line 22, of the printed bill, beginning with the word "Mausoleum", strike out all of section 29 to and including line 37, and insert in lieu thereof, the following: "Nothing in this act shall be construed as repealing the following acts or any provisions thereof:

(a) An act authorizing and providing for the abandonment and disposal of cemeteries and cemetery lands, approved May 20, 1921, statutes 1921, page 199, as amended and approved June 4, 1929;

(b) An act to regulate the erection, construction, reconstruction, alteration, maintenance and use of mausoleums, approved May 4, 1929, statutes 1929, page 413."

AMENDMENT NUMBER NINE.

On page 17, line 27, of the printed bill, immediately following the word "them", insert the following: "and shall be unaffected by anything contained in this act".

AMENDMENT NUMBER TEN.

On page 17, line 34, of the printed bill, immediately following the period after the word cemeteries add the following sentence: "Neither shall the provisions of this act be construed to in any manner affect any small private, fraternal or community cemetery not exceeding ten acres in area nor shall any such cemetery be required to be operated by a corporation".

AMENDMENT NUMBER ELEVEN.

On page 17, line 42, of the printed bill, beginning with the word "as", immediately following "1859", strike out the remainder of line 42, and all of lines 43 and 44, and insert in lieu thereof the following: "statutes 1859, page 281, as amended statutes 1863-64, page 12, and as amended statutes 1891, page 264, and as amended statutes 1911, page 1099, is hereby repealed."

AMENDMENT NUMBER TWELVE.

On page 18, line 9, of the printed bill, strike out the following: "and 297".

AMENDMENT NUMBER THIRTEEN.

On page 18, line 13, of the printed bill, strike out the period immediately following the word "repealed", and insert in lieu thereof a colon, and insert a new paragraph, which shall not be numbered or lettered, as follows:

"Providing that no repeal of any law, act or part of act, as in this section provided, shall be construed as impairing, modifying, terminating, or in any manner affecting the corporate existence, or any contract or right or obligation of any incorporated cemetery organized and existing under the act of the Legislature of the State of California entitled "An act to authorize the incorporation of rural cemetery associations" approved April 18, 1859, or under any present, existing law, but as to such cemeteries, their contracts, obligations and rights, and the vested rights of their members or lot proprietors, the laws under which they were organized and exist and under which such rights became vested shall be deemed applicable and are repealed subject to this provision."

Bill ordered to print, and re-referred to Committee on Judiciary.

ON BANKING.

SENATE CHAMBER, SACRAMENTO, April 22, 1931.

MR. PRESIDENT: Your Committee on Banking, to which was referred Assembly Bill No. 186—An act amending an act entitled "An act to define and regulate the business of banking," approved March 1, 1909, as amended, designated the "Bank Act," by amending section 61, relating to the purchase, holding and sale of real and personal property by savings banks—has had the same under consideration, and respectfully reports the same back with amendments, and recommends that the amendments be adopted, and that it do pass as amended.

Committee membership—9; committee vote: Ayes—5; absent—4.

JONES, Chairman.

Assembly Bill No. 186 ordered on file for second reading.

Also:

MR. PRESIDENT: Your Committee on Banking, to which was referred Assembly Bill No. 185—An act to amend an act entitled "An act to authorize and control the deposit in banks of money belonging to or in the custody of the State and to repeal all acts or parts of acts in conflict with this act," approved April 12, 1923, as amended, by amending section 4 thereof with reference to the security to be given for such deposits—has had the same under consideration, and respectfully reports the same back, and recommends that it do pass.

Committee membership—9; committee vote: Ayes—5; absent—4.

JONES, Chairman.

Assembly Bill No. 185 ordered on file for second reading.

ON FISH AND GAME.

SENATE CHAMBER, SACRAMENTO, April 21, 1931.

MR. PRESIDENT: Your Committee on Fish and Game, to which was referred Senate Bill No. 542—An act to amend the title and sections 1, 3, 5 and 7a of chapter 551, Statutes of 1919, as amended, entitled "An act to conserve the fish supply in California by empowering the Fish and Game Commission to regulate and control the handling of fish and other fishery products for the purpose of preventing deterioration or waste; to establish grades to which the fish or other fishery products offered for delivery to canners or preservers or to the fresh fish markets must conform; to make regulations to insure the proper handling and delivery of fish or fishery products to canners, preservers or fresh fish dealers; to regulate and control the use of fish or other fishery products for reduction purposes, and to provide penalties for any violation of any of the provisions of this act," approved May 25, 1919, relating to the canning of sardines—has had the same under consideration, and respectfully reports the same back with amendments, and recommends that the amendments be adopted, and that it do pass as amended.

Committee membership—16; committee vote: Ayes—9; noes—4; absent—3.

YOUNG, Chairman.

Senate Bill No. 542 ordered on file for second reading.

Also:

MR. PRESIDENT: Your Committee on Fish and Game, to which was referred Senate Bill No. 917—An act to amend section 3 of chapter 197, Statutes of 1909, entitled "An act to amend 'An act to regulate the vocation of fishing and to provide therefrom revenue for the propagation, restoration and conservation of the fish in the waters of the State of California,'" relating to regulations of the Fish and Game Commission—has had the same under consideration, and respectfully reports the same back with amendments, and recommends that the amendments be adopted, and that it do pass as amended.

Committee membership—16; committee vote: Ayes—10; noes—1; absent—5.

YOUNG, Chairman.

Senate Bill No. 917 ordered on file for second reading.

Also:

MR. PRESIDENT: Your Committee on Fish and Game, to which was referred Assembly Bill No. 787—An act to amend an act entitled "An act providing for the disposition of fines and forfeitures collected in all prosecutions for violations of the laws of the State referring to wild birds, wild mammals and fishes," approved May 20, 1915—has had the same under consideration, and respectfully reports the same back, and recommends that it do pass.

Committee membership—16; committee vote: Ayes—13; absent—3.

YOUNG, Chairman.

Assembly Bill No. 787 ordered on file for second reading.

Also:

MR. PRESIDENT: Your Committee on Fish and Game, to which was referred Assembly Bill No. 786—An act to amend section 2 of an act entitled "An act to regulate the sale and issuance of licenses to hunt, take, pursue or kill wild birds or mammals, and/or to angle for, take, catch or kill game fishes for purposes other than sale or profit in order to provide revenue therefrom for fish and game preservation, protection and restoration; defining game fishes; providing a penalty for the violation of this act and repealing all acts and parts of acts inconsistent or in conflict with this act," approved May 27, 1929, relating to the Fish and Game Commissioners—has had the same under consideration, and respectfully reports the same back with amendments, and recommends that the amendments be adopted, and that it do pass as amended.

Committee membership—16; committee vote: Ayes—13; absent—3.

YOUNG, Chairman.

Assembly Bill No. 786 ordered on file for second reading.

Also:

MR. PRESIDENT: Your Committee on Fish and Game, to which was referred Assembly Bill No. 597—An act to regulate the importation and keeping of wild species of birds and animals and providing a penalty for the violation of the provisions hereof—has had the same under consideration, and respectfully reports the same back with amendments, and recommends that the amendments be adopted, and be re-referred to this committee.

Committee membership—16; committee vote: Ayes—12; absent—4.

YOUNG, Chairman.

CONSIDERATION OF COMMITTEE AMENDMENT.

Pursuant to the report of the Committee on Fish and Game, the following amendment to Assembly Bill No. 597 was read and adopted:

AMENDMENT NUMBER ONE.

On page 1, line 13, of the printed bill, strike out the period, and insert in lieu thereof the following: "unless such importation, shipping or transportation is governed by federal laws or regulations, in which case none of the provisions of this act shall apply."

Bill ordered to print, and re-referred to Committee on Fish and Game.

Also:

MR. PRESIDENT: Your Committee on Fish and Game, to which was referred Assembly Bill No. 926—An act to amend section 626½ of the Penal Code, relating to the protection of game;

Also: Assembly Bill No. 1384—An act to establish a refuge for the protection of marine animal and plant life;

Has had the same under consideration, and respectfully reports the same back with amendments, and recommends that the amendments be adopted, and be re-referred to this committee.

Committee membership—16; committee vote: Ayes—12; absent—4.

YOUNG, Chairman.

CONSIDERATION OF COMMITTEE AMENDMENT.

Pursuant to the report of the Committee on Fish and Game, the following amendment to Assembly Bill No. 926 was read and adopted:

AMENDMENT NUMBER ONE.

On page 1, line 25, of the printed bill, strike out the word "into", and insert in lieu thereof the following: "to the division of fish and game for deposit in".

Bill ordered to print, and re-referred to Committee on Fish and Game.

CONSIDERATION OF COMMITTEE AMENDMENT.

Pursuant to the report of the Committee on Fish and Game, the following amendment to Assembly Bill No. 1384 was read and adopted:

AMENDMENT NUMBER ONE.

On page 2, line 11, of the printed bill, as amended, strike out the word "into", and insert in lieu thereof the words "to the division of fish and game for deposit in".

Bill ordered to print, and re-referred to Committee on Fish and Game.

CONSIDERATION OF DAILY FILE.

SECOND READING OF SENATE BILLS.

Senate Bill No. 399—An act to amend section 25 of the Civil Code, relating to who are minors.

Bill read second time, ordered engrossed, and on file for third reading.

Senate Bill No. 946—An act to amend section 141½ of the California Vehicle Act, approved May 30, 1923, relating to liability of an owner or driver or person responsible for the operation of a vehicle, for the injury or death of a guest.

Bill read second time, ordered engrossed, and on file for third reading.

Senate Bill No. 942—An act relating to citrus fruit fairs and expositions and providing that such fairs and expositions shall be entitled to receive and participate in the benefits and aid provided for agricultural fairs in and by the act entitled "An act to form agricultural districts, to provide for the formation, organization and powers, of agricultural

associations therein and for the management and control of the same by the State, and repealing all acts and portions of acts in conflict with this act," approved April 17, 1909.

Bill read second time, ordered engrossed, and on file for third reading.

Senate Bill No. 937—An act to amend section 1980 of the Civil Code, relating to contracts for personal service.

COMMITTEE AMENDMENTS.

During the second reading of the bill, the following committee amendments were offered:

AMENDMENT NUMBER ONE.

On page 1, line 5, of the printed bill, as amended April 16, 1931, following the comma after the word "servant", insert the following: "and other than a contract entered into pursuant to the proviso hereinafter in this section contained".

Amendment adopted.

AMENDMENT NUMBER TWO.

On page 1, line 6, of the printed bill, as amended April 16, 1931, strike out the word "ten", and insert in lieu thereof the word "seven".

Amendment adopted.

AMENDMENT NUMBER THREE.

On page 1, line 7, of the printed bill, as amended April 16, 1931, strike out the word "but", and insert in lieu thereof the following: "*provided, however, that any contract, otherwise valid, to perform or render service of a special, unique, unusual, extraordinary or intellectual character, which gives it peculiar value, the loss of which cannot be reasonably or adequately compensated in damages in an action at law, may nevertheless be enforced against the person contracting to render such service, for a term not beyond a period of seven years from the commencement of service under it. Notwithstanding the provisions hereinabove in this section contained.*".

Amendment adopted.

Bill read second time, ordered to print, engrossment, and on file for third reading.

CONSIDERATION OF DAILY FILE.

SECOND READING OF ASSEMBLY BILLS.

Assembly Bill No. 1095—An act to amend sections 2, 3, 4, 5, and add a new section to be known as section 6½ of the Pure Milk Law of California, approved June 3, 1927.

COMMITTEE AMENDMENTS.

During the second reading of the bill, the following committee amendments were offered:

AMENDMENT NUMBER ONE.

On page 5 of the printed bill, strike out all of lines 8, 9, 10, 11 and the word "milk", and the period in line 12.

Amendment adopted.

AMENDMENT NUMBER TWO.

On page 7 of the printed bill, after line 9, insert the following:

"(f) Where an approved milk inspection service is maintained as provided in section 4 of this act, market cream may be graded and designated as follows: "certified cream," "guaranteed cream," "grade A cream," "grade B cream."

(g) Certified cream, is market cream which conforms to the rules, regulations, methods and standards for the production and distribution of certified cream adopted by the American association of medical milk commissions and must bear the certification of a milk commission appointed by a county medical association, organized under and approved by the medical society of the State of California, and must otherwise conform to the requirements of the so-called certified milk act, approved April 25, 1913. (Statutes 1913, page 83.)

(b) Guaranteed cream, is market cream, which shall conform to the following requirements as a minimum: If raw, the health of the cows shall be determined by physical examination at least once each month by an official representative of an approved milk inspection service and by a tuberculin test as required in section 2 (c) of this act. It shall be produced on dairies which score not less than ninety per cent on the dairy farm score card adopted by the department of agriculture of the State of California. It shall be bottled on the premises where produced and must be delivered in containers having the pouring lip completely protected from contamination and shall be cooled immediately after separation to fifty degrees Fahrenheit or less, and so maintained until delivered to the consumer, when it shall contain not more than forty-five thousand bacteria per milliliter, and not less than twenty per cent of milk fat. It must be sold to the consumer within thirty hours after production and shall be labeled to indicate the date of sale to the consumer. All persons who come in contact with the raw guaranteed cream must exercise scrupulous cleanliness and must not be afflicted with any communicable disease or in a condition to disseminate the germs of typhoid fever, tuberculosis, diphtheria or other communicable diseases liable to be conveyed by the cream. The absence of such germs in all such persons shall be determined by bacteriological and physical examination by a health department maintaining an approved milk inspection service, or other person or laboratory approved in writing by the department of agriculture of the State of California, conducted at the time of employment and every six months thereafter in a manner approved by the said department of agriculture.

If pasteurized, guaranteed cream shall conform with all the provisions for raw guaranteed cream, except with respect to bottling at the ranch where produced, and except it shall contain not more than nine thousand bacteria per milliliter at the time of delivery to the consumer.

(i) Grade A cream is market cream which shall conform to the following requirements as a minimum.

If raw, the health of the cows shall be determined by physical examination at least once in two months by an official representative of an approved milk inspection service and by a tuberculin test as required by section 2 (c) of this act. It shall be produced on dairies that score not less than eighty per cent on the dairy farm score card adopted by the department of agriculture of the State of California. It shall contain not more than one hundred fifty thousand bacteria per milliliter at the time of delivery to the consumer. All persons who come in contact with raw grade A cream must exercise scrupulous cleanliness and must not be afflicted with any communicable disease or in a condition to disseminate the germs of typhoid fever, tuberculosis, diphtheria or other communicable diseases liable to be conveyed thereby. Absence of such germs may be determined by bacteriological and physical examination, to the satisfaction of an approved milk inspection service.

If pasteurized, the health of the cows shall be determined by physical examination at least once in six months, by an official representative of an approved milk inspection service. It shall be produced on dairies that score not less than seventy per cent on the dairy farm card adopted by the department of agriculture of the State of California. It shall contain not more than four hundred fifty thousand bacteria per milliliter before pasteurization and not more than forty-five thousand bacteria per milliliter at the time of delivery to the consumer.

(j) Grade B cream is market cream which shall conform to the following requirements as a minimum:

The health of the cows shall be determined by physical examination at least once in six months by an official representative of an approved milk inspection service. It shall be produced on dairies that score not less than sixty per cent on the dairy farm score card adopted by the department of agriculture of the State of California. It shall always be pasteurized and shall contain not more than three million bacteria per milliliter before pasteurization and not more than one hundred fifty thousand bacteria per milliliter at the time of delivery to the consumer."

Amendment adopted.

Bill read second time, ordered to print, and on file for third reading.

Assembly Bill No. 130—An act to add a new section, to be numbered 383b to the Penal Code, relating to the sale of kosher meats and meat preparations, and kosher food, defining the word "kosher" and providing penalties for the violation thereof.

Bill read second time, and ordered on file for third reading.

Assembly Bill No. 499—An act to amend section 4024 of the Political Code, relating to appointment of deputies.

COMMITTEE AMENDMENTS.

During the second reading of the bill, the following committee amendments were offered:

AMENDMENT NUMBER ONE.

On page 1 of the printed bill, strike out lines 3 to 5, inclusive, and insert in lieu thereof the following: "Every county, township or district officer, except a supervisor or judicial officer, and every marshal of municipal court or clerk of municipal court, may appoint as many deputies as may".

Amendment adopted.

AMENDMENT NUMBER TWO.

On page 1, line 8, of the printed bill, strike out "certified".

Amendment adopted.

AMENDMENT NUMBER THREE.

On page 1, line 9, of the printed bill, after "thereof", insert the following: ", in the case of such deputies receiving compensation for their official duties,".

Amendment adopted.

AMENDMENT NUMBER FOUR.

On page 1, line 10, of the printed bill, strike out "certified".

Amendment adopted.

AMENDMENT NUMBER FIVE.

On page 1, line 11, of the printed bill, after "thereof", insert the following: ", when herein required,".

Amendment adopted.

AMENDMENT NUMBER SIX.

On page 1, line 12, of the printed bill, after the period in said line, insert the following: "Upon the revocation of the appointment of any such deputy, such revocation must be made and filed in the same manner as is herein provided for the making and filing of his appointment."

Amendment adopted.

Bill read second time, ordered to print, and on file for third reading.

Assembly Bill No. 1009—An act to repeal title XXI of part IV of division I of the Civil Code of the State of California, including sections 653*m*, 653*n*, 653*o*, 653*p*, 653*q*, 653*r*, 653*s*, 653*sa*, 653*sb*, and 653*sc* of the Civil Code of the State of California, relating to nonprofit cooperative, agricultural, viticultural and horticultural associations.

Bill read second time, and ordered on file for third reading.

Assembly Bill No. 1010—An act to repeal title XXII of part IV of division I of the Civil Code of the State of California, including sections 653*t*, 653*u*, 653*v*, 653*w*, 653*x*, 653*y*, 653*z*, 653*za*, 653*zb*, 653*zc*, and 653*zd* of the Civil Code of the State of California, relating to nonprofit cooperative corporations, and making the General Corporation Law apply to such corporations.

Bill read second time, and ordered on file for third reading.

Assembly Bill No. 1023—An act to amend sections 653*bb*, 653*cc*, 653*hh*, 653*ii*, 653*jj*, 653*kk*, 653*mm*, 653*qq*, 653*tt* and 653*vv*, of title XXIII of part IV of division I of the Civil Code of the State of California, relating to nonprofit cooperative marketing associations, and to add to said title XXIII new sections to be known as section 653*hh* (1), section 653*hh* (2) and section 653*yy* of the Civil Code of the State of California.

Bill read second time, and ordered on file for third reading.

Assembly Bill No. 496—An act to amend section 24 of the State Bar Act, approved March 31, 1927, as amended, relating to admission to practice law, and to repeal sections 275, 276, 276*a*, 277, 279, 280 of the Code of Civil Procedure.

Bill read second time, and ordered on file for third reading.

Assembly Bill No. 1224—An act to amend section 817 of the Penal Code, relating to peace officers.

Bill read second time, and ordered on file for third reading.

Assembly Bill No. 1225—An act to amend section 644 of the Penal Code, relating to the punishment of habitual criminals.

Bill read second time, and ordered on file for third reading.

Assembly Bill No. 503—An act to amend section 2924 of the Civil Code, relating to making certain transfers a mortgage and defining the manner in which a power of sale contained in a mortgage or deed of trust may be exercised.

Bill read second time, and ordered on file for third reading.

Assembly Bill No. 1291—An act to amend section 134 of the Code of Civil Procedure, relating to the time when judges shall be available.

Bill read second time, and ordered on file for third reading.

Assembly Bill No. 1008—An act to repeal titles XIX and XX of part IV of division I of the Civil Code of the State of California, including sections 653*a*, 653*b*, 653*c*, 653*d*, 653*e*, 653*f*, 653*g*, 653*h*, 653*i*, 653*j*, 653*k*, and 653*l* of the Civil Code of the State of California, relating to cooperative associations and cooperative business corporations.

Bill read second time, and ordered on file for third reading.

Assembly Bill No. 1075—An act to regulate the preparation, sale, disposal, shipment, transportation and possession of viruses, serums, toxins and analogous products intended for use in the treatment of domestic animals, and repealing an act entitled "An act prohibiting the preparation, sale, barter, shipment or exchange of any worthless, contaminated, dangerous or harmful hog cholera serum or virus; requiring every establishment for the preparation of hog cholera serum, virus, vaccine or antitoxin to be inspected and licensed by the director of the agricultural experiment station of the University of California; and providing penalties for violation of any of the provisions hereof," approved June 1, 1915.

COMMITTEE AMENDMENT.

During the second reading of the bill, the following committee amendment was offered:

AMENDMENT NUMBER ONE.

On page 1, line 11, of the printed bill, after the word "corporation", insert the word "knowingly".

Amendment adopted.

Bill read second time, ordered to print, and on file for third reading.

Assembly Bill No. 599—An act to amend sections 2322*a* and 2322*g* of the Political Code, relating to county horticultural commissioner.

Bill read second time, and ordered on file for third reading.

Assembly Bill No. 354—An act to amend section 24 of chapter 690, Statutes of 1913, entitled "An act to provide for and regulate primary elections, and providing a method for choosing the delegates for political parties to State conventions and for nominating electors of President and Vice President of the United States, and providing for the election of party county central committees, and to repeal an act approved April 7, 1911, known as the Direct Primary Law, and also to repeal an act approved December 24, 1911, amending sections 1, 3, 5, 7, 10, 12, 13, 22, 23, and 24 of the said Direct Primary Law, and also to repeal all other acts or parts of acts inconsistent with or in conflict with the provisions of this act," approved June 16, 1913, as amended, relating to party conventions, membership and organization of State central committees and county central committees.

COMMITTEE AMENDMENTS.

During the second reading of the bill, the following committee amendments were offered :

AMENDMENT NUMBER ONE.

On page 8 of the printed bill, strike out lines 29 to 31, inclusive.

Amendment adopted.

AMENDMENT NUMBER TWO.

On page 8 of the printed bill, strike out lines 34 to 41, inclusive, and insert in lieu thereof the following: "of five members from each assembly district."

Amendment adopted.

AMENDMENT NUMBER THREE.

On page 8, line 42, of the printed bill, strike out "seven", and insert in lieu thereof "six".

Amendment adopted.

AMENDMENT NUMBER FOUR.

On page 8, line 46, of the printed bill, strike out "seven", and insert in lieu thereof "six".

Amendment adopted.

AMENDMENT NUMBER FIVE.

On page 9 of the printed bill, between lines 12 and 13, insert the following: "In each county and city and county the nominee of the party for state senator or the incumbent state senator and the nominees of the party for the assembly shall be ex officio members of the committee."

Amendment adopted.

Bill read second time, ordered to print, and on file for third reading.

Assembly Bill No. 498—An act to amend section 909 of the Political Code, relating to the filing of oaths of office.

COMMITTEE AMENDMENT.

During the second reading of the bill, the following committee amendment was offered :

AMENDMENT NUMBER ONE.

On page 1, line 11, of the printed bill, strike out "certified".

Amendment adopted.

Bill read second time, ordered to print, and on file for third reading.

RESOLUTION.

The following resolution was offered:

By Senator Jones:

WHEREAS, The State revenues for the biennial period commencing July 1, 1931, will not be sufficient by \$10,000,600 to meet the State expenditures for that period; and

WHEREAS, The State revenue derived from bank taxes fell from \$1,700,000 in 1928 to \$550,000 in 1929, and \$908,000 in 1930, a loss in State revenue for the two years of \$7,942,000; and

WHEREAS, The State revenues derived from oil companies fell from \$960,129 in 1928, to \$188,464 in 1929, and \$320,933 in 1930, a loss in State revenue for the two years of \$1,410,791; and

WHEREAS, The report of the California Tax Commission of 1927-28 set forth that on the basis of the 1.73 ad valorem rate levied against general property, the gas and electric companies would have been paying a 10.25 per cent gross income tax instead of the 7.5 per cent tax actually paid, the difference in the State revenues actually collected under the lower rate and those that would have been collected under the higher rate being \$10,052,593 for the years 1929-30; and

WHEREAS, The report of the California Tax Commission of 1927-28 set forth that on the basis of the 1.73 ad valorem rate levied against general property the telephone and telegraph companies would have been paying 6.75 gross income tax instead of the 5.50 per cent tax actually collected under the lower rate, the difference in the State revenue actually collected under the lower rate and those that would have been collected under the higher rate being \$2,104,432 for the years 1929-30; and

WHEREAS, The report of the California Tax Commission of 1927-28 set forth that on the basis of the 1.73 ad valorem rate levied against general property, the short line railroads would have been paying a 9 per cent gross income tax instead of the 5.25 per cent tax actually paid, the difference in the State revenues actually collected under the lower rate and those that would have been collected under the higher rate being \$487,130 for the years 1929-30; and

WHEREAS, The State for the biennium 1929-30 suffered on these several items an apparent loss of revenue of \$21,996,947, which is more than double the excess of expenditures over revenue for the coming biennium; and

WHEREAS, The depletion of the State surplus is apparently due to undertaxing of the groups cited in these resolutions; therefore, be it

Resolved, That the Tax Research Bureau authorized by legislation enacted at this session be and it hereby is requested to submit to the Legislature of 1933, a schedule of equitable rates to be levied against the public utilities paying gross income taxes for State purposes, and suggested legislation under which banks and oil companies may be required to bear their proportionate share of the State tax burden; and be it further

Resolved, That the Director of Finance, in the event of the failure to establish such Tax Research Bureau, be and he hereby is requested to submit to the Legislature when it convenes in 1933, legislation under which banks and oil companies may be required to bear their proportionate share of the tax burden.

Resolution ordered referred to Committee on Finance.

CONSIDERATION OF DAILY FILE.

THIRD READING OF SENATE BILLS.

Senate Bill No. 185—An act to amend section 9 of chapter 34, Statutes of 1927, entitled The State Bar Act, approved March 31, 1927, as amended, relating to the board of governors.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Senate Bill No. 185 passed by the following vote:

AYES—Senators Breed, Bush, Cassidy, Christian, Cleveland, Denel, Edwards, Evans, Fellom, Hays, Jones, Maloney, McKinley, Mixter, Moran, Nelson, Pedrotti, Rich, Rochester, Schottky, Sharkey, Slater, Swing, Treacy, Tubbs, and Young—26.
NOES—None.

Title read and approved.

Bill ordered transmitted to the Assembly.

Senate Bill No. 900—An act to amend the California Vehicle Act, approved May 30, 1923, and as amended, by amending sections 99, 100, 100½, 101, 102, 103, 104, 106, 108, 110, 111, 111½, 130, adding thereto

new sections to be numbered 106 $\frac{1}{2}$, 111 $\frac{1}{2}$, 111 $\frac{1}{4}$, 111 $\frac{3}{4}$, relating to the use, operation and equipment of motor vehicles operated upon the public highways, requiring lights, reflex mirrors, light indicators, prohibiting certain lights, the sale thereof, the sale of motor vehicles equipped with unlawful lights, regarding the method and requirements for the testing of lights and signals, the approval thereof, authorizing the establishment of official headlamp and brake adjusting stations, and the enforcement of said act.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Senate Bill No. 900 passed by the following vote:

AYES—Senators Breed, Bush, Cassidy, Cleveland, Clock, Deuel, Duval, Edwards, Evans, Fellom, Harper, Hays, Ingels, Inman, Jones, Maloney, McCormack, McKinley, Mixer, Moran, Nelson, Pedrotti, Rich, Rochester, Schottky, Sharkey, Slater, Swing, Treacy, Tubbs, Williams, and Young—32.

NOES—None.

AMENDMENTS TO TITLE.

The following amendments to the title were offered, and their adoption moved by Senator Sharkey:

AMENDMENT NUMBER ONE.

In line 7 of the title of the printed bill, strike out "reflex mirrors", and insert in lieu thereof the following: "red reflectors".

AMENDMENT NUMBER TWO.

In line 8 of the title of the printed bill, strike out "the sale of motor vehicles equipped", and in line 9, strike out "with unlawful lights".

Amendments adopted.

Title, as amended, read and approved.

Bill ordered to print and re-engrossment, and transmitted to the Assembly.

Senate Bill No. 605—An act to amend section 1329 of the Penal Code, relating to fees of witnesses when from without the county, or without the State of California.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Senate Bill No. 605 passed by the following vote:

AYES—Senators Breed, Bush, Cassidy, Christian, Cleveland, Clock, Crittenden, Edwards, Evans, Fellom, Harper, Hays, Ingels, Inman, Jones, McCormack, McKinley, Mixer, Moran, Nelson, Pedrotti, Rich, Rochester, Schottky, Sharkey, Slater, Treacy, Tubbs, Williams, and Young—30.

NOES—None.

Title read and approved.

Bill ordered transmitted to the Assembly.

Senate Bill No. 606—An act to amend section 1089 of the Penal Code, relating to number, selection and duties of alternate jurors and to number of peremptory challenges in criminal cases.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Senate Bill No. 606 passed by the following vote:

AYES—Senators Breed, Bush, Cassidy, Cleveland, Clock, Crittenden, Deuel, Duval, Edwards, Evans, Harper, Hays, Ingels, Jones, Maloney, McCormack, McKinley,

Mixer, Moran, Nelson, Pedrotti, Rich, Rochester, Schottky, Sharkey, Slater, Swing, Treacy, Tubbs, Williams, and Young—31.

NOES—None.

Title read and approved.

Bill ordered transmitted to the Assembly.

Senate Bill No. 607—An act to amend section 484 of the Penal Code, defining theft.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Senate Bill No. 607 passed by the following vote:

AYES—Senators Breed, Bush, Cassidy, Cleveland, Clock, Crittenden, Deuel, Duval, Evans, Harper, Hays, Ingels, Jones, Maloney, McCormack, McKinley, Mixer, Moran, Nelson, Pedrotti, Rich, Schottky, Sharkey, Slater, Swing, Treacy, Tubbs, Williams, and Young—29.

NOES—None.

Title read and approved.

Bill ordered transmitted to the Assembly.

Senate Bill No. 610—An act to amend section 1426 of the Penal Code, relating to proceedings in justice's court and municipal courts.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Senate Bill No. 610 passed by the following vote:

AYES—Senators Breed, Bush, Cassidy, Cleveland, Clock, Crittenden, Duval, Edwards, Evans, Fellom, Harper, Hays, Ingels, Jones, Maloney, McCormack, McKinley, Mixer, Moran, Nelson, Pedrotti, Rich, Rochester, Schottky, Sharkey, Slater, Swing, Treacy, Tubbs, Williams, and Young—31.

NOES—None.

Title read and approved.

Bill ordered transmitted to the Assembly.

Senate Bill No. 612—An act to amend section 473 of the Penal Code, relating to and providing for the penalty for the commission of forgery.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Senate Bill No. 612 passed by the following vote:

AYES—Senators Breed, Bush, Carter, Cassidy, Christian, Cleveland, Crittenden, Deuel, Duval, Edwards, Evans, Fellom, Harper, Hays, Ingels, Jones, Maloney, McKinley, Mixer, Moran, Nelson, Pedrotti, Rochester, Schottky, Sharkey, Slater, Swing, Treacy, and Williams—29.

NOES—None.

Title read and approved.

Bill ordered transmitted to the Assembly.

Senate Bill No. 614—An act to amend section 689 of the Penal Code, providing that no person can be convicted of a public offense but upon verdict or judgment.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Senate Bill No. 614 passed by the following vote:

AYES—Senators Breed, Bush, Carter, Cassidy, Christian, Cleveland, Clock, Crittenden, Deuel, Duval, Edwards, Evans, Fellom, Harper, Hays, Jones, Maloney, McCormack, McKinley, Mixer, Moran, Nelson, Pedrotti, Rich, Schottky, Sharkey, Slater, Swing, Treacy, and Williams—30.

NOES—Senator Rochester—1.

Title read and approved.

Bill ordered transmitted to the Assembly.

Senate Bill No. 613—An act to amend section 270*a*, of the Penal Code, relating to abandonment of wife and omitting to furnish wife with necessities.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Senate Bill No. 613 passed by the following vote:

AYES—Senators Breed, Bush, Carter, Cassidy, Christian, Cleveland, Clock, Crittenden, Deuel, Duval, Evans, Fellom, Harper, Hays, Ingels, Inman, Jones, Maloney, McKinley, Mixer, Moran, Nelson, Pedrotti, Rich, Rochester, Schottky, Sharkey, Slater, Swing, Treacy, Tubbs, Waggy, Williams, and Young—34.

NOES—None.

Title read and approved.

Bill ordered transmitted to the Assembly.

Senate Bill No. 209—An act to amend sections 204, 204*a*, 204*b*, 204*c*, 204*d*, and 204*e* of the Code of Civil Procedure, relating to jury commissioners and a jury commissioner.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Senate Bill No. 209 passed by the following vote:

AYES—Senators Breed, Bush, Cassidy, Christian, Cleveland, Clock, Crittenden, Duval, Evans, Fellom, Harper, Hays, Ingels, Maloney, McKinley, Mixer, Nelson, Pedrotti, Rich, Schottky, Sharkey, Slater, Swing, Treacy, Tubbs, and Williams—26.

NOES—Senator Rochester—1.

Title read and approved.

Bill ordered transmitted to the Assembly.

Senate Bill No. 642—An act to amend section 2 of chapter 339, Statutes of 1923, entitled “An act to control and regulate the possession, sale and use of pistols, revolvers and other firearms capable of being concealed upon the person; to prohibit the manufacture, sale, possession or carrying of certain other dangerous weapons within this State; to provide for registering all sales of pistols, revolvers or other firearms capable of being concealed upon the person; to prohibit the carrying of concealed firearms except by lawfully authorized persons; to provide for the confiscation and destruction of such weapons in certain cases; to prohibit the ownership, use, or possession of any of such weapons by certain classes of persons; to prescribe penalties for violation of this act and increased penalties for repeated violations hereof; to authorize, in proper cases, the granting of licenses or permits to carry firearms concealed upon the person; to provide for licensing retail dealers in such firearms and regulating sales thereunder; and to repeal chapter 145 of

California Statutes of 1917, relating to the same subject," relating to penalties for violations of this act.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Senate Bill No. 642 passed by the following vote:

AYES—Senators Breed, Bush, Carter, Cassidy, Christian, Cleveland, Clock, Crittenden, Deuel, Duval, Edwards, Evans, Fellom, Harper, Hays, Ingels, Jones, Maloney, McCormack, McKinley, Mixer, Moran, Nelson, Pedrotti, Rich, Rochester, Schottky, Slater, Swing, Treacy, Tubbs, Williams, and Young—33.

NOES—None.

Title read and approved.

Bill ordered transmitted to the Assembly.

Senate Bill No. 54—An act to amend section 11 of chapter 247, Statutes of 1913, entitled "An act to provide for the acquisition, installation, construction, reconstruction, extension, repair and maintenance by municipalities of water works, electric power works, gas works, lighting works, and other public works and utilities; for the assessment of the cost and expenses thereof upon the property benefited; and for the issuance of improvement bonds to represent such assessments, and to repeal an act entitled 'An act to provide for the lighting of public streets, lanes, alleys, courts and places in municipalities, and for the assessment of the costs and expenses thereof upon the property benefited thereby,' approved March 21, 1905," approved June 6, 1913, relating to redemption of property sold.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Senate Bill No. 54 passed by the following vote:

AYES—Senators Breed, Cassidy, Cleveland, Clock, Crittenden, Deuel, Duval, Edwards, Evans, Fellom, Harper, Hays, Ingels, Inman, Jones, Maloney, McCormack, Mixer, Moran, Nelson, Pedrotti, Rich, Rochester, Schottky, Sharkey, Slater, Swing, Tubbs, and Young—29.

NOES—None.

Title read and approved.

Bill ordered transmitted to the Assembly.

Senate Bill No. 829—An act to amend section 4,280 of the School Code, relating to the powers and duties of governing boards of school districts.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Senate Bill No. 829 passed by the following vote:

AYES—Senators Breed, Cassidy, Christian, Clock, Crittenden, Deuel, Duval, Edwards, Evans, Fellom, Harper, Hays, Ingels, Inman, Jones, Maloney, McCormack, McKinley, Mixer, Moran, Pedrotti, Rich, Rochester, Schottky, Sharkey, Slater, Swing, Treacy, Tubbs, and Young—30.

NOES—None.

Title read and approved.

Bill ordered transmitted to the Assembly.

Senate Bill No. 62—An act to amend section 4307 of the Political Code, relating to county charges.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Senate Bill No. 62 passed by the following vote:

AYES—Senators Breed, Carter, Cassidy, Christian, Clock, Crittenden, Deuel, Duval, Edwards, Evans, Fellom, Harper, Hays, Ingels, Inman, Jones, Maloney, McKinley, Mixer, Moran, Nelson, Pedrotti, Rich, Rochester, Schottky, Sharkey, Slater, Swing, Treacy, Tubbs, Williams, and Young—32.

NOES—None.

Title read and approved.

Bill ordered transmitted to the Assembly.

SENATE CONSTITUTIONAL AMENDMENT No. 17.

A resolution to propose to the people of the State of California an amendment to section 23a of article IV of the constitution of said State, relating to officers, employees and attaches.

Resolved by the Senate, the Assembly concurring, That the Legislature of the State of California, at its forty-ninth regular session commencing on the fifth day of January, 1931, two-thirds of all the members elected to each of the two houses of said Legislature voting in favor thereof, hereby proposes to the people of the State of California that section 23a of article IV of the constitution of said State be amended to read as follows:

Sec. 23a. Each house of the Legislature may by resolution provide for the employment of help, prescribe the duties and fix the compensation thereof; but in no case shall the total expense for officers, employees and attaches exceed the sum of \$400 per day for the Senate and \$150 per day for the Assembly at any regular session, exclusive of the salary of the Secretary of the Senate and the Chief Clerk of the Assembly, who shall each receive such salary as shall be fixed by resolution, and also exclusive of the salary and expense for employees of any interim committee of the Legislature or of either house thereof appointed pursuant to resolution adopted thereby, nor the sum of \$150 per day for each house at any special or extraordinary session, exclusive of the salaries of the Secretary of the Senate and the Chief Clerk of the Assembly. Except as herein otherwise specified, the provisions of this section shall be self-executing.

Amendment read.

The question being on the adoption of the amendment.

The roll was called, and Senate Constitutional Amendment No. 17 adopted by the following vote:

AYES—Senators Breed, Bush, Carter, Cassidy, Christian, Clock, Crittenden, Deuel, Duval, Edwards, Evans, Harper, Hays, Ingels, Inman, Maloney, McCormack, McKinley, Mixer, Moran, Nelson, Pedrotti, Rich, Rochester, Schottky, Sharkey, Slater, Swing, Treacy, Tubbs, Williams, and Young—32.

NOES—None.

Senate Constitutional Amendment No. 17 ordered transmitted to the Assembly.

Senate Bill No. 944—An act to amend an act entitled "An act to authorize the counties of the State of California to establish retirement systems for their employees," approved May 20, 1919, by adding a new section thereto to be designated section 3½, relating to the exclusion of certain employees.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Senate Bill No. 944 passed by the following vote:

AYES—Senators Breed, Bush, Carter, Cassidy, Christian, Clock, Crittenden, Duval, Edwards, Evans, Fellom, Harper, Hays, Inman, Jones, Maloney, McCormack, Mixer, Moran, Nelson, Pedrotti, Rich, Rochester, Schottky, Sharkey, Slater, Swing, Treacy, Tubbs, Williams, and Young—31.

NOES—None.

Title read and approved.

Bill ordered transmitted to the Assembly.

Senate Bill No. 679—An act to provide for the sanitary inspection of slaughterhouses, the inspection of animals or meats intended for human consumption, to provide rules and regulations therefor, to provide penalties for the violation hereof and to repeal the California Meat Inspection Law, approved June 3, 1921.

Bill read third time.

MOTION TO REFER TO SPECIAL COMMITTEE OF ONE.

During third reading of the bill, Senator Evans moved to refer Senate Bill No. 679 to Senator Hays, as a Special Committee of One, to amend as follows:

AMENDMENT NUMBER ONE.

In line 4 of the title of the printed bill, as amended April 17, strike out the word "hereof", and insert in lieu thereof the word "thereof".

AMENDMENT NUMBER TWO.

On page 2, line 34, of the printed bill, as amended April 17, following the word "departments", insert a comma.

AMENDMENT NUMBER THREE.

On page 3, line 2, of the printed bill, as amended April 17, commencing with the words "The foregoing", make a new paragraph.

AMENDMENT NUMBER FOUR.

On page 3, line 4, of the printed bill, as amended April 17, following the words "population of", strike out the word "thirty", and in lieu thereof insert the words "twenty-seven".

AMENDMENT NUMBER FIVE.

On page 3, line 5, of the printed bill, as amended April 17, following the words "less than", strike out the word "thirty", and in lieu thereof insert the words "twenty-seven".

AMENDMENT NUMBER SIX.

On page 3, line 8, of the printed bill, as amended April 17, commencing with the words "Nothing herein contained", make a new paragraph.

AMENDMENT NUMBER SEVEN.

On page 3, line 18, of the printed bill, as amended April 17, following the word "provided", insert a comma.

AMENDMENT NUMBER EIGHT.

On page 3, line 27, of the printed bill, as amended April 17, following the word "stamped", strike out the comma and in lieu thereof insert a semicolon.

AMENDMENT NUMBER NINE.

On page 3, line 27, of the printed bill, as amended April 17, following the word "provided", insert a comma.

AMENDMENT NUMBER TEN.

On page 4, line 25, of the printed bill, as amended April 17, following the word "passed", insert a comma.

AMENDMENT NUMBER ELEVEN.

On page 5, line 15, of the printed bill, as amended April 17, following the comma after the word "inspectors", insert the following: "and premiums on account of workmen's compensation insurance,".

Motion carried.

REPORT OF SPECIAL COMMITTEE OF ONE.

SENATE CHAMBER, SACRAMENTO, April 22, 1931.

MR. PRESIDENT: Your Special Committee of One, to which was referred Senate Bill No. 679, with instructions to amend, respectfully reports the same back, amended as per instructions.

HAYS, Committee.

Report read, and on motion of Senator Evans adopted.

Bill ordered to print, and re-engrossment.

REQUEST FOR PERMISSION TO INTRODUCE A BILL.

The following request for permission to introduce a bill was presented :
By Senator Nelson :

SENATE CHAMBER, SACRAMENTO, April 22, 1931.

MR. PRESIDENT : In accordance with the provisions of section 2, article IV of the constitution, I request permission to introduce a bill, the title of which is set forth below :

An act to amend article IX of chapter I of part III of division IV of the School Code, embracing sections 4.380 to 4.384 inclusive, and to repeal chapter 709, Statutes of 1929, all relating to financial reports of school districts.

Request referred to Committee on Rules.

REPORTS OF STANDING COMMITTEES—(RESUMED).

The following report of standing committee was received and read :

ON RULES.

SENATE CHAMBER, SACRAMENTO, April 22, 1931.

MR. PRESIDENT : Your Committee on Rules, to which was referred the request of Senator Nelson to introduce a bill entitled : "An act to amend article IX of chapter I of part III of division IV of the School Code, embracing sections 4.380 to 4.384, inclusive, and to repeal chapter 709, Statutes of 1929, all relating to financial reports of school districts"—has had the same under consideration, and respectfully reports the same back, and recommends that said request be granted.

Committee membership—5; committee vote : Ayes—5.

BREED, Chairman.

The question being on the adoption of the report.

The roll was called in accordance with the provisions of section 2 of article IV of the constitution, and the report adopted by the following vote :

AYES—Senators Breed, Bush, Carter, Cassidy, Christian, Clock, Crittenden, Deuel, Edwards, Evans, Fellom, Harper, Hays, Ingels, Inman, Jones, Mixter, Moran, Nelson, Pedrotti, Rich, Rochester, Schottky, Sharkey, Slater, Swing, Treacy, Tubbs, Williams, and Young—30.

NOES—None.

INTRODUCTION, FIRST READING AND REFERENCE OF BILLS.

The following bill was introduced :

By Senator Nelson : Senate Bill No. 950—An act to amend article IX of chapter I of part III of division IV of the School Code, embracing sections 4.380 to 4.384, inclusive, and to repeal chapter 709, Statutes of 1929, all relating to financial reports of school districts.

Bill read first time, and referred to Committee on Education.

RECESS.

On motion of Senator Breed at twelve o'clock and thirty minutes p.m., the President of the Senate declared recess until two o'clock p.m.

RECONVENED.

At two o'clock p.m., the Senate reconvened.

Lieutenant Governor Frank F. Merriam, President of the Senate, in the chair.

Secretary Joseph A. Beek at the desk.

REPORTS OF STANDING COMMITTEES—(RESUMED).

The following reports of standing committees were received and read :

ON ENGROSSMENT, ENROLLMENT AND PRINTING.

SENATE CHAMBER, SACRAMENTO, April 22, 1931.

MR. PRESIDENT : Your Committee on Engrossment, Enrollment and Printing has examined Senate Bill No. 825—An act to provide for the creation, organization and

government of water conservation districts, defining their powers and prescribing the method of exercising the same; also reenacting chapter 166 of the Statutes of 1929, known as the Water Conservation Act of 1929, and validating and confirming all proceedings had and taken under the provisions of said act resulting in the organization of water conservation districts, and continuing such districts under the provisions of this act with the powers herein conferred—and reports that the same has been correctly engrossed.

RILEY, Chairman.

Also:

MR. PRESIDENT: Your Committee on Engrossment, Enrollment and Printing has examined Senate Bill No. 363—An act to protect persons and property against danger from fire and explosion in petroleum oil wells by providing for the location of wells in relation to the outer boundary lines of the property, public streets, roads and highways and other wells;

Also: Senate Bill No. 484—An act relating to the support and maintenance of instruction in nursing education at the University of California, defining the powers and duties of the State Director of Finance in relation thereto, and making an appropriation therefor;

Also: Senate Bill No. 887—An act to amend section 4271 and to repeal section 4267a of the Political Code, relating to compensation of county and township officers in counties of the forty-second class;

And reports that the same have been correctly re-engrossed.

RILEY, Chairman.

ON IRRIGATION.

SENATE CHAMBER, SACRAMENTO, April 22, 1931.

MR. PRESIDENT: Your Committee on Irrigation, to which was referred Senate Bill No. 686—An act to amend section 30 of and to add a new section to be numbered 15e to the California Irrigation District Act, relating to the powers and duties of the board of directors—has had the same under consideration, and respectfully reports the same back, and recommends that it do pass.

Committee membership—7; committee vote: Ayes—5; absent—2.

MIXTER, Chairman.

Senate Bill No. 686 ordered on file for second reading.

ON FINANCE.

SENATE CHAMBER, SACRAMENTO, April 22, 1931.

MR. PRESIDENT: Your Committee on Finance, to which was referred Senate Bill No. 17—An act appropriating money for the control and conservation of flood waters in the Los Angeles County Flood Control District;

Also: Senate Bill No. 51—An act relating to and providing for the construction of flood control works on the Santa Ana River system and for the prevention of floods and conserving the flood waters of said river and its tributaries and making an appropriation therefor;

Has had the same under consideration, and respectfully reports the same back with amendments, and recommends that the amendments be adopted, and that they do pass as amended.

Committee membership—18; committee vote: Ayes—18.

SWING, Chairman.

Senate Bills Nos. 17 and 51 ordered on file for second reading.

Also:

MR. PRESIDENT: Your Committee on Finance, to which was referred Senate Bill No. 694—An act making an appropriation to pay the claim of Fanny Lem against the State of California;

Also: Senate Bill No. 695—An act making an appropriation to pay the claim of Grace Takata against the State of California;

Also: Senate Bill No. 696—An act making an appropriation to pay the claim of Shizue Morey against the State of California;

Also: Senate Bill No. 697—An act making an appropriation to pay the claim of Clara Char against the State of California;

Also: Senate Bill No. 42—An act to increase the number of judges of the superior court of the State of California, in and for the county of San Diego; to provide for the appointment of two additional judges and the manner of payment of their compensation;

Also: Senate Bill No. 824—An act appropriating money to pay the expenses of maintaining an exhibit of State products at the International Fair and Exhibit to be held in Chicago, Illinois, in 1933, and to provide commissioners thereof;

Also: Senate Bill No. 8—An act to amend section 67a of the Code of Civil Procedure, relating to the superior court in counties of the first class, increasing the number of judges thereof;

Also: Senate Bill No. 461—An act to provide for the investigation of the value of forest cover in the conservation of water, in the prevention of erosion on watershed areas, and to make an appropriation therefor;
Has had the same under consideration, and respectfully reports the same back with amendments, and recommends that the amendments be adopted, and that they do pass as amended.

Committee membership—18; committee vote: Ayes—18.

SWING, Chairman.

Senate Bills Nos. 694, 695, 696, 697, 42, 824, 8 and 461 ordered on file for second reading.

Also:

MR. PRESIDENT: Your Committee on Finance, to which was referred Senate Bill No. 532—An act to provide for the compilation, printing, binding, publishing, and distribution of a legislative manual and State Blue Book, or roster and appendix thereto, repealing all conflicting acts and making an appropriation to carry out the provisions hereof—has had the same under consideration, and respectfully reports the same back with amendments, and recommends that the amendments be adopted, and the bill be re-referred to this committee.

Committee membership—18; committee vote: Ayes—18.

SWING, Chairman.

CONSIDERATION OF COMMITTEE AMENDMENT.

Pursuant to the report of the Committee on Finance, the following amendment to Senate Bill No. 532 was read and adopted:

AMENDMENT NUMBER ONE.

On page 2, line 5, of the printed amended bill, strike out the following: “, and at the same time biennially thereafter”.

Bill ordered to print, and re-referred to Committee on Finance.

ON IRRIGATION.

SENATE CHAMBER, SACRAMENTO, April 22, 1931.

MR. PRESIDENT: Your Committee on Irrigation, to which was referred Assembly Bill No. 291—An act to amend the California Irrigation District Act, by adding a new section thereto, to be numbered section 55a, relating to rates and charges for water;

Also: Assembly Bill No. 507—An act to amend the act known as Palo Verde Irrigation District Act, approved June 21, 1923, as amended, by amending section 28 thereof, relating to levy of taxes;

Has had the same under consideration, and respectfully reports the same back, and recommends that they do pass.

Committee membership—7; committee vote: Ayes—5; absent—2.

MIXTER, Chairman.

Assembly Bills Nos. 291 and 507 ordered on file for second reading.

ON ROADS AND HIGHWAYS.

SENATE CHAMBER, SACRAMENTO, April 22, 1931.

MR. PRESIDENT: Your Committee on Roads and Highways, to which was referred the following Senate resolution:

WHEREAS, The intersections leading to the Capitol building from the north are exceedingly dangerous to life and limb; therefore, be it

Resolved, and it is hereby resolved, That the State Department of Public Works be authorized to request the city of Sacramento to install at two of said crossings automobile crossing warnings to regulate traffic in the interest of public safety—has had the same under consideration, and respectfully reports the same back, and recommends that it be adopted.

Committee membership—14; committee vote: Ayes—7; absent—7.

(Signed out)

EDWARDS, Chairman.
BREED.
FELLOM.
INGELS.
RILEY.
SLATER.
TREACY.

Resolution ordered on file.

CONSIDERATION OF DAILY FILE.

THIRD READING OF SENATE BILLS—(RESUMED).

Senate Bill No. 475—An act providing for the organization, operation, maintenance, government and dissolution of resort districts and the inclusion of lands therein and exclusion of lands therefrom, and for the acquisition of lands or rights therein and the acquisition, construction, operation and maintenance of public improvements and works to carry into effect the provisions of this act; for the issuance, sale and payment of bonds of such districts to meet the cost of such improvements and works and for the acquisition or construction of such lands or rights therein or improvements and works; and conferring upon the State Engineer certain additional duties and powers in connection with carrying out the purposes of this act.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Senate Bill No. 475 passed by the following vote:

AYES—Senators Breed, Bush, Carter, Cassidy, Christian, Clock, Crittenden, Duval, Edwards, Evans, Fellom, Harper, Hays, Ingels, Inman, Jones, Moran, Nelson, Pedrotti, Rich, Riley, Slater, Tubbs, Williams, and Young—25.

NOES—None.

Title read and approved.

Bill ordered transmitted to the Assembly.

CONSIDERATION OF DAILY FILE.

THIRD READING OF ASSEMBLY BILLS.

Assembly Bill No. 568 —An act to amend section 1723 of the Code of Civil Procedure, relating to the termination of certain interests in property.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Assembly Bill No. 568 passed by the following vote:

AYES—Senators Breed, Bush, Carter, Cassidy, Christian, Clock, Crittenden, Deuel, Duval, Edwards, Evans, Harper, Hays, Ingels, Inman, Jones, Maloney, McCormack, Moran, Nelson, Pedrotti, Rich, Riley, Schottky, Slater, Tubbs, and Young—27.

NOES—None.

Title read and approved.

Bill ordered transmitted to the Assembly.

Assembly Bill No. 923—An act to amend sections 633 and 633a, and to add sections 633a1, 633a2, 633a3, 633a4, 633a5, 633a6, 633a7, 633a8, 633a9, 633a10, 633a11, 633a12, 633a13, 633a14, 633a15, 633a16, 633a17, 633a18, 633a19, 633a20, 633a21, 633a22, 633a23, 633a24, 633a25, 633a26, 633a27, 633a28, 633a29, 633a30 and 633a31 to the Political Code, relating to the qualification, licensing and fees of insurance agents, brokers, and solicitors.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Assembly Bill No. 923 passed by the following vote:

AYES—Senators Breed, Bush, Carter, Cassidy, Christian, Clock, Crittenden, Deuel, Duval, Edwards, Evans, Fellom, Harper, Hays, Ingels, Inman, Jones, Maloney,

McCormack, Moran, Nelson, Pedrotti, Rich, Riley, Schottky, Slater, Swing, Tubbs, and Williams—29.

NOES—None.

Title read and approved.

Bill ordered transmitted to the Assembly.

CONSIDERATION OF SPECIAL ORDER.

The hour having arrived for the consideration of Assembly Bill No. 965, heretofore set as a special order for two o'clock p.m., Wednesday, April 22, 1931, the same was taken up for consideration.

Assembly Bill No. 965—An act to amend sections 2, 3 and 4 of, and to add sections 7, 8, 9, 10, 11, 12, 13, 14, 15 and 16 to, an act entitled "An act to define personal property brokers and regulate their charges and business," approved April 16, 1909, as amended, relating to charges of personal property brokers, and the licensing of such brokers.

Bill read third time previously.

The Senate took up for consideration Senator Swing's motion, made on the previous legislative day, to refer Assembly Bill No. 965 to Senator Sharkey, as a Special Committee of One, for amendment.

MOTION TO REFER TO SPECIAL COMMITTEE OF ONE, AS MADE ON THE PREVIOUS LEGISLATIVE DAY.

During third reading of the bill, Senator Swing moved to refer Assembly Bill No. 965 to Senator Sharkey, as a Special Committee of One, to amend as follows:

AMENDMENT NUMBER ONE.

On page 1, line 7, of the printed amended bill, strike out the word "three", and insert in lieu thereof the word "two".

AMENDMENT NUMBER TWO.

On page 1, line 8, of the printed amended bill, strike out the words "one and one-half".

POINT OF ORDER.

Senator Rochester raised the point of order that the opponents had no right to ask who drew Assembly Bill No. 965.

DECISION ON POINT OF ORDER.

The President announced his decision and declared the point of order not well taken, and advised the Senators in their discussion to observe the rules of the Senate closely.

ASSISTANT SECRETARY FRANCIS E. DALIN AT THE DESK.

AYES AND NOES DEMANDED.

A roll call was demanded by Senators Crittenden, Jones and Sharkey, on Senator Swing's motion to refer Assembly Bill No. 965 to Senator Sharkey, as a Special Committee of One, for amendment.

The roll was called.

CALL OF THE SENATE.

Pending the announcement of the vote. Senator Swing moved a call of the Senate.

Motion carried.

The Secretary was directed to call the roll.

The roll was called, and the following answered to their names:

Senators Breed, Bush, Carter, Christian, Clock, Crittenden, Deuel, Duval, Edwards, Evans, Fellom, Harper, Hays, Ingels, Inman, Jones, Maloney, McCormack,

McKinley, Mixer, Moran, Nelson, Pedrotti, Rich, Riley, Rochester, Schottky, Sharkey, Slater, Swing, Treacy, Tubbs, Wagy, Williams, and Young—35.

The Secretary announced the absentees.

Time, four o'clock and two minutes p.m.

The President directed the Sergeant-at-Arms to close the doors.

The Sergeant-at-Arms, having been furnished with the names of the absentees, was directed to bring them to the bar of the Senate.

FURTHER PROCEEDINGS UNDER CALL OF THE SENATE DISPENSED WITH.

At four o'clock and five minutes p.m., further proceedings under the call of the Senate were dispensed with, on motion of Senator Swing.

The Secretary was directed to call the roll on Senator Swing's motion to refer Assembly Bill No. 965 to Senator Sharkey, as a Special Committee of One, for amendment.

The roll was called, and Senator Swing's motion lost by the following vote:

AYES—Senators Bush, Carter, Christian, Edwards, Evans, Hays, Jones, Rich, Sharkey, Slater, Swing, Tubbs, and Wagy—13.

NOES—Senators Breed, Clock, Crittenden, Denel, Duval, Fellom, Harper, Ingels, Inman, Maloney, McCormack, McKinley, Mixer, Moran, Nelson, Pedrotti, Riley, Rochester, Schottky, Treacy, Williams, and Young—22.

MOTION TO REFER TO SPECIAL COMMITTEE OF ONE.

During third reading of the bill, Senator Christian moved to refer Assembly Bill No. 965 to Senator Cleveland, as a Special Committee of One, to amend as follows:

AMENDMENT NUMBER ONE.

In line 1 of the title of the printed amended bill, strike out all of this line beginning with the numeral "2", and strike out all of lines 2, 3, 4, 5 and 6, and insert in lieu thereof the following: "1, 2, 3, 4, 5 and 6 of, and to add sections 7, 8, 9, 10, 11, 12, 13, 14, 15, 16, 17, 18, 19 and 20 to, an act entitled, "An act to define personal property brokers and regulate their charges and business," approved April 16, 1909, as amended, relating to charges of personal property brokers, and the licensing of such brokers."

AMENDMENT NUMBER TWO.

On page 1, line 1, of the printed amended bill, strike out the numeral "2", and insert in lieu thereof the numeral "1".

AMENDMENT NUMBER THREE.

On page 1 of the printed amended bill, between lines 4 and 5, insert the following "SECTION 1. That every person, copartnership, association, or corporation engaged in the business of loaning or advancing money or other thing and taking in whole or in part as security for such loan or advance any chattel mortgage, bill of sale or other obligation or contract involving the forfeiture of rights in or to personal property, the use or possession of which is retained by other than the mortgagee or lender, or engaged in the business of loaning or advancing money or other thing, and taking either in whole or in part as security therefor any lien on assignment of or power of attorney relative to wages, salary, earnings, income or commissions, shall be held, and, for the uses and purposes of this act, is hereby declared and defined to be a personal property broker.

Sec. 2. Section 2 of said act is hereby amended to read as follows:"

AMENDMENT NUMBER FOUR.

On page 1, line 13, of the printed amended bill, strike out the numeral "2", and insert in lieu thereof the numeral "3".

AMENDMENT NUMBER FIVE.

On page 2, line 3, of the printed amended bill, strike out the numeral "3", and insert in lieu thereof the numeral "4".

AMENDMENT NUMBER SIX.

On page 2 of the printed amended bill, strike out all of section 4, except the word and numeral "Sec. 4", and insert in lieu thereof the following: "Every contract or agreement of any kind or nature made by any personal property broker which comes within the scope of business as set forth in section 1 hereof or which in any way involves any security given to secure the performance of such contract

or agreement made in violation of any of the provisions of this act, shall be absolutely null and void; and any and all sums of money paid or advanced upon such contract as is in this section designated, may be demanded and recovered by the person or his legal representatives or assigns who advanced or paid the same from the person, copartnership, association or corporation either to whom or for whose use or benefit such payment or advance or any part thereof was made."

AMENDMENT NUMBER SEVEN.

On page 2 of the printed amended bill, between lines 22 and 23, insert the following:

"SEC. 5. Section 5 of said act is hereby amended to read as follows:

Sec. 5. Every personal property broker shall:

(a) Deliver to the borrower at the time any loan is made a statement (upon which there shall be printed a copy of sections 1, 2, 3 and 4 of this act) in the English language, showing in clear and distinct terms the amount and date of the loan and its maturity, the nature of the security, if any, for the loan, the name and address of the borrower and of the personal property broker making the loan, and the agreed rate of charge.

(b) Give to the borrower a plain and complete receipt for all payments made on account of any such loan at the time such payments are made, specifying the amount applied to interest and the amount, if any, applied to principal, and stating the unpaid balance, if any, of such loan.

(c) Permit payment to be made in advance in any amount on any contract of loan at any time, but the personal property broker may apply such payment first to all interest in full at the agreed rate up to the date of such payment.

(d) Upon payment of the loan in full mark indelibly every obligation and security signed by the borrower with the word "paid" or "canceled", and release any mortgage, restore any pledge, cancel and return any promissory note or other evidence of indebtedness, and cancel and return any assignment given to the personal property broker by the borrower.

SEC. 6. Section 6 of said act is hereby amended to read as follows:

Sec. 6. No personal property broker shall take or receive any confession of judgment, power of attorney, promissory note, promise to pay, or security that does not accurately disclose the actual amount of the loan, the time for which it is made, and the agreed rate of interest, nor any instrument in which blanks are left to be filled in after execution."

AMENDMENT NUMBER EIGHT.

On page 2, line 23, of the printed amended bill, strike out the numeral "4", and insert in lieu thereof the numeral "7".

AMENDMENT NUMBER NINE.

On page 2, line 32, of the printed amended bill, strike out the numeral "5", and insert in lieu thereof the numeral "8".

AMENDMENT NUMBER TEN.

On page 3, line 1, of the printed amended bill, strike out the numeral "6", and insert in lieu thereof the numeral "9".

AMENDMENT NUMBER ELEVEN.

On page 3, line 6, of the printed amended bill, strike out the following: "with one or more sureties", and insert in lieu thereof the following: "surety company bond executed by any corporation or corporations qualified to act as sole surety on bonds or undertakings required by the laws of this state".

AMENDMENT NUMBER TWELVE.

On page 3, line 18, of the printed amended bill, strike out the numeral "7", and insert in lieu thereof the numeral "10".

AMENDMENT NUMBER THIRTEEN.

On page 3, line 41, of the printed amended bill, strike out the numeral "8", and insert in lieu thereof the numeral "11".

AMENDMENT NUMBER FOURTEEN.

On page 4, line 9, of the printed amended bill, strike out the numeral "9", and insert in lieu thereof the numeral "12".

AMENDMENT NUMBER FIFTEEN.

On page 4, line 24, of the printed amended bill, strike out the numeral "10", and insert in lieu thereof the numeral "13".

AMENDMENT NUMBER SIXTEEN.

On page 5, line 17, of the printed amended bill, strike out the numeral "11", and insert in lieu thereof the numeral "14".

AMENDMENT NUMBER SEVENTEEN.

On page 5 of the printed amended bill, between lines 33 and 34, insert the following:

"SEC. 15. A new section to be numbered section 15 is hereby added to said act to read as follows:

Sec. 15. No personal property broker or other person, copartnership, association or corporation shall advertise, print, display, publish, distribute, or broadcast or cause or permit to be advertised, printed, displayed, published, distributed, or broadcasted, in any manner whatsoever any statement or representation with regard to rates, terms, or conditions for loaning money, credit, goods, or things in action in the amount or of the value of three hundred dollars (\$300) or less, which is false, misleading or deceptive.

Sec. 16. A new section to be numbered section 16 is hereby added to said act to read as follows:

Sec. 16. No personal property broker shall directly or indirectly charge, contract for, or receive any interest, discount, or consideration greater than twelve per centum per annum upon the loan, use, or forbearance of money, goods, or things in action, or upon the loan, use, or sale of credit, of the amount or value of more than three hundred dollars (\$300). The foregoing prohibition shall also apply to any personal property broker who permits any person, as borrower or as endorser, guarantor, or surety for any borrower, or otherwise, to owe directly or contingently or both to the personal property broker at any time the sum of more than three hundred dollars (\$300) for principal."

AMENDMENT NUMBER EIGHTEEN.

On page 5, line 34, of the printed amended bill, strike out the numeral "12", and insert in lieu thereof the numeral "17".

AMENDMENT NUMBER NINETEEN.

On page 5, line 34, of the printed amended bill, strike out the numeral "15", and insert in lieu thereof the numeral "17".

AMENDMENT NUMBER TWENTY.

On page 5, line 36, of the printed amended bill, strike out the numeral "15", and insert in lieu thereof the numeral "17".

AMENDMENT NUMBER TWENTY-ONE.

On page 5, line 39, of the printed amended bill, strike out the numeral "13", and insert in lieu thereof the numeral "18".

AMENDMENT NUMBER TWENTY-TWO.

On page 5, line 39, of the printed amended bill, strike out the numeral "16", and insert in lieu thereof the numeral "18".

AMENDMENT NUMBER TWENTY-THREE.

On page 5, line 41, of the printed amended bill, strike out the numeral "16", and insert in lieu thereof the numeral "18".

AMENDMENT NUMBER TWENTY-FOUR.

On page 6 of the printed amended bill, after line 7, add the following:

"SEC. 19. A new section to be numbered section 19 is hereby added to said act to read as follows:

Sec. 19. Any person, copartnership, association, or corporation, and the several members, officers, directors, agents, and employees thereof, who shall violate or participate in the violation of any of the provisions of this act shall be guilty of a misdemeanor and for the first offense punished in the manner now provided for by law, and for each subsequent offense by a fine of not less than five hundred dollars (\$500), or more than one thousand dollars (\$1,000) or by imprisonment in the county jail for not less than six months, and not to exceed twelve months, or by both such fine and imprisonment.

SPECIAL ORDER.

Senator Crittenden moved, seconded by Senator Christian, that further consideration of Assembly Bill No. 965 be made a special order for eleven o'clock and thirty minutes a.m., Thursday, April 23, 1931.

Motion carried.

CONSIDERATION OF DAILY FILE.

THIRD READING OF ASSEMBLY BILLS—(RESUMED).

Assembly Bill No. 1138—An act to repeal part V of division IV of the School Code, embracing sections 4.960 to 4.1353, both inclusive, thereof, and to add a new part to division IV thereof, to be known as

part V, embracing sections 4.960 to 4.1044, both inclusive, all relating to elementary district, high school district and junior college district bonds.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Assembly Bill No. 1138 passed by the following vote:

AYES—Senators Bush, Carter, Cassidy, Christian, Crittenden, Deuel, Duval, Evans, Fellom, Harper, Hays, Maloney, McCormack, Mixter, Moran, Nelson, Pedrotti, Riley, Rochester, Schottky, Treacy, Tubbs, Wagy, and Williams—24.

NOES—None.

Title read and approved.

Bill ordered transmitted to the Assembly.

Assembly Bill No. 1153—An act to amend sections 1113, 1115, 1120, 1121 of the Political Code, relating to registration of electors and conduct of elections.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Assembly Bill No. 1153 passed by the following vote:

AYES—Senators Breed, Bush, Cassidy, Christian, Deuel, Duval, Evans, Fellom, Harper, Hays, McCormack, Mixter, Moran, Nelson, Pedrotti, Rich, Riley, Rochester, Schottky, Treacy, Tubbs, Wagy, and Williams—23.

NOES—None.

Title read and approved.

Bill ordered transmitted to the Assembly.

Assembly Bill No. 204—An act to amend section 2322, 16 of the Political Code, relating to the salary of the county agricultural commissioner, his deputies and inspectors, in counties of the sixteenth class.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Assembly Bill No. 204 passed by the following vote:

AYES—Senators Bush, Carter, Cassidy, Christian, Crittenden, Deuel, Duval, Edwards, Evans, Fellom, Harper, Hays, Mixter, Moran, Nelson, Pedrotti, Rich, Rochester, Schottky, Treacy, Tubbs, Wagy, and Williams—23.

NOES—None.

Title read and approved.

Bill ordered transmitted to the Assembly.

Assembly Bill No. 203—An act to amend section 4247 of the Political Code, relating to salaries and fees of officers in counties of the sixteenth class.

Bill read third time.

MOTION TO REFER TO SPECIAL COMMITTEE OF ONE.

During third reading of the bill, Senator Duval moved to refer Assembly Bill No. 203 to Senator Young, as a Special Committee of One, to amend as follows:

AMENDMENT NUMBER ONE.

On page 1, line 21, of the printed bill, strike out "six", and insert in lieu thereof the following: "twelve".

Motion carried.

REPORT OF SPECIAL COMMITTEE OF ONE.

SENATE CHAMBER, SACRAMENTO, April 22, 1931.

MR. PRESIDENT: Your Special Committee of One, to which was referred Assembly Bill No. 203, with instructions to amend, respectfully reports the same back, amended as per instructions.

YOUNG, Committee.

Report read, and on motion of Senator Duval adopted.

Bill ordered to print.

Assembly Bill No. 600—An act to amend sections 2319a and 2319e of the Political Code, relating to the duties of the State Commissioner of Horticulture.

Bill read third time.

MOTION TO REFER TO SPECIAL COMMITTEE OF ONE.

During third reading of the bill, Senator Duval moved to refer Assembly Bill No. 600 to Senator Young, as a Special Committee of One, to amend as follows:

AMENDMENT NUMBER ONE.

On page 3, line 29, of the printed bill, strike out "provision", and insert in lieu thereof "provisions".

Motion carried.

REPORT OF SPECIAL COMMITTEE OF ONE.

SENATE CHAMBER, SACRAMENTO, April 22, 1931.

MR. PRESIDENT: Your Special Committee of One, to which was referred Assembly Bill No. 600, with instructions to amend, respectfully reports the same back, amended as per instructions.

YOUNG, Committee.

Report read, and on motion of Senator Duval adopted.

Bill ordered to print.

Assembly Bill No. 598—An act to amend section 2322c of the Political Code, relating to county horticultural commissioners.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Assembly Bill No. 598 passed by the following vote:

AYES—Senators Breed, Bush, Carter, Cassidy, Christian, Crittenden, Deuel, Duval, Edwards, Evans, Fellom, Harper, Hays, Ingels, Maloney, McKinley, Mixter, Moran, Pedrotti, Rich, Riley, Schottky, Sharkey, Slater, Treacy, Tubbs, and Wagy—27.

NOES—None.

Title read and approved.

Bill ordered transmitted to the Assembly.

Assembly Bill No. 26—An act to amend section 585 of the Code of Civil Procedure, relating to judgments.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Assembly Bill No. 26 passed by the following vote:

AYES—Senators Breed, Bush, Carter, Christian, Clock, Crittenden, Deuel, Duval, Edwards, Evans, Fellom, Harper, Hays, Ingels, Inman, Maloney, McCormack, McKinley, Mixter, Moran, Pedrotti, Rich, Riley, Schottky, Sharkey, Slater, Treacy, Tubbs, and Wagy—29.

NOES—None.

Title read and approved.

Bill ordered transmitted to the Assembly.

Assembly Bill No. 72—An act to amend section 1607 of the Penal Code, relating to the medical treatment of prisoners.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Assembly Bill No. 72 passed by the following vote:

AYES—Senators Breed, Bush, Christian, Clock, Crittenden, Deuel, Duval, Edwards, Evans, Fellom, Harper, Hays, Ingels, Inman, Jones, Maloney, McKinley, Mixter, Moran, Pedrotti, Rich, Riley, Schottky, Sharkey, Slater, Treacy, Tubbs, and Waggy—28.

NOES—None.

Title read and approved.

Bill ordered transmitted to the Assembly.

Assembly Bill No. 58—An act providing for cooperative construction or improvement of highways by the State and a county or counties, and repealing an act entitled "An act providing for the construction and maintenance by the State of State aid highways in counties and towns," approved June 5, 1913, and all other acts or parts of acts in conflict herewith.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Assembly Bill No. 58 passed by the following vote:

AYES—Senators Breed, Bush, Christian, Clock, Crittenden, Deuel, Duval, Edwards, Evans, Fellom, Harper, Hays, Ingels, Inman, Jones, Maloney, McCormack, McKinley, Mixter, Moran, Nelson, Rich, Riley, Schottky, Sharkey, Slater, Treacy, Tubbs, Waggy, and Williams—30.

NOES—None.

Title read and approved.

Bill ordered transmitted to the Assembly.

Assembly Bill No. 807—An act to amend section 10 of chapter 69 of the Statutes of 1929, entitled "An act to provide for the leasing by the State of California of certain tide and submerged lands; to provide the terms, conditions, purposes, and restrictions of, and preference rights to, leases thereof," approved April 9, 1929.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Assembly Bill No. 807 passed by the following vote:

AYES—Senators Breed, Bush, Christian, Crittenden, Deuel, Duval, Edwards, Evans, Fellom, Harper, Hays, Ingels, Jones, Maloney, McCormack, McKinley, Mixter, Moran, Nelson, Rich, Schottky, Sharkey, Slater, Treacy, Tubbs, Waggy, Williams, and Young—28.

NOES—None.

Title read and approved.

Bill ordered transmitted to the Assembly.

Assembly Bill No. 967—An act authorizing and directing the Governor of the State of California to grant to the United States of America an easement, the nature of which is described hereinafter, in and over a certain parcel of real property, heretofore acquired by the State of California in connection with the rectification of the San Joaquin River

and Stockton Channel, which said parcel of real property is more particularly described hereinafter, said easement to be used by the United States in connection with the deepening, widening and rectification of the San Joaquin River and Stockton Channel, in accordance with an act of Congress entitled "An act authorizing the construction, repair, and preservation of certain public works on rivers and harbors, and for other purposes," approved by the President on January 21, 1927.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Assembly Bill No. 967 passed by the following vote:

AYES—Senators Breed, Bush, Christian, Clock, Crittenden, Deuel, Duval, Edwards, Evans, Fellom, Harper, Hays, Ingels, Inman, Maloney, McCormack, McKinley, Mixer, Moran, Nelson, Pedrotti, Rich, Rochester, Schottky, Sharkey, Slater, Treacy, Tubbs, Wagy, Williams, and Young—31.

NOES—None.

Title read and approved.

Bill ordered transmitted to the Assembly.

Assembly Bill No. 685—An act authorizing the Department of Finance to convey by deed certain tidelands belonging to the State of California situate in the county of San Diego, State of California.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Assembly Bill No. 685 passed by the following vote:

AYES—Senators Breed, Bush, Cassidy, Christian, Clock, Crittenden, Deuel, Edwards, Fellom, Harper, Hays, Ingels, Inman, Maloney, McCormack, McKinley, Mixer, Moran, Nelson, Rich, Rochester, Schottky, Sharkey, Slater, Treacy, Tubbs, Wagy, Williams, and Young—29.

NOES—None.

Title read and approved.

Bill ordered transmitted to the Assembly.

Assembly Bill No. 332—An act to amend section 647 of the Penal Code, relating to vagrants.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Assembly Bill No. 332 passed by the following vote:

AYES—Senators Breed, Bush, Cassidy, Christian, Clock, Crittenden, Deuel, Edwards, Evans, Fellom, Harper, Hays, Ingels, Inman, Maloney, McCormack, McKinley, Mixer, Moran, Nelson, Rich, Riley, Rochester, Schottky, Sharkey, Slater, Treacy, Tubbs, Wagy, Williams, and Young—32.

NOES—None.

Title read and approved.

Bill ordered transmitted to the Assembly.

Assembly Bill No. 829—An act to amend the title, to amend sections 1, 1a, 2, 3, 4, 5, 10, 14, 18, 21 and 22, and to add a new section to be numbered section 20a, to an act entitled "An act to provide for the laying out, opening, extending, widening, or straightening, in whole or in part, of public highways, roads, streets, squares, lanes, alleys, courts, and places, within municipalities, or within unincorporated territory and one or more municipalities, or lying within two or more municipalities;

for the condemnation of property necessary or convenient for such purposes, or of any interest therein, and for the establishment of assessment districts and the assessment of property therein to pay the expense of such improvement, and providing for aid from the county or municipalities toward the expense of such improvement," approved March 24, 1903, as amended, relating to street improvements.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Assembly Bill No. 829 passed by the following vote:

AYES—Senators Breed, Bush, Cassidy, Christian, Clock, Crittenden, Deuel, Edwards, Evans, Felloni, Harper, Hays, Ingels, Inman, Maloney, McCormack, McKinley, Mixer, Moran, Nelson, Rich, Riley, Rochester, Schottky, Sharkey, Slater, Treacy, Tubbs, Waggy, Williams, and Young—31.

NOES—None.

Title read and approved.

Bill ordered transmitted to the Assembly.

Assembly Bill No. 183—An act to amend an act entitled "An act providing for the incorporation, government and management of metropolitan water districts, authorizing such districts to incur bonded debt and to acquire, construct, operate and manage works and property, providing for the taxation of property therein and the performance of certain functions relating thereto by officers of counties, providing for the addition of area thereto and the exclusion of area therefrom and authorizing municipal corporations to aid and participate in the incorporation of such districts," approved May 10, 1927, as amended, designated the Metropolitan Water District Act, by amending sections 2, 5, 5½, 6, 7, 8 and 9, all relating to the incorporation, powers, government and management of metropolitan water districts, and the addition of area thereto, and declaring same an urgency measure.

Bill read third time.

URGENCY CLAUSE.

SEC. 9. This act is hereby declared to be an urgency measure necessary for the immediate preservation of the public peace, health and safety within the meaning of section 1 of article IV of the constitution of the State of California, and shall take effect immediately. The following is a statement of the facts constituting such necessity:

The peace, health and safety of the citizens of various cities in the southern part of this State are dependent upon the obtaining of an adequate supply of water, for municipal and domestic use therein, from the Colorado River or elsewhere, by means of an aqueduct, diversion works, and other facilities of such magnitude as to be possible only through the medium of a metropolitan water district, organized and functioning for the purpose of bringing such water to its member cities; that there is now a metropolitan water district, comprised of 14, or more, cities in the southern part of this State, organized and functioning for this purpose; that it is immediately necessary for such district to hold a bond election to obtain authority for the issuance of bonds sufficient to enable such district to commence the construction of the necessary diversion works, aqueduct and other facilities, and the acquisition of the rights of way required therefor; that to enable such district to obtain the necessary authority for such bond issue, and to float such bond issue satisfactorily, and to do the other things immediately required of such district in order to function properly for the immediate preservation of the peace, health and safety of the citizens of the component cities of such district, it is necessary that the foregoing amendments to the metropolitan water district act become effective immediately.

Urgency clause read.

The question being on the adoption of the urgency clause.

The roll was called, and the urgency clause adopted by the following vote:

AYES—Senators Breed, Bush, Carter, Christian, Clock, Crittenden, Deuel, Duval, Edwards, Evans, Fellom, Harper, Hays, Ingels, Inman, Jones, Maloney, McCormack, McKinley, Mixer, Moran, Nelson, Rich, Rochester, Sharkey, Slater, Treacy, Tubbs, Waggy, Williams, and Young—31.

NOES—None.

The question being on the passage of the bill.

The roll was called, and Assembly Bill No. 183 passed by the following vote:

AYES—Senators Breed, Bush, Carter, Christian, Clock, Crittenden, Deuel, Edwards, Evans, Fellom, Harper, Hays, Ingels, Inman, Jones, Maloney, McKinley, Mixer, Moran, Nelson, Rich, Rochester, Sharkey, Slater, Treacy, Tubbs, Waggy, and Williams—28.

NOES—None.

Title read and approved.

Bill ordered transmitted to the Assembly.

REPORTS OF STANDING COMMITTEES—(RESUMED).

The following report of standing committee was received and read:

ON GOVERNMENTAL EFFICIENCY.

SENATE CHAMBER, SACRAMENTO, April 22, 1931.

MR. PRESIDENT: Your Committee on Governmental Efficiency, to which was referred Senate Bill No. 460—An act to amend section 6 and to add a new section to be numbered section 6a to chapter 763, Statutes of 1929, entitled "An act declaring the policy of the State of California relative to toll bridges and creating a board to be known as California Toll Bridge Authority and providing for membership thereof and specifying its duties and powers; also authorizing California Toll Bridge Authority to authorize and direct the Department of Public Works of the State of California to build, purchase, condemn or otherwise acquire for and in the name of the State of California toll bridges and other toll highway crossings and approaches thereto across waters, bays, arms of bays, straits, rivers and streams in California, both navigable and unnavigable or across any stream that is a boundary line between California and any other state, and to acquire franchises, rights, privileges, easements or other property either real or personal, used or to be used in conjunction with any such bridges; also authorizing the Department of Public Works to make recommendations to the California Toll Bridge Authority relative to the acquisition or construction of any toll bridge or toll highway crossing and to submit preliminary estimates of the cost of such acquisition or construction and the amount of revenue bonds required to be issued for such purpose; also authorizing California Toll Bridge Authority to issue and sell revenue bonds to provide funds for the acquisition or construction of toll bridges or other toll highway crossings secured as to the redemption thereof and the interest thereon only by the tolls or other revenues received from such bridge or bridges or other highway crossings and to prescribe the terms and conditions of such bonds; also authorizing the issuance and sale of such revenue bonds for the payment of interest during the period of actual construction of such bridge or other highway crossing and for highways; also authorizing the acquisition or construction of tubes or tunnels in connection with such bridges or other highway crossings; also authorizing casualty insurance, indemnity bonds or accident insurance on bridges and other highway crossings constructed under this act; also giving, dedicating and setting apart rights of way through, over, on and across State property for the construction of such toll bridges or other toll highway crossings; also appropriating \$50,000 for the purpose of establishing a revolving fund and providing for the use thereof and the manner of reimbursements thereto," approved June 10, 1929, relating to bonds—has had the same under consideration, and respectfully reports the same back with amendments, and recommends that the amendments be adopted, and be re-referred to this committee.

Committee membership—11; committee vote: Ayes—9; absent—2.

CRITTENDEN, Chairman.

CONSIDERATION OF COMMITTEE AMENDMENTS.

Pursuant to the report of the Committee on Governmental Efficiency, the following amendments to Senate Bill No. 460 were read and adopted:

AMENDMENT NUMBER ONE.

Strike out lines 1 and 2 of the title of the printed bill, and insert in lieu thereof the following:

"An act to amend sections 3, 6, 9, 12, and 17 of, and to add two new sections numbered 6a and 25, respectively, to, an act entitled".

AMENDMENT NUMBER TWO.

On page 3 of the printed bill, strike out all of lines 1 to 37, inclusive, and all of lines 1 to 15, inclusive, on page 4 of the printed bill, and insert in lieu thereof the following:

"SECTION 1. Section 3 of an act entitled "An act declaring the policy of the State of California relative to toll bridges and creating a board to be known as California toll bridge authority and providing for membership thereof and specifying its duties and powers: also authorizing California toll bridge authority to authorize and direct the department of public works of the State of California to build, purchase, condemn or otherwise acquire for and in the name of the State of California toll bridges and other toll highway crossings and approaches thereto across waters, bays, arms of bays, straits, rivers and streams in California, both navigable and unnavigable or across any stream that is a boundary line between California and any other state, and to acquire franchises, rights, privileges, easements or other property either real or personal, used or to be used in conjunction with any such bridges: also authorizing the department of public works to make recommendations to the California toll bridge authority relative to the acquisition or construction of any toll bridge or toll highway crossing and to submit preliminary estimates of the cost of such acquisition or construction and the amount of revenue bonds required to be issued for such purpose: also authorizing California toll bridge authority to issue and sell revenue bonds to provide funds for the acquisition or construction of toll bridges or other toll highway crossings secured as to the redemption thereof and the interest thereon only by the tolls or other revenues received from such bridge or bridges or other highway crossings and to prescribe the terms and conditions of such bonds: also authorizing the issuance and sale of such revenue bonds for the payment of interest during the period of actual construction of such bridge or other highway crossing and for a period of six months thereafter: also providing for the manner in which such bonds shall be issued and signed and the manner of sale and redemption thereof and the payment of interest thereon: also authorizing said California toll bridge authority to charge and fix the rates of toll on such bridges or other highway crossings and regulating the amount thereof: also authorizing the department of public works of the State of California to operate and maintain all such toll bridges or other toll highway crossings and to collect tolls thereon: also authorizing the department of public works to acquire by eminent domain any toll bridge or bridges or other toll highway crossing or approaches thereto, real estate, personal property, franchises, rights, privileges or easements appurtenant thereto or appropriated to a public use by any person, firm or private corporation or otherwise and defining the procedure therefor: also providing that bonds issued and sold by California toll bridge authority shall not constitute or be a debt or general obligation of the state and shall be secured only by the tolls or other revenues collected from the operation of such bridges or other highway crossings and shall be paid from such tolls or revenues made available by this act: also authorizing any city, county, city and county, incorporated city or town, or joint highway district to advance or contribute money, rights of way, labor, materials or other property in aid of the acquisition, construction, operation or maintenance of any such bridge or highway crossing and to issue and sell general obligation bonds for such purpose: also authorizing the California toll bridge authority to enter into agreements with any such political subdivisions for the repayment of contributions or advances: and providing the time and manner of making such repayments: also providing for the eliminations of toll charges on bridges or other highway crossings acquired and constructed under this act: also defining the limits within which other competitive bridges or other highway crossings or free ferries may be constructed or operated: and also authorizing the recital of the terms of such limitations in bonds issued hereunder: also creating and establishing certain funds and regulating the manner in which moneys may be withdrawn therefrom: also prescribing the manner in which any city, county, city and county, incorporated bridge and highway district or joint highway district may acquire or construct toll bridges or other toll highway crossings: also authorizing California toll bridge authority to make agreements with steam and electric or other railroad or transportation companies for the use of portions of toll bridges or other highway crossings acquired or constructed under this act: also providing for the manner in which contracts shall be let for the building of bridges or other highway crossings: also empowering the department of public works to designate certain county roads as state highways: also authorizing the acquisition or construction of tubes or tunnels in connection with such bridges or other highway crossings: also authorizing casualty insurance.

indemnity bonds or accident insurance on bridges and other highway crossings constructed under this act; also giving, dedicating and setting apart rights of way through, over, on and across state property for the construction of such toll bridges or other toll highway crossings; also appropriating fifty thousand dollars for the purpose of establishing a revolving fund and providing for the use thereof and the manner of reimbursements thereto," approved June 10, 1929, is hereby amended to read as follows:

Sec. 3. There is hereby created a board to be known as California toll bridge authority, composed of the governor, lieutenant governor, the director of public works of the State of California, director of the department of finance of the State of California, the chairman of the California highway commission, or in the event the office of director of the department of public works of the State of California, director of the department of finance of the State of California, the office of chairman of the California highway commission or any of them hereafter be discontinued or abolished by law, then the governor shall appoint any person or officer of the State of California to fill any vacancy resulting from the abolition or discontinuance of such office. All of said members shall serve thereon without compensation, and a majority of them shall be empowered to act for said authority. The members shall receive their necessary actual traveling expenses incurred in the discharge of their duties. The authority shall maintain an office in the city of Sacramento. The California toll bridge authority may employ a secretary and such other persons as may be necessary to enable it to properly perform the duties imposed upon it by this act.

The state highway engineer may be appointed by the California toll bridge authority to serve as its chief engineer in addition to his regular duties as state highway engineer, with such additional duties and at such additional salary as such chief engineer as may be fixed by the California toll bridge authority.

The California toll bridge authority may employ such legal counsel as it may deem necessary to assist the attorney general in carrying out the objects of this act. The California toll bridge authority may sue and be sued in the name of the California toll bridge authority.

Sec. 2. Section 6 of said act is hereby amended to read as follows:

Sec. 6. All revenue bonds authorized under the terms of this act shall be issued and sold from time to time by the California toll bridge authority as and when money is needed by the department of public works for the acquisition or construction of any such toll bridges or other toll highway crossings, and to pay interest on outstanding bonds of any particular issue during the period of actual construction of any such bridge or bridges or other toll highway crossing and for a period of six months thereafter, and the proceeds thereof are hereby made available for such purposes. The California toll bridge authority shall determine the form, conditions and denominations of all such bonds, and from time to time as the sale of any portion of the bonds authorized for the construction of any particular toll bridge or bridges or other toll structures are to be issued and sold, said authority shall determine the dates which the bonds so to be sold shall bear, and the interest rate thereon, which rate shall be fixed by said authority according to the then prevailing market conditions, but shall at no time exceed six per cent per annum, and the determination of said authority as to the rate of interest shall be conclusive as to the then prevailing market conditions; and the said authority shall also fix the time of maturity of all bonds issued and the time and place of payment of principal and interest thereon. All interest payments shall be made semiannually. All such bonds shall be signed by the director of public works and countersigned by the governor. The signatures of the governor may be by facsimile. All interest coupons shall bear the facsimile signature of the director of the department of public works. In case any of such officers whose signature or countersignature appear on the bonds or coupons shall cease to be such officer before the delivery of such bonds to the purchaser, such signature or countersignature shall nevertheless be valid and sufficient for all purposes the same as if they had remained in office until the delivery of the bonds. Bonds authorized under this act may be sold below the par or face value thereof, such sale price, however, not to be less than that which will net the purchaser six per cent per annum according to the standard table of bond values, and such sale price shall also be sufficient to include the interest which has accrued thereon between the date of sale and the last preceding interest maturity date. Successive issues of bonds within the limits of the original authorization for the issuance of bonds for the acquisition or construction of any particular bridge or bridges or other toll highway crossing shall have equal preference with respect to the redemption thereof and the payment of interest thereon; *provided, however*, the California toll bridge authority may fix different maturity dates, serially or otherwise, for successive issues under any one original authorization. All bonds issued under the terms of this act shall be negotiable instruments under the law merchant. All bonds issued and sold under or by authority of this act shall be sold to the highest and best bidder after such advertising for bids as the California toll bridge authority may deem proper. The said authority may reject any and all bids made for such bonds.

SEC. 3. A new section to be numbered section 6a is hereby added to said act to read as follows:

Sec. 6a. Bonds issued under the provisions of this act shall be eligible for the certification by the state superintendent of banks as legal investments for trust funds and the funds for insurance companies, banks, both commercial and savings, and trust companies.

SEC. 4. Section 9 of said act is hereby amended to read as follows:

Sec. 9. When the department of public works can not acquire any toll bridge or any toll highway crossing, or the real or personal property, franchises, rights, privileges or easements needed for bridge or highway crossing purposes or approaches thereto, by agreement with the owner or owners, it shall be lawful for the department of public works, and said department is hereby authorized, to condemn and take in the name of the State of California, any such bridge or highway crossing, real estate, personal property, franchises, rights, privileges or easements deemed necessary for such bridge or highway crossing or approach thereto, under the provisions of the laws of this state relating to eminent domain proceedings. Said department shall not have power to commence any such proceedings in eminent domain unless and until the California toll bridge authority shall first have passed a resolution declaring that public interest and necessity require the acquisition, construction or completion by the state acting through the said department of public works of any such bridge or highway crossing, or the acquisition of any particular real estate, personal property, franchises, rights, privileges or easements, and that such bridge or highway crossing, real estate, personal property, franchises, rights, privileges or easements are necessary therefor. Such resolution shall be conclusive evidence (a) of the public necessity of such acquisition, construction or completion; (b) that such property and said franchises, rights, privileges or easements are necessary therefor; and, (c) that such proposed acquisition, construction or completion is planned or located in a manner which will be most compatible with the greatest public good and the least private injury. When it becomes necessary for the department of public works to condemn any toll bridge or toll highway crossing, real estate, personal property, franchises, rights, privileges or easements used or to be used in connection with any such bridge or highway crossing, the attorney general of the state shall represent the department of public works, and shall upon his request, be assisted by the district attorney of the county or the city attorney of the city or city and county wherein lies the bridge, highway crossing, real estate, personal property, franchises, rights, privileges or easements sought to be acquired, and shall also be assisted by the attorneys for the department of public works and any special counsel the department of public works or the California toll bridge authority may employ. In eminent domain proceedings to acquire property for any of the purposes of this act, any toll bridges or other toll highway crossing, real property, franchises, rights or other property appurtenant to any such bridges or highway crossing already appropriated to a public use by any person, firm or private corporation may be condemned and taken, and the acquisition and use thereof as herein provided for the same public use to which such property has been so appropriated, or for any other public purpose, shall be deemed a superior and permanent right and necessity, and a more necessary use than the public use to which such property has already been appropriated. When the state or any department of governmental agency thereof acquires any toll bridge or the real or personal property used for any toll bridge, said property and toll bridge shall continue to be subject to taxation by the county, city and county, political subdivision and municipal corporation wherein the same is located, and the state shall pay to the county or city and county granting the franchise for said bridge such amounts as may become due to such county or city and county for the franchise for the construction of such toll bridge.

SEC. 5. Section 12 of said act is hereby amended to read as follows:

Sec. 12. When any privately owned toll bridge is acquired or the location of any toll bridge or other toll highway crossing to be constructed under this act is determined upon, or revenue bonds of the character herein provided for have been authorized for such acquisition or construction, no city, county, city and county, joint highway district, bridge and highway district, or other public corporation or district of the state shall build or authorize the building of any bridge, subway or other highway crossing or establish or authorize the establishment and maintenance of any free ferry across the same body of water within five miles on either side of any such bridge so acquired or the location of any such bridge to be constructed under this act, nor shall the department of public works build any additional bridge, subway or other highway crossing or establish any free ferry within said distance of five miles until all of said revenue bonds issued for such acquisition and construction, together with interest thereon, shall have been paid; and provided, further, that no city, county, city and county, joint highway district, bridge and highway district or other public corporation or district shall build or authorize the building of any bridge, subway or other highway crossing or authorize the establishment of any free ferry across the same body of water within a distance greater than five miles and less than fifteen miles on either side of any bridge acquired or constructed or for which bonds may have been authorized under this act without the approval and consent of the California toll bridge authority, which approval and consent may be withheld in the discretion of said California toll bridge authority when the said authority reasonably

determines that the establishment of such additional bridge, subway or other highway crossing or ferry would be competitive with any toll bridge acquired or constructed or to be acquired or constructed under this act; *provided, further*, that the limitations as to distance contained in this section shall not apply to the construction of any bridge for which any bridge or highway district has been organized or incorporated, or proceedings instituted to organize or incorporate under the provisions of an act entitled "An act to provide for the incorporation and organization and management of bridge and highway districts and to provide for the acquisition and construction by said districts of bridges and approaches thereto, and for the acquisition of all property necessary therefor, and also to provide for the issuance and payment of bonds by said districts, for the levying of taxes and the collection of tolls by said districts and for the annexation of additional territory thereto" approved May 25, 1923, and all amendments thereto, or any bridge which may hereafter be built across said Golden Gate between the city and county of San Francisco and the county of Marin. If the California toll bridge authority shall authorize the acquisition or construction of any toll bridge designed for and limited to the carrying of a particular class or particular classes of traffic, or issue bonds therefor, the construction of other bridges designed for and limited to the carrying of different and distinct classes of traffic shall not be deemed competitive, and the limitations as to distance contained in this section shall not then apply. The provisions of this section relating to restrictions against the construction of competitive bridges, ferries, subways and other highway crossings may be recited in said revenue bonds as and as evidence of a contract to that effect between the California toll bridge authority and the holders of said revenue bonds. The California toll bridge authority may except any existing or proposed bridge, ferry, subway or other highway crossing from the limitations as to distance within which another bridge, subway or other highway crossing may be constructed by the proceedings authorizing the issuance of said revenue bonds provided recital of such exception is made on the face of said bonds.

SEC. 6. Section 17 of this act is hereby amended to read as follows:

Sec. 17. The department of public works, through its own engineers or through such other engineers or experts it may employ, shall design all bridges to be built under the authority of this act, and may build the same or any portions thereof either by its own employees or by contract with any person, firm or corporation. The cost of any or of all such bridges shall be paid from the proceeds of bonds issued and sold under the provisions of this act, or from contributions or appropriations from other sources as herein provided. Any such bridge or bridges or portions thereof shall be built by the department of public works under and in accordance with the provisions of an act entitled "An act to regulate contracts on behalf of the state in relation to the erection, construction, alteration, repair or improvement of any state structure, building, road or other state improvement of any kind and to repeal an act entitled 'An act to regulate contracts on behalf of the state in relation to erection and buildings approved March 28, 1876,'" approved March 22, 1909, and amendments thereto, in so far as the provisions of said act may be applicable; *provided, however*, that the amount of the cash or certified checks required to accompany any bid submitted, when bids relating to the construction of any bridge or highway crossing are called for, shall be fixed and determined by the department of public works.

SEC. 7. A new section to be numbered 25 is hereby added to said act to read as follows:

Sec. 25. This act shall be known and cited as the California toll bridge authority act."

Bill ordered to print, and re-referred to Committee on Governmental Efficiency.

CONSIDERATION OF DAILY FILE.

THIRD READING OF ASSEMBLY BILLS—(OUT OF ORDER).

Assembly Bill No. 513—An act establishing standards, tests and requirements for certain refined petroleum products, providing for taking samples thereof, providing for sealing of certain containers, pumps and storage tanks connected thereto, providing for labeling of certain containers and pumps, and further, providing an annual license fee and fixing a penalty for the violation thereof of provisions contained therein.

Bill read third time.

MOTION TO REFER TO SPECIAL COMMITTEE OF ONE.

During third reading of the bill, Senator Sharkey moved to refer Assembly Bill No. 513 to Senator Edwards, as a Special Committee of One, to amend as follows:

AMENDMENT NUMBER ONE.

In line 11 of the title of the printed bill, as amended, insert a semicolon after the word "hereof".

AMENDMENT NUMBER TWO.

On page 2, line 36, of the printed bill, as amended, strike out the numeral "4".

AMENDMENT NUMBER THREE.

On page 2, line 48, of the printed bill, as amended, strike out the dash and comma after the word "gasoline".

AMENDMENT NUMBER FOUR.

On page 3, line 2, of the printed bill, as amended, after the semicolon, begin a new paragraph and capitalize the word "*provided*".

AMENDMENT NUMBER FIVE.

On page 4, line 27, of the printed bill, as amended, insert the following:

"SEC. 5. It shall be unlawful for any person, firm, association or corporation, or any member, officer, agent or employee thereof, to transport in any tank wagon or tank truck or trailer, for the purpose of sale, or for delivery to any place where petroleum products are kept or stored for sale, any petroleum products as a fuel for internal combustion engines, unless and until there shall be firmly attached to or affixed at each outlet faucet or valve of each such tank wagon, tank truck and trailer, a metal tag, plate or label, on which is displayed, in letters not less than one-half ($\frac{1}{2}$) inch in height, the name of the particular product in the tank compartment of the tank wagon, tank truck or trailer with which such valve or faucet is connected; and the brand, trade-mark, or trade name of such product, or the words "no brand"; and if such product does not conform to the requirements of section 1 of this act, there shall also be displayed on a corresponding tag, plate, or label, in red letters not less than twice the size of any other letters or words appearing on such tag, plate, or label, the words "not gasoline"."

AMENDMENT NUMBER SIX.

On page 4, line 44, of the printed bill, as amended, strike out the numeral "5", and insert in lieu thereof "6".

AMENDMENT NUMBER SEVEN.

On page 5, line 3, of the printed bill, as amended, strike out the numeral "6", and insert in lieu thereof "7".

AMENDMENT NUMBER EIGHT.

On page 5, line 10, of the printed bill, as amended, strike out the numeral "7", and insert in lieu thereof "8".

AMENDMENT NUMBER NINE.

On page 5, line 20, of the printed bill, as amended, strike out the semicolon and insert a semicolon after the word "thereof".

AMENDMENT NUMBER TEN.

On page 5, line 31, of the printed bill, as amended, after the semicolon, commence a new paragraph and capitalize the word "*provided*".

AMENDMENT NUMBER ELEVEN.

On page 5, line 39, of the printed bill, as amended, strike out the numeral "8", and insert in lieu thereof "9".

AMENDMENT NUMBER TWELVE.

On page 5, line 49, of the printed bill, as amended, strike out the dash and period after the word "tank"; strike out the numeral "7" after the word "section", and insert in lieu thereof "8".

AMENDMENT NUMBER THIRTEEN.

On page 5, line 50, of the printed bill, as amended, strike out the numeral "9", and insert in lieu thereof "10".

AMENDMENT NUMBER FOURTEEN.

On page 6, line 12, of the printed bill, as amended, strike out the numeral "10", and insert in lieu thereof "11".

AMENDMENT NUMBER FIFTEEN.

On page 6, line 22, of the printed bill, as amended, after the word "sale", strike out the dash, period and semicolon, and insert in lieu thereof a comma.

AMENDMENT NUMBER SIXTEEN.

On page 6, line 25, of the printed bill, as amended, strike out the numeral "11", and insert in lieu thereof "12".

AMENDMENT NUMBER SEVENTEEN.

On page 6, line 35, of the printed bill, as amended, strike out the numeral "12", and insert in lieu thereof "13".

AMENDMENT NUMBER EIGHTEEN.

On page 6, line 46, of the printed bill, as amended, strike out the numeral "13", and insert in lieu thereof "14".

AMENDMENT NUMBER NINETEEN.

On page 7, line 11, of the printed bill, as amended, strike out the numeral "14", and insert in lieu thereof "15".

AMENDMENT NUMBER TWENTY.

On page 7, line 31, of the printed bill, as amended, strike out the numeral "15", and insert in lieu thereof "16".

AMENDMENT NUMBER TWENTY-ONE.

On page 9, line 4, of the printed bill, as amended, strike out the numeral "16", and insert in lieu thereof "17".

AMENDMENT NUMBER TWENTY-TWO.

On page 9, line 17, of the printed bill, as amended, strike out the numeral "17", and insert in lieu thereof "18".

AMENDMENT NUMBER TWENTY-THREE.

On page 9, line 28, of the printed bill, as amended, insert after the word "authorized", the words "and directed".

AMENDMENT NUMBER TWENTY-FOUR.

On page 9, line 37, of the printed bill, as amended, strike out the numeral "18", and insert "19".

AMENDMENT NUMBER TWENTY-FIVE.

On page 9, line 45, of the printed bill, as amended, strike out the following: "Sec. 19".

AMENDMENT NUMBER TWENTY-SIX.

On page 10, line 4, of the printed bill, as amended, strike out the numeral "19", and insert in lieu thereof "20".

Motion carried.

REPORT OF SPECIAL COMMITTEE OF ONE.

SENATE CHAMBER, SACRAMENTO, April 22, 1931.

MR. PRESIDENT: Your Special Committee of One, to which was referred Assembly Bill No. 513, with instructions to amend, respectfully reports the same back, amended as per instructions.

EDWARDS, Committee.

Report read, and on motion of Senator Sharkey adopted.

Bill ordered to print.

SECRETARY JOSEPH A. BEEK AT THE DESK.

MESSAGES FROM THE ASSEMBLY.

The following messages from the Assembly were received and read:

ASSEMBLY CHAMBER, SACRAMENTO, April 22, 1931.

MR. PRESIDENT: I am directed to inform your honorable body that the Assembly on this day passed Assembly Bill No. 1100—An act amending section 6 of an act entitled "An act authorizing the establishment of municipal courts, prescribing their constitution, regulation, government, procedure and jurisdiction, and providing for the election and appointment of the judges, clerks and other attaches of such courts, their terms of office, qualification and compensation and for the selection of jurors therein," approved May 23, 1925, and as amended and approved April 6, 1929, relating to municipal courts;

Also: Assembly Bill No. 257—An act to amend section 1 of chapter 359, Statutes of 1903, entitled "An act to provide for the payment by the State or counties, or cities, or cities and counties, of the premium or charge on official bonds when given by surety companies," approved March 25, 1903, as amended;

Also: Assembly Bill No. 76—An act to amend sections 2, 4, 5, 13, 14, 16 and 23, and to repeal sections 22 and 24 of chapter 530, Statutes of 1929, entitled "An act to provide for the protection, welfare and assistance of aged persons in need and resident in the State of California, providing the method therefor, making an appropriation therefor, and prescribing penalties for the violation of the provisions of this act," approved May 28, 1929, and to add thereto new sections to be numbered 24,

18 and 23, relating to the protection, welfare and assistance of aged persons in need, and resident in the State of California.

ARTHUR A. OHNIMUS, Chief Clerk.
By FRED J. DESCH, Assistant Clerk.

Assembly Bill No. 1100 read first time, and referred to Committee on Governmental Efficiency.

Assembly Bill No. 257 read first time, and referred to Committee on Insurance.

Assembly Bill No. 76 read first time, and referred to Committee on Judiciary.

Also:

ASSEMBLY CHAMBER, SACRAMENTO, April 22, 1931.

MR. PRESIDENT: I am directed to inform your honorable body that the Assembly on this day adopted Assembly Joint Resolution No. 13—Relative to memorializing Congress to open the enlistment in the United States Army, in the United States Navy and in the United States Marine Corps to war time strength.

ARTHUR A. OHNIMUS, Chief Clerk.
By FRED J. DESCH, Assistant Clerk.

Assembly Joint Resolution No. 13 read, and referred to Committee on Federal Relations.

Also:

ASSEMBLY CHAMBER, SACRAMENTO, April 22, 1931.

MR. PRESIDENT: I am directed to inform your honorable body that the Assembly on this day passed Senate Bill No. 264—An act to add new sections to the Code of Civil Procedure, to be numbered 1043 and 1044, and to amend sections 763 and 963 of said code;

Also: Senate Bill No. 265—An act to repeal section 92, of chapter 76, Statutes of 1909, entitled "An act to define and regulate the business of banking," approved March 1, 1909;

Also: Senate Bill No. 266—An act to amend sections 4181 and 4182 of the Political Code, relating to the duties of the public administrator.

ARTHUR A. OHNIMUS, Chief Clerk.
By FRED J. DESCH, Assistant Clerk.

Senate Bills Nos. 264, 265 and 266 ordered on file for second reading.

Also:

ASSEMBLY CHAMBER, SACRAMENTO, April 20, 1931.

MR. PRESIDENT: I am directed to inform your honorable body that the Assembly on this day concurred in Senate amendments to Assembly Bill No. 1417—An act to amend section 19a24 of the Juvenile Court Law, as relating to salaries of probation officers in counties of the twenty-fourth class;

Also: Assembly Bill No. 141—An act to amend the title of and to revise chapter 577, Statutes of 1919, entitled "An act to provide for the certification of potato seed, authorizing the State Commissioner of Horticulture to employ a Potato Inspector and to fix his salary, declaring the violation of the provisions hereof to be a misdemeanor and making an appropriation to carry out the purposes hereof," approved May 27, 1919, relating to the State Department of Agriculture and the growing of potatoes and the inspection and certification thereof;

Also: Assembly Bill No. 376—An act to amend the Irrigation District Improvement Act, as amended, by amending sections 1, 2, 6, 7, 8, 9, and 10, thereof, relating to the time in which proceedings may be attacked, and actions to determine the validity of assessments and warrants and to organization, notice to bidders, carrying of water, control of weeds, assessments, warrants and property, and by adding three new sections to be numbered 15, 16 and 17, relating to assessments.

ARTHUR A. OHNIMUS, Chief Clerk.
By FRED J. DESCH, Assistant Clerk.

Also:

ASSEMBLY CHAMBER, SACRAMENTO, April 22, 1931.

MR. PRESIDENT: I am directed to inform your honorable body that the Assembly on April 21, 1931, passed Assembly Bill No. 652—An act to amend section 5 of an act of the Legislature of the State of California entitled "An act to provide for the formation of districts within municipalities for the acquisition or construction of public improvements, works and public utilities; for the issuance, sale and payment of bonds of such districts to meet the cost of such improvements; and for the

acquisition or construction of such improvements," approved May 24, 1927, relating to the amount of bonds that may be issued by such districts;

Also: Assembly Bill No. 653—An act to amend section 5 of an act of the Legislature of the State of California entitled "An act to provide for the formation of districts within municipalities for the acquisition or construction of public improvements, works and public utilities; for the issuance, sale and payment of bonds of such districts to meet the cost of such improvements, and for the acquisition or construction of such improvements," approved April 20, 1915, as amended, relating to the amount of bonds that may be issued by such districts.

ARTHUR A. OHNIMUS, Chief Clerk.

By FRED J. DESCH, Assistant Clerk.

Assembly Bills Nos. 652 and 653 read first time, and referred to Committee on Municipal Corporations.

INTRODUCTION, FIRST READING AND REFERENCE OF BILLS (RESUMED).

The following resolution was offered:

By Senator Fellom: Senate Concurrent Resolution No. 36—Relative to investigation and report upon acquisition by the State of the toll bridge across Carquinez Straits.

Senate Concurrent Resolution No. 36 read, and referred to Committee on Roads and Highways.

REQUEST FOR PERMISSION TO INTRODUCE A BILL.

The following request for permission to introduce a bill was presented:

By Senator Waggy:

SENATE CHAMBER, SACRAMENTO, April 22, 1931.

MR. PRESIDENT: In accordance with the provisions of section 2, article IV of the constitution, I request permission to introduce a bill, the title of which is set forth below:

An act to provide for reimbursement of persons suffering loss by reason of the acts of tule elk during the closed season.

Request referred to Committee on Rules.

REPORTS OF STANDING COMMITTEES—(RESUMED).

The following reports of standing committee were received and read:

ON GOVERNMENTAL EFFICIENCY.

SENATE CHAMBER, SACRAMENTO, April 22, 1931.

MR. PRESIDENT: Your Committee on Governmental Efficiency, to which was referred Senate Bill No. 2—An act to amend section 737aa of the Political Code, relating to the salary of the superior judge in and for the county of Monterey—has had the same under consideration, and respectfully reports the same back, and recommends that it be re-referred to the Committee on Finance.

Committee membership—11; committee vote: Ayes—9; absent—2.

CRITTENDEN, Chairman.

Senate Bill No. 2 ordered re-referred to Committee on Finance.

Also:

MR. PRESIDENT: Your Committee on Governmental Efficiency, to which was referred Senate Constitutional Amendment No. 20—A resolution to propose to the people of the State of California an amendment to the constitution of the State of California, by amending article VI thereof by adding thereto a new section to be known as and numbered section 8½, relating to the retirement of judicial officers, and their designation for service thereafter as extra service judges—has had the same under consideration, and respectfully reports the same back, and recommends that it be adopted.

Committee membership—11; committee vote: Ayes—9; absent—2.

CRITTENDEN, Chairman.

Senate Constitutional Amendment No. 20 ordered on file.

ADJOURNMENT.

At five o'clock and ten minutes p.m., on motion of Senator Breed, the President declared the Senate adjourned until eleven o'clock a.m., Thursday, April 23, 1931.

HAROLD J. POWERS, Minute Clerk.

IN SENATE.

SENATE CHAMBER,
SACRAMENTO, Thursday, April 23, 1931.

The Senate met at eleven o'clock a.m.

Lieutenant Governor Frank F. Merriam, President of the Senate, in the chair.

Secretary Joseph A. Beek at the desk.

ROLL CALL.

The roll was called, and the following answered to their names:

Senators Allen, Baker, Breed, Bush, Carter, Cassidy, Christian, Cleveland, Clock, Crittenden, Deuel, Duval, Edwards, Evans, Fellom, Harper, Hays, Ingels, Inman, Jones, Maloney, McCormack, McKinley, Mixter, Moran, Nelson, Pedrotti, Rich, Riley, Rochester, Schottky, Sharkey, Slater, Swing, Treacy, Tubbs, Waggy, Williams, and Young—39.

Quorum present.

PRAYER.

Upon invitation of the Chaplain, Rev. Sherman L. Divine, prayer was offered by Bishop Titus Lowe of the Methodist Episcopal Church of Portland, Oregon.

RECESS.

On motion of Senator Breed at eleven o'clock and twelve minutes a.m., the President of the Senate declared recess until eleven o'clock and seventeen minutes a.m., to hear remarks by Charles Wesley Burns of San Francisco, California, bishop of the Methodist Episcopal Church.

RECONVENED.

At eleven o'clock and seventeen minutes a.m., the Senate reconvened.

Lieutenant Governor Frank F. Merriam, President of the Senate, in the chair.

Secretary Joseph A. Beek at the desk.

READING OF THE JOURNAL.

During the reading of the Journal of Wednesday, April 22, 1931, the further reading was dispensed with on motion of Senator Slater.

PRIVILEGE OF FLOOR OF SENATE EXTENDED.

On request of Senators Breed and Christian, the privilege of the floor of the Senate Chamber for this day was unanimously extended to Senator Edwin M. Otis of Alameda.

On request of Senator Baker, the privilege of the floor of the Senate Chamber for this day was unanimously extended to Dr. E. J. Leach, mayor of Salinas; Hon. F. E. Dayton, Captain Frank E. Heple and Fred S. McGarger, secretary of Salinas Chamber of Commerce.

On request of Senator Inman, the privilege of the floor of the Senate Chamber for this day was unanimously extended to Elk Grove Union Grammar School; Mr. Dan H. Reese, principal; Miss Macola Eastburn and Mr. Thomas Ross, teachers, and seventh and eighth grade pupils as follows: Alice Grenz, Faye Halverson, Geraldine Kingsley, Delbert Bousfield, Grace Brown, Fred Horn, August Kobb, Ben Kiino, Ella Roberds, Muriel Campbell, Charles Kelzer, Marian Krull, Donal Mahon, Frank Padovan, Carl Bassett, Joe Chapo, Wilbur Doty, Albert Grenz, Rosie Grenz, Edward Hanlon, Juanita Loydal, George Markofer, Lentina Miller, Tadashi Sasaki, Owen Savage, Idella Spitzer, Drucilla Woodward, Shizuka Tominago, Francis Jackson, Robert Poulhemus, Arthur Grenz, Martha Coons, Morse Grimshaw, Hirouki Tarahara, Jeanette Krull, Joe Mitchell, Hazel Elmore, Lydia Spitzer, Harriet Savage, Delia Degraw, Mark Whitman, Tashioki Kawiji, Isabel Dekasuki, Earnest Grenz, Gertrude Mitchell, Bernie Faist, Sadayo Ishgioki, Edwin Beach, Miyuki Kawiji, James Harvey, Eva Hopher, Stephen Czoberek, June Tanabe, Glen Yudiesak, Teddy Olinski and Mary Badella.

On request of Senator Young, the privilege of the floor of the Senate Chamber for this day was unanimously extended to Mr. and Mrs. S. D. Balch, Mr. and Mrs. J. D. Farwell, and Mrs. M. S. Fleischner.

On request of Senator Evans, the privilege of the floor of the Senate Chamber for this day was unanimously extended to Dan C. Mulock of San Gabriel.

On request of Senator Breed, the privilege of the floor of the Senate Chamber for this day was unanimously extended to the Council of the Board of Home Missions, Methodist Episcopal Church, Bishop Charles Wesley Burns of San Francisco, Bishop Titus Lowe, Portland, Oregon; Dr. E. D. Kohlstedt, Philadelphia; Dr. Jay S. Stowell, Philadelphia; Dr. C. A. Richardson, Philadelphia; Dr. George B. Dean, Philadelphia; Dr. E. M. Conover, Philadelphia; Dr. F. W. Mueller, Philadelphia; Dr. Mark A. Dawber, Philadelphia; Dr. Walter Torbet, San Francisco; The Rev. Francis Ahnlund, Seattle; Dr. E. A. Wolfe, Vancouver, Washington; Dr. H. F. Pemberton, Mt. Vernon, Washington; Dr. Paul H. Ashby, Walla Walla, Washington; Dr. M. A. Marcy, Salem, Oregon; Dr. Thos. D. Yarnes, Mt. Vernon, Washington; Dr. Robert Brumbley, Spokane; Dr. Harold Perry, Tacoma, Washington; Dr. J. Ralph Magee, Seattle, Washington; Dr. J. Lewis Gillies, Los Angeles; Dr. W. A. Betts, Phoenix, Arizona; Dr. J. A. Geissinger, San Diego; Dr. Carl L. Bent, Berkeley; Dr. L. L. Loofbourov, Berkeley; Dr. H. K. Hamilton, Sacramento; Dr. Leonard Oechsli, Fresno; Dr. A. L. Baker, Los Angeles; Dr. Vernon M. McCombs, Los Angeles; The Rev. R. B. Langness, Tacoma; The Rev. Dr. Frank Herron Smith, Berkeley; The Rev. Dr. J. H. N. Williams, Reno; The Rev. Dr. H. H. Frost, San Francisco; The Rev. Dr. Walter Loomis, Long Beach; The Rev. John F. Wilson, San Francisco; The Rev. Charles F. Seitter, Pasadena; The Rev. Dr. A. Ray Moore, Los Angeles; The Rev. Dr. E. P. Dennett, San Francisco; The Rev. Dr. Edward Laird Mills, Portland; The Rev. Dr. William Wallace Youngson, Portland; The Rev. Dr. Walter C. Buckner, Fresno; Mr. John Tunnicliffe, San Francisco, and The Rev. W. C. Botkin, Maywood, California.

SPECIAL ORDER.

Senator Sharkey moved that Senate Bill No. 362 be made a special order for two o'clock p.m., Thursday, April 23, 1931.

Motion lost.

COMMUNICATION.

The following communication was received, and ordered printed in the Journal:

STATE OF CALIFORNIA, GOVERNOR'S OFFICE,
SACRAMENTO, April 22, 1931.

To the Members of the Senate,
State of California.

GENTLEMEN: This is to advise you that the Hon. James Rolph, Jr., has this day signed Assembly Bill No. 53, "An act making appropriations for the support of the government of the State of California and for the several public purposes in accordance with the provisions of section 34 of article IV of the constitution of the State of California, approved and adopted by the people at the general election held November 7, 1922, declaring the urgency thereof, and providing that this act shall take effect immediately."

Respectfully submitted.

WM. A. SMITH, Private Secretary.

CONSIDERATION OF SPECIAL ORDER.

The hour having arrived for the consideration of Assembly Bill No. 965, heretofore set as a special order for eleven o'clock and thirty minutes a.m., Thursday, April 23, 1931, the same was taken up for consideration.

Assembly Bill No. 965—An act to amend sections 2, 3 and 4 of, and to add sections 7, 8, 9, 10, 11, 12, 13, 14, 15 and 16 to, an act entitled "An act to define personal property brokers and regulate their charges and business," approved April 16, 1909, as amended, relating to charges of personal property brokers, and the licensing of such brokers.

Bill read third time previously.

The Senate took up for consideration Senator Christian's motion, made on the previous legislative day, to refer Assembly Bill No. 965 to Senator Cleveland, as a Special Committee of One, for amendment.

MOTION TO REFER TO SPECIAL COMMITTEE OF ONE, AS MADE ON THE
PREVIOUS LEGISLATIVE DAY.

During third reading of the bill, Senator Christian moved to refer Assembly Bill No. 965 to Senator Cleveland, as a Special Committee of One, to amend as follows:

AMENDMENT NUMBER ONE.

In line 1 of the title of the printed amended bill, strike out all of this line beginning with the numeral "2", and strike out all of lines 2, 3, 4, 5 and 6, and insert in lieu thereof the following: "1, 2, 3, 4, 5 and 6 of, and to add sections 7, 8, 9, 10, 11, 12, 13, 14, 15, 16, 17, 18, 19 and 20 to, an act entitled "An act to define personal property brokers and regulate their charges and business," approved April 16, 1909, as amended, relating to charges of personal property brokers, and the licensing of such brokers."

AMENDMENT NUMBER TWO.

On page 1, line 1, of the printed amended bill, strike out the numeral "2", and insert in lieu thereof the numeral "4".

AMENDMENT NUMBER THREE.

On page 1 of the printed amended bill, between lines 4 and 5, insert the following: "SECTION 1. That every person, copartnership, association, or corporation engaged in the business of loaning or advancing money or other thing and taking in whole or in part as security for such loan or advance any chattel mortgage, bill of sale or other obligation or contract involving the forfeiture of rights in or to personal property, the use or possession of which is retained by other than the

mortgagee or lender, or engaged in the business of loaning or advancing money or other thing, and taking either in whole or in part as security therefor any lien on, assignment of or power of attorney relative to wages, salary, earnings, income or commissions, shall be held, and, for the uses and purposes of this act, is hereby declared and defined to be a personal property broker.

SEC. 2. Section 2 of said act is hereby amended to read as follows:"

AMENDMENT NUMBER FOUR.

On page 1, line 13, of the printed amended bill, strike out the numeral "2", and insert in lieu thereof the numeral "3".

AMENDMENT NUMBER FIVE.

On page 2, line 3, of the printed amended bill, strike out the numeral "3", and insert in lieu thereof the numeral "4".

AMENDMENT NUMBER SIX.

On page 2 of the printed amended bill, strike out all of section 4, except the word and numeral "Sec. 4", and insert in lieu thereof the following: "Every contract or agreement of any kind or nature made by any personal property broker which comes within the scope of business as set forth in section 1 hereof or which in any way involves any security given to secure the performance of such contract or agreement made in violation of any of the provisions of this act, shall be absolutely null and void; and any and all sums of money paid or advanced upon such contract as is in this section designated, may be demanded and recovered by the person or his legal representatives or assigns who advanced or paid the same from the person, copartnership, association or corporation either to whom or for whose use or benefit such payment or advance or any part thereof was made."

AMENDMENT NUMBER SEVEN.

On page 2 of the printed amended bill, between lines 22 and 23, insert the following:

"SEC. 5. Section 5 of said act is hereby amended to read as follows:

Sec. 5. Every personal property broker shall:

(a) Deliver to the borrower at the time any loan is made a statement (upon which there shall be printed a copy of sections 1, 2, 3 and 4 of this act) in the English language, showing in clear and distinct terms the amount and date of the loan and its maturity, the nature of the security, if any, for the loan, the name and address of the borrower and of the personal property broker making the loan, and the agreed rate of charge.

(b) Give to the borrower a plain and complete receipt for all payments made on account of any such loan at the time such payments are made, specifying the amount applied to interest and the amount, if any, applied to principal, and stating the unpaid balance, if any, of such loan.

(c) Permit payment to be made in advance in any amount on any contract of loan at any time, but the personal property broker may apply such payment first to all interest in full at the agreed rate up to the date of such payment.

(d) Upon payment of the loan in full mark indelibly every obligation and security signed by the borrower with the word "paid" or "canceled", and release any mortgage, restore any pledge, cancel and return any promissory note or other evidence of indebtedness, and cancel and return any assignment given to the personal property broker by the borrower.

SEC. 6. Section 6 of said act is hereby amended to read as follows:

Sec. 6. No personal property broker shall take or receive any confession of judgment, power of attorney, promissory note, promise to pay, or security that does not accurately disclose the actual amount of the loan, the time for which it is made, and the agreed rate of interest, nor any instrument in which blanks are left to be filled in after execution."

AMENDMENT NUMBER EIGHT.

On page 2, line 23, of the printed amended bill, strike out the numeral "4", and insert in lieu thereof the numeral "7".

AMENDMENT NUMBER NINE.

On page 2, line 32, of the printed amended bill, strike out the numeral "5", and insert in lieu thereof the numeral "8".

AMENDMENT NUMBER TEN.

On page 3, line 1, of the printed amended bill, strike out the numeral "6", and insert in lieu thereof the numeral "9".

AMENDMENT NUMBER ELEVEN.

On page 3, line 6, of the printed amended bill, strike out the following: "with one or more sureties", and insert in lieu thereof the following: "surety company bond executed by any corporation or corporations qualified to act as sole surety on bonds or undertakings required by the laws of this state".

AMENDMENT NUMBER TWELVE.

On page 3, line 18, of the printed amended bill, strike out the numeral "7", and insert in lieu thereof the numeral "10".

AMENDMENT NUMBER THIRTEEN.

On page 3, line 41, of the printed amended bill, strike out the numeral "8", and insert in lieu thereof the numeral "11".

AMENDMENT NUMBER FOURTEEN.

On page 4, line 9, of the printed amended bill, strike out the numeral "9", and insert in lieu thereof the numeral "12".

AMENDMENT NUMBER FIFTEEN.

On page 4, line 24, of the printed amended bill, strike out the numeral "10", and insert in lieu thereof the numeral "13".

AMENDMENT NUMBER SIXTEEN.

On page 5, line 17, of the printed amended bill, strike out the numeral "11", and insert in lieu thereof the numeral "14".

AMENDMENT NUMBER SEVENTEEN.

On page 5 of the printed amended bill, between lines 33 and 34, insert the following:

"SEC. 15. A new section to be numbered section 15 is hereby added to said act to read as follows:

Sec. 15. No personal property broker or other person, copartnership, association or corporation shall advertise, print, display, publish, distribute, or broadcast or cause or permit to be advertised, printed, displayed, published, distributed, or broadcasted, in any manner whatsoever any statement or representation with regard to rates, terms, or conditions for loaning money, credit, goods, or things in action in the amount or of the value of three hundred dollars (\$300) or less, which is false, misleading or deceptive.

Sec. 16. A new section to be numbered section 16 is hereby added to said act to read as follows:

Sec. 16. No personal property broker shall directly or indirectly charge, contract for, or receive any interest, discount, or consideration greater than twelve per centum per annum upon the loan, use, or forbearance of money, goods, or things in action, or upon the loan, use, or sale of credit, of the amount or value of more than three hundred dollars (\$300). The foregoing prohibition shall also apply to any personal property broker who permits any person, as borrower or as endorser guarantor, or surety for any borrower, or otherwise, to owe directly or contingently or both to the personal property broker at any time the sum of more than three hundred dollars (\$300) for principal."

AMENDMENT NUMBER EIGHTEEN.

On page 5, line 34, of the printed amended bill, strike out the numeral "12", and insert in lieu thereof the numeral "17".

AMENDMENT NUMBER NINETEEN.

On page 5, line 34, of the printed amended bill, strike out the numeral "15", and insert in lieu thereof the numeral "17".

AMENDMENT NUMBER TWENTY.

On page 5, line 36, of the printed amended bill, strike out the numeral "15", and insert in lieu thereof the numeral "17".

AMENDMENT NUMBER TWENTY-ONE.

On page 5, line 39, of the printed amended bill, strike out the numeral "13", and insert in lieu thereof the numeral "18".

AMENDMENT NUMBER TWENTY-TWO.

On page 5, line 39, of the printed amended bill, strike out the numeral "16", and insert in lieu thereof the numeral "18".

AMENDMENT NUMBER TWENTY-THREE.

On page 5, line 41, of the printed amended bill, strike out the numeral "16", and insert in lieu thereof the numeral "18".

AMENDMENT NUMBER TWENTY-FOUR.

On page 6 of the printed amended bill, after line 7, add the following:

"SEC. 19. A new section to be numbered section 19 is hereby added to said act to read as follows:

Sec. 19. Any person, copartnership, association, or corporation, and the several members, officers, directors, agents, and employees thereof, who shall violate or participate in the violation of any of the provisions of this act shall be guilty of a misdemeanor and for the first offense punished in the manner now provided for by

law, and for each subsequent offense by a fine of not less than five hundred dollars (\$500), or more than one thousand dollars (\$1000), or by imprisonment in the county jail for not less than six months, and not to exceed twelve months, or by both such fine and imprisonment."

QUESTION OF PERSONAL PRIVILEGE.

Senator Crittenden arose to a question of personal privilege and addressed the Senate as follows:

"I have never in any debate either in this Senate or in the Assembly Chamber nor did I this morning refer to bad faith of any member; my only remarks refer to questions of strategy of handling the bill."

AYES AND NOES DEMANDED.

A roll call was demanded by Senators Christian, Bush and Crittenden, on Senator Christian's motion to refer Assembly Bill No. 965 to Senator Cleveland, as a Special Committee of One, for amendment.

The roll was called.

CALL OF THE SENATE.

Pending the announcement of the vote, Senator Christian moved a call of the Senate.

Motion carried.

The Secretary was directed to call the roll.

The roll was called, and the following answered to their names:

Senators Allen, Baker, Breed, Bush, Carter, Cassidy, Christian, Cleveland, Clock, Crittenden, Duval, Evans, Fellom, Harper, Hays, Ingels, Inman, Jones, Maloney, McCormack, McKinley, Rich, Riley, Rochester, Schottky, Slater, Treacy, Tubbs, Waggy, Williams, and Young—31.

The Secretary announced the absentees.

Time, twelve o'clock and fifteen minutes p.m.

The President directed the Sergeant-at-Arms to close the doors.

The Sergeant-at-Arms, having been furnished with the names of the absentees, was directed to bring them to the bar of the Senate.

PROCEEDINGS UNDER CALL OF THE SENATE.

REPORTS OF STANDING COMMITTEES.

The following reports of standing committees were received and read:

ON JUDICIARY.

SENATE CHAMBER, SACRAMENTO, April 23, 1931.

MR. PRESIDENT: Your Committee on Judiciary, to which was referred Assembly Bill No. 1222—An act to amend sections 664, 666, 667 and 669 of the Penal Code, relating to self-defence and terms of imprisonment—has had the same under consideration, and respectfully reports the same back, and recommends that the bill be re-referred to the Committee on Revision of Criminal Law and Procedure.

Committee membership: 17; committee vote: Ayes—13; absent—4.

CHRISTIAN, Chairman.

Assembly Bill No. 1222 ordered re-referred to Committee on Revision of Criminal Law and Procedure.

ASSISTANT SECRETARY FRANCIS E. DALIN AT THE DESK.

Also:

MR. PRESIDENT: Your Committee on Judiciary, to which was referred Assembly Bill No. 1174—An act to amend section 4190 of the Political Code, relating to establishment and government and the creation of a fund for a Law Library—has had the same under consideration, and respectfully reports the same back with amendments, and recommends that the amendments be adopted, and the bill be re-referred to this committee.

Committee membership—17; committee vote: Ayes—16; absent—1.

CHRISTIAN, Chairman.

CONSIDERATION OF COMMITTEE AMENDMENTS.

Pursuant to the report of the Committee on Judiciary, the following amendments to Assembly Bill No. 1174 were read and adopted:

AMENDMENT NUMBER ONE.

On page 1, line 12, of the printed bill, strike out "and there-", and insert in lieu thereof the following: "shall pay to the clerk of said court, in addition to the fees fixed by law, one dollar as costs. There-".

AMENDMENT NUMBER TWO.

On page 1, line 14, of the printed bill, strike out "therein", and insert in lieu thereof the following: "in the superior court".

AMENDMENT NUMBER THREE.

On page 1, line 16, of the printed bill, strike out "therein", and insert in lieu thereof the following: "in the superior court".

AMENDMENT NUMBER FOUR.

On page 1, line 17, of the printed bill, strike out "for", and insert in lieu thereof the following: ". Such costs shall be paid into".

AMENDMENT NUMBER FIVE.

On page 1, line 18, of the printed bill, strike out "as".

Bill ordered to print, and re-referred to Committee on Judiciary.
Also:

MR. PRESIDENT: Your Committee on Judiciary, to which was referred Senate Bill No. 373—An act to amend chapter 485, Statutes of 1927, entitled "An act to define collection agencies; to provide for the regulation, bonding, supervision and licensing thereof; to provide for the enforcement of said act and penalties for violation thereof," approved May 14, 1927, as amended, by amending sections 2, 4, 6, 7, 11 and 14 thereof—has had the same under consideration, and respectfully reports the same back with amendments, and recommends that the amendments be adopted, and the bill be re-referred to this committee.

Committee membership—17; committee vote: Ayes—13; absent—4.

CHRISTIAN, Chairman.

CONSIDERATION OF COMMITTEE AMENDMENTS.

Pursuant to the report of the Committee on Judiciary, the following amendments to Senate Bill No. 373 were read and adopted:

AMENDMENT NUMBER ONE.

On page 1 of the printed bill, strike out all of the title, and insert in lieu thereof the following:

"An act to amend section 4 of an act entitled "An act to define collection agencies; to provide for the regulation, bonding, supervision and licensing thereof; to provide for the enforcement of said act and penalties for violation thereof," approved May 14, 1927, as amended."

AMENDMENT NUMBER TWO.

On page 1, line 1, of the printed bill, strike out the figure "2", and insert in lieu thereof the figure "4".

AMENDMENT NUMBER THREE.

On page 1, line 7, of the printed bill, strike out "Sec. 2", and insert in lieu thereof the following:

"Sec. 4. The applicant shall file with the application a bond which shall run to the people of the State of California. Such bond shall be executed and acknowledged by the applicant as principal, and by two natural persons as sureties, in which event the bond shall be in the sum of two thousand dollars, or by a corporation which is licensed by the insurance commissioner of this state to transact the business of fidelity and surety insurance, in which event the bond shall be in the sum of one thousand dollars. If the sureties are natural persons the bond must be approved by a judge of the superior court of the county in which each resides and there shall be attached thereto the affidavit of each such sureties that he is a resident and a householder or freeholder within this state and is worth the sum of two thousand dollars, over and above all his just debts and liabilities, exclusive of property exempt from execution. In either case the bond shall be conditioned that the principal, who shall be the applicant, shall and will, upon demand in writing, pay and turn over to or for the use of any customer from whom any claim is taken or received for collection the proceeds of such collection, in accordance with the terms of the agreement made between the said principal and the said customer, and conditioned that the principal will comply with all requirements of this or of any other statute now in force or

hereafter enacted with respect to the duties, obligations and liabilities of collection agencies. Such bond shall cover all matters placed with said licensee during the term of said license so applied for, or renewal thereof and liability thereunder shall continue in accordance with the provisions of section 10. Such bond may be enforced in the manner provided for the enforcement of bonds and undertakings in actions or special proceedings."

AMENDMENT NUMBER FOUR.

On page 1 of the printed bill, strike out all of lines 11 to 22, inclusive.

Bill ordered to print, and re-referred to Committee on Judiciary.

Also:

MR. PRESIDENT: Your Committee on Judiciary, to which was referred Senate Bill No. 91—An act to amend section 763 of the Code of Civil Procedure, relating to partition;

Also: Senate Bill No. 215—An act to amend section 963 of the Code of Civil Procedure, relating to appeals from the superior court;

Also: Senate Bill No. 684—An act to add a new section to the Penal Code to be numbered 537½, relating to the defrauding of owners of automobiles;

Has had the same under consideration, and respectfully reports the same back, and recommends that they do pass.

Committee membership—17; committee vote: Ayes—13; absent—4.

CHRISTIAN, Chairman.

Senate Bills Nos. 91, 215 and 684 ordered on file for second reading.

Also:

MR. PRESIDENT: Your Committee on Judiciary, to which was referred Assembly Bill No. 8—An act to amend section 1946 of the Civil Code, relating to the hiring of real property;

Also: Assembly Bill No. 1662—An act to amend sections 1, 2, 3, 4 and 5 of chapter 276, Statutes of 1913, entitled "An act relating to unfair competition and discrimination, making certain unfair and discriminatory practices unlawful, defining the duties of the Attorney General in regard thereto, declaring certain contracts illegal and forbidding recovery thereon, providing for actions to enjoin unfair competition and discrimination and to recover damages therefor, making the violation of the provisions of this act a misdemeanor and providing penalties," approved June 10, 1913;

Has had the same under consideration, and respectfully reports the same back with amendments, and recommends that the amendments be adopted, and that they do pass as amended.

Committee membership—17; committee vote: Ayes—13; absent—4.

CHRISTIAN, Chairman.

Assembly Bills Nos. 8 and 1662 ordered on file for second reading.

ON CONSTITUTIONAL AMENDMENTS.

SENATE CHAMBER, SACRAMENTO, April 23, 1931.

MR. PRESIDENT: Your Committee on Constitutional Amendments, to which was referred Senate Constitutional Amendment No. 26—A resolution to propose to the people of the State of California, an amendment to the constitution of said State by adding a new article thereto to be numbered article XXIV, relating to the development, conservation, control, utilization, and regulation of the water resources of the State—has had the same under consideration, and respectfully reports the same back with amendments, and recommends that the amendments be adopted, and the bill be re-referred to Committee on Conservation.

Committee membership—9; committee vote: Ayes—5; absent—4.

ALLEN, Chairman.

CONSIDERATION OF COMMITTEE AMENDMENTS.

Pursuant to the report of the Committee on Constitutional Amendments, the following amendments to Senate Constitutional Amendment No. 26 were read and adopted:

AMENDMENT NUMBER ONE.

On page 8, line 25, of the printed bill, after the word "near", add "Linda Slough".

AMENDMENT NUMBER TWO.

On page 8, line 26, of the printed bill, after the word "bay", strike out the word "to", and add the word "into".

Bill ordered to print, and re-referred to Committee on Conservation.

ON MUNICIPAL CORPORATIONS.

SENATE CHAMBER, SACRAMENTO, April 23, 1931.

MR. PRESIDENT: Your Committee on Municipal Corporations, to which was referred Senate Concurrent Resolution No. 30—Providing for the creation of a joint committee of the Senate and Assembly to study street improvement laws of the State of California; to continue the work of preparing and making recommendations concerning changes in existing laws and to make an appropriation to meet the expenses of said committee necessarily incurred in said work—has had the same under consideration, and respectfully reports the same back, and recommends that it be adopted.

Committee membership—10; committee vote: Ayes—7; absent—3.

HARPER, Chairman.

Senate Concurrent Resolution No. 30 ordered on file.

Also:

MR. PRESIDENT: Your Committee on Municipal Corporations, to which was referred Assembly Bill No. 936—An act to amend sections 788 and 878 of an act entitled "An act to provide for the organization, incorporation and government of municipal corporations," approved March 13, 1883, as amended, relating to the cities of the fifth and sixth classes—has had the same under consideration, and respectfully reports the same back with amendments, and recommends that it do pass as amended.

Committee membership—10; committee vote: Ayes—7; absent—3.

HARPER, Chairman.

Assembly Bill No. 936 ordered on file for second reading.

Also:

MR. PRESIDENT: Your Committee on Municipal Corporations, to which was referred Assembly Bill No. 406—An act to amend sections 765, 767, 768 and 773 of chapter 49, Statutes of 1883, entitled "An act to provide for the organization, incorporation, and government of municipal corporations," approved March 13, 1883, relating to cities of the fifth class—has had the same under consideration and respectfully reports the same back, and recommends that it do pass.

Committee membership—10; committee vote: Ayes—7; absent—3.

HARPER, Chairman.

Assembly Bill No. 406 ordered on file for second reading.

Also:

MR. PRESIDENT: Your Committee on Municipal Corporations, to which was referred Assembly Bill No. 1103—An act to amend sections 9 and 14 of an act entitled "An act for the registration of deaths, the issuance and registration of burial and disinterment permits and the establishment of registration districts in counties, cities and counties, cities and incorporated towns, under the superintendence of the State Bureau of Vital Statistics, and prescribing the powers and duties of registrars, coroners, physicians, undertakers, sextons and other persons in relation to such registration and fixing penalties for the violation of this act," approved March 18, 1905, as amended, to require local registrars to furnish copies of death certificates to county clerk or county registrar of voters without cost—has had the same under consideration, and respectfully reports the same back with amendments, and recommends that the amendments be adopted, and the bill be re-referred to the Committee on Finance.

Committee membership—10; committee vote: Ayes—7; absent—3.

HARPER, Chairman.

CONSIDERATION OF COMMITTEE AMENDMENTS.

Pursuant to the report of the Committee on Municipal Corporations, the following amendments to Assembly Bill No. 1103 were read and adopted:

AMENDMENT NUMBER ONE.

In line 16 of the title of the printed bill, as amended, strike out the words "local registrars", and insert in lieu thereof the following: "the state registrar of vital statistics".

AMENDMENT NUMBER TWO.

In line 18 of the title of the printed bill, as amended, strike out the words "without cost", and insert in lieu thereof the following: ", and making an appropriation therefor".

AMENDMENT NUMBER THREE.

On page 1, line 1, of the printed bill, as amended, strike out the word "section".

AMENDMENT NUMBER FOUR.

On page 3, line 24, of the printed bill, as amended, before the figure "2", insert the word "section".

AMENDMENT NUMBER FIVE.

On page 5 of the printed bill, as amended, after line 17, insert the following: "Sec. 4. The sum of ten thousand dollars (\$10,000) out of any moneys in the state treasury not otherwise appropriated is hereby appropriated for the support of the department of public health for the eighty-third and eighty-fourth fiscal years in addition to any sum or sums otherwise appropriated for a like purpose, to carry out the provisions of this act."

Bill ordered to print, and re-referred to Committee on Finance.

ON PRISONS AND REFORMATORIES.

SENATE CHAMBER, SACRAMENTO, April 23, 1931.

MR. PRESIDENT: Your Committee on Prisons and Reformatories, to which was referred Assembly Bill No. 1469—An act to amend section 1168 of the Penal Code and to add to said code new sections 18, 18a and 1192a and to repeal present section 1192a thereof, relating to the sentencing of prisoners, terms of imprisonment, credits to prisoners and paroles of prisoners—has had the same under consideration, and respectfully reports the same back, and recommends that it do pass.

Committee membership—7; committee vote: Ayes—7.

PEDROTTI, Chairman.

Assembly Bill No. 1469 ordered on file for second reading.

ON JUDICIARY.

SENATE CHAMBER, SACRAMENTO, April 23, 1931.

MR. PRESIDENT: Your Committee on Judiciary, to which was referred Assembly Bill No. 21—An act to amend section 1161 of the Code of Civil Procedure, relating to unlawful detainer;

Also: Assembly Bill No. 32—An act to amend section 791 of the Civil Code relating to the right of reentry by grantor or lessor;

Has had the same under consideration, and respectfully reports the same back, and recommends that they do pass.

Committee membership—17; committee vote: Ayes—13; absent—4.

CHRISTIAN, Chairman.

Assembly Bills Nos. 21 and 32 ordered on file for second reading.

ON FINANCE.

SENATE CHAMBER, SACRAMENTO, April 23, 1931.

MR. PRESIDENT: Your Committee on Finance, to which was referred Senate Bill No. 349—An act to repeal section 4.52 of the School Code and to repeal section 1 of chapter 423, Statutes of 1929, entitled "An act relating to the formation, suspension and support of junior college districts and the powers of governing boards thereof," approved May 23, 1929, and to add a new section to the School Code to be numbered 4.52, all relating to the State Junior College Fund;

Also: Senate Bill No. 563—An act to promote the development of the California dried fruit industry and to prevent deception in the packing and sale of dried fruit by providing for the establishment and definition of standards for dried fruit, by authorizing the Director of Agriculture to provide for the certification of dried fruits, establishing a Dried Fruit Certification Fund and revolving fund, and making an appropriation to carry out the provisions hereof;

Also: Senate Bill No. 107—An act providing for the erection and maintenance of a monument to the memory of Chief Solano, to be erected in Solano County, and making an appropriation therefor;

Has had the same under consideration, and respectfully reports the same back with amendments, and recommends that the amendments be adopted, and that they do pass as amended.

Committee membership—18; committee vote: Ayes—18.

SLATER, Vice Chairman.

Senate Bills Nos. 349, 563 and 107 ordered on file for second reading.

Also:

MR. PRESIDENT: Your Committee on Finance, to which was referred Senate Bill No. 41—An act appropriating money to pay the claim of Joseph E. Painter against the State of California;

Also: Senate Bill No. 677—An act making an appropriation to pay the claim of B. F. Schlessinger against the State of California;

Also: Senate Bill 683—An act to establish a retirement system to provide for the retirement of employees of the State of California, and make an appropriation therefor:

Has had the same under consideration, and respectfully reports the same back, and recommends that they do pass.

Committee membership—18; committee vote: Ayes—13; noes—3.

SLATER, Vice Chairman.

Senate Bills Nos. 41, 677 and 683 ordered on file for second reading.

ON REVENUE AND TAXATION.

SENATE CHAMBER, SACRAMENTO, April 23, 1931.

MR. PRESIDENT: Your Committee on Revenue and Taxation, to which was referred Senate Joint Resolution No. 14—Relative to memorializing and petitioning Congress to enact legislation to eliminate the restrictions which now attach to the taxation of national banking associations, and creating a committee to further such purpose—has had the same under consideration, and respectfully reports the same back with amendments, and recommends that the amendments be adopted, and that same be re-referred to Committee on Contingent Expenses.

Committee membership—13; committee vote: Ayes—9; absent—4.

NELSON, Chairman.

CONSIDERATION OF COMMITTEE AMENDMENTS.

Pursuant to the report of the Committee on Revenue and Taxation, the following amendments to Senate Joint Resolution No. 14 were read and adopted:

AMENDMENT NUMBER ONE.

On page 2, line 13, of the printed resolution, strike out the word "four", and insert in lieu thereof the word "two".

AMENDMENT NUMBER TWO.

On page 2, line 14, of the printed resolution, strike out the words "two members", and insert in lieu thereof the words "one member".

AMENDMENT NUMBER THREE.

On page 2, line 15, of the printed resolution, strike out the words "two members", and insert in lieu thereof the words "one member".

AMENDMENT NUMBER FOUR.

On page 2, line 23, of the printed resolution, strike out the words "five thousand", and insert in lieu thereof the words "two thousand five hundred".

AMENDMENT NUMBER FIVE.

On page 2, line 31, of the printed resolution, strike out the words "five thousand", and insert in lieu thereof the words "two thousand five hundred".

Senate Joint Resolution No. 14 ordered to print, and re-referred to Committee on Contingent Expenses.

Also:

MR. PRESIDENT: Your Committee on Revenue and Taxation, to which was referred Senate Constitutional Amendment No. 22—A resolution to propose to the people of the State of California an amendment of the constitution of said State by amending section 15 of article XIII thereof, relating to revenue and taxation—has had the same under consideration, and respectfully reports the same back with amendments, and recommends that the amendments be adopted, and that said constitutional amendment be adopted as amended.

Committee membership—13; committee vote: Ayes—9; absent—4.

NELSON, Chairman.

Senate Constitutional Amendment No. 22 ordered on file.

Also:

MR. PRESIDENT: Your Committee on Revenue and Taxation, to which was referred Senate Bill No. 85—An act to amend section 2 of chapter 620, Statutes of 1915, entitled "An act authorizing any city, city and county, county, town, municipality or other political subdivision to acquire certain liens or property offered for sale for the nonpayment of certain assessments, approved June 4, 1915, relating to the disposal of such lien or property—has had the same under consideration, and

respectfully reports the same back, and recommends that same be re-referred to Committee on Municipal Corporations.

Committee membership—13; committee vote: Ayes—9; absent—4.

NELSON, Chairman.

Senate Bill No. 85 ordered re-referred to Committee on Municipal Corporations.

Also:

MR. PRESIDENT: Your Committee on Revenue and Taxation, to which was referred Senate Constitutional Amendment No. 6—A resolution to propose to the people of the State of California an amendment to the constitution of said State by amending section 14 of article XIII, relating to exemptions of property on account of military service;

Also: Senate Constitutional Amendment No. 23—A resolution to propose to the people of the State of California an amendment to the constitution of said State by adding a new section to be numbered 14a to article XIII thereof, relating to revenue and taxation;

Has had the same under consideration, and respectfully reports the same back, and recommends that same be adopted.

Committee membership—13; committee vote: Ayes—9; absent—4.

NELSON, Chairman.

Senate Constitutional Amendment Nos. 6 and 23 ordered on file.

Also:

MR. PRESIDENT: Your Committee on Revenue and Taxation, to which was referred Senate Bill No. 549—An act to add a new section to be numbered 1a to chapter 267, Statutes of 1923, entitled "An act to regulate and license the business of producing, refining, or distributing gasoline, distillate and other motor vehicle fuels, providing for the collection and distribution of license taxes, and adopting those provisions, not inconsistent herewith, of an act entitled 'An act to regulate and license the business of producing, refining or distributing gasoline, distillate and other motor vehicle fuels, providing for the collection and disposition of license taxes, describing penalties for violation of the provisions of said act, and repealing all acts and parts of acts inconsistent herewith,'" relating to a revolving fund for the State Highway Commission—has had the same under consideration, and respectfully reports the same back with amendments, and recommends that the amendments be adopted, and that same do pass as amended.

Committee membership—13; committee vote: Ayes—9; absent—4.

NELSON, Chairman.

Senate Bill No. 549 ordered on file for second reading.

Also:

MR. PRESIDENT: Your Committee on Revenue and Taxation, to which was referred Senate Bill No. 494—An act to provide for the levy, collection and payment of an income tax on individuals, estates and trusts, and to provide for the allocation of the revenue therefrom—has had the same under consideration, and respectfully reports the same back with amendments, and recommends that the amendments be adopted, and be re-referred to this committee.

Committee membership—13; committee vote: Ayes—9; absent—4.

NELSON, Chairman.

CONSIDERATION OF COMMITTEE AMENDMENTS.

Pursuant to the report of the Committee on Revenue and Taxation, the following amendments to Senate Bill No. 494 were read and adopted:

AMENDMENT NUMBER ONE.

In the title of the printed bill, strike out all of lines 1 to 3, inclusive, and insert in lieu thereof the following:

"An act to equalize educational costs in this state, to provide other revenue for educational purposes from the levy and collection of a tax upon the incomes of individuals, estates and trusts, to create and maintain an educational equalization fund and to provide for the distribution of such fund to the counties, and cities and counties of this state for educational purposes."

AMENDMENT NUMBER TWO.

On page 1, line 2, of the printed bill, strike out the words "The personal income", and insert in lieu thereof the words "Income and educational equalization."

AMENDMENT NUMBER THREE.

On page 1, line 5, of the printed bill, strike out the numeral "1", and insert in lieu thereof the letter "a".

AMENDMENT NUMBER FOUR.

On page 1, line 7, of the printed bill, strike out the numeral "2", and insert in lieu thereof the letter "b".

AMENDMENT NUMBER FIVE.

On page 1, line 10, of the printed bill, strike out the numeral "3", and insert in lieu thereof the letter "c".

AMENDMENT NUMBER SIX.

On page 1, line 11, of the printed bill, strike out the numeral "4", and insert in lieu thereof the letter "d".

AMENDMENT NUMBER SEVEN.

On page 1, line 15, of the printed bill, strike out the numeral "5", and insert in lieu thereof the letter "e".

AMENDMENT NUMBER EIGHT.

On page 1, line 15, of the printed bill, strike out the words "state income", and insert in lieu thereof the word "franchise."

AMENDMENT NUMBER NINE.

On page 1, line 16, of the printed bill, after the word "commissioner", strike out the period, and insert in lieu thereof the following: "as provided for in chapter 13, statutes of 1929."

AMENDMENT NUMBER TEN.

On page 1, line 17, of the printed bill, strike out the numeral "6", and insert in lieu thereof the letter "f".

AMENDMENT NUMBER ELEVEN.

On page 1, line 20, of the printed bill, strike out the word "income", and insert in lieu thereof the word "taxable."

AMENDMENT NUMBER TWELVE.

On page 1, line 23, of the printed bill, strike out the word "income", and insert in lieu thereof the word "taxable."

AMENDMENT NUMBER THIRTEEN.

On page 1, line 24, of the printed bill, strike out lines 24 to 27, inclusive. Also strike out all of pages 2 and 3, inclusive, and on page 4 of the printed bill strike out lines 1 to 29, inclusive, and insert in lieu thereof the following:

"SEC. 3. Creation of fund. The educational equalization fund is hereby created into which all of the proceeds accruing from the tax hereinafter provided for shall be paid subject to the provision of section 11 of this act. Distribution of said fund shall be made for educational purposes in the manner hereinafter provided.

SEC. 4. Tax on individuals. To provide for the creation and maintenance of said fund, there shall be annually levied and collected by the State of California a tax on the net income of every resident of the state. Net income for the purposes of this act shall be computed as provided in the federal revenue act of 1928 in accordance with the system for determining net income as therein set out, subject to such increases and deductions as are hereinafter provided for in determining a proper taxable income. Said tax shall be similar to that provided for by the federal revenue act of 1928, but shall be returned, calculated, ascertained and paid according to the system and rules hereinafter provided.

SEC. 5. Tax return. Any individual, resident of the State of California, receiving in any taxable year a net income which would be taxable under the provisions of the federal revenue act of 1928, such individual being herein referred to as a taxpayer, shall, at the time for making return as provided in said federal act, make an income tax return to the state and file the same with the commissioner for the purpose of a state tax on income. Such return shall give the post-office address of the taxpayer, shall furnish the same information as would be contained in a return to the United States under the said federal revenue act, shall be made on a blank form to be furnished by the commissioner, and shall ascertain the taxable net income in the same manner as provided in the said federal act with the following exceptions:

a. To the amount ascertained under the federal revenue act of 1928 as the net income taxable by the United States, there shall be added in said return to the state:

1. The gross amount of any salary received by the taxpayer during the taxable year, or accrued to him during said period as a public officer or employee of the state, or of any county, municipal corporation, or other political division thereof, and the net amount of any fees, perquisites, or other emoluments from said sources or any of them, paid to him during the same period for official compensation; *provided*, that such public officers shall not be required to include their salaries paid or accruing for the term for which, at the time of passage of this act, they shall have been elected;

2. The gross amount of all state income taxes imposed upon the income of the taxpayer and paid or accrued during the taxable year.

b. From the amount so ascertained as the taxable net income shall be excluded:

1. Any compensation received by the taxpayer during the taxable year from the United States as an officer or employee thereof;

2. Any or all interest paid to the taxpayer on any tax exempt bond or other obligation of the United States;

3. The gross amount of all federal income taxes imposed upon the income of the taxpayer and paid or accrued during the taxable year.

Sec. 6. Supplemental return. Whenever a taxpayer is required by the federal government to file a supplemental return and whenever the return of any taxpayer is revised by the federal government, such taxpayer shall file a supplemental return with the commissioner showing the changes in his net income made by such supplemental or revised return to the federal government.

Sec. 7. Tax rate. The tax payable to the State of California on the net income taxable by the state as computed above shall be one-third of the amount that would have been payable to the United States under the provisions of the federal revenue act of 1928 upon such a taxable net income.

Sec. 8. Return by public officer or employee. Any individual who would make no income tax return to the United States because of having no sufficient income taxable under the federal revenue act of 1928 to call for such return, but who would have such sufficient income if his salary, fees or perquisites from the state or any subdivision thereof were taxable by the United States, shall be liable and is hereby required to make to the State of California annually a return on a form prescribed by the commissioner. In such case the tax liability to the state shall be one-third of what it would be to the United States if said income were taxable under the federal revenue act of 1928.

Sec. 9. Tax on estates and trusts. The net income of estates and trusts in California taxable by the United States under the federal revenue act of 1928 is taxable under this act in the same manner and to the same extent as the income of an individual, and the fiduciary of such estate or trust shall make a return to the state in the same manner as hereinbefore required of an individual.

Sec. 10. Payments. When such return is made and filed with the commissioner as hereinbefore required, the taxpayer shall, on or before the last day for making return, pay to the commissioner at least one-third of the state income tax as fixed by the provisions hereinbefore made, the balance being due and payable at intervals of four and eight months thereafter. A tax or any installment thereof imposed by this act may be paid at the election of the taxpayer, prior to the date prescribed for its payment. All taxes and penalties imposed under this act must be paid to the commissioner at Sacramento in the form of remittances payable to the treasurer of the State of California, and the commissioner shall transmit said payments daily to the state treasurer.

Sec. 11. Funds designated. All moneys received by the state treasurer from said tax shall be deposited by him into the following funds, which funds are hereby created:

a. The sum of fifty thousand dollars is hereby appropriated out of the first moneys received under the provisions of this act to provide a permanent revolving fund for the purpose of making refunds to taxpayers. Said fund shall be replenished quarterly to the sum of fifty thousand dollars from moneys received from said tax.

b. All moneys received by the state treasurer accruing from said tax, except those referred to above, shall be deposited by him in a special fund in the state treasury, to be designated the educational equalization fund. Such fund shall be apportioned by the superintendent of public instruction to the several counties of the state, as hereinafter provided, for the purpose of equalizing educational opportunities and the burden of local school taxes therein.

Sec. 12. Computation of amount to be allocated to counties. The total amount to be allocated to the counties, and cities and counties, from the educational equalization fund shall be computed by the superintendent of public instruction by adding together the amounts to be apportioned to the counties, and cities and counties, as provided by section 17 of this act, and the total of such amounts shall constitute the total amount to be allocated to the counties, and cities and counties, from the educational equalization fund for that school year.

Sec. 13. Report to controller. On or before the first day of August in each year, the superintendent of public instruction shall report to the state controller, an estimate of the amount required as provided in this act for allocation from the educational equalization fund to the counties, and cities and counties, of the state for the ensuing school year.

Sec. 14. Transfer of funds to the educational equalization fund. Immediately upon the receipt of such estimate the state controller and the state treasurer shall determine the amount in the educational equalization fund and if such amount is less than the amount of the estimate submitted by the superintendent of public instruction the state controller and the state treasurer shall transfer from other funds of the state to the educational equalization fund an amount sufficient to provide in such fund an amount equal to the estimate of the superintendent of public instruction.

Sec. 15. Separate account of fund. The state controller must keep a separate accounting of the educational equalization fund and must draw his warrant on the

state treasurer against such fund in favor of the treasurer of any county, or city and county, for any amount apportioned from said fund by the superintendent of public instruction to such county, or city and county.

SEC. 16. Superintendent of public instruction to furnish abstract of apportionments. Not later than August twentieth of each school year, the superintendent of public instruction shall apportion the educational equalization fund and shall furnish an abstract of such apportionments to the state controller, the state treasurer and to county, and city and county, auditors, treasurers and superintendents of schools.

SEC. 17. Apportionment of funds. The superintendent of public instruction shall apportion the educational equalization fund among the counties of the state as follows:

a. He shall apportion to the county elementary school fund of each county, or city and county, which is levying during the current fiscal year a county, or city and county, elementary school tax equal to a rate of at least ten cents on each one hundred dollars of assessed valuation of property in the county, or city and county, taxable for school purposes, an amount computed by subtracting the estimated proceeds of a county, or city and county, elementary school tax rate of ten cents on each one hundred dollars of assessed valuation of such property from the estimated apportionment to such county, or city and county, during the ensuing school year from the state school fund; *provided*, that the estimated apportionment from the state school fund shall not, for the purposes of this section, be fixed at less than thirty dollars for each unit of average daily attendance in the elementary school districts of the county, or city and county, during the preceding school year.

b. He shall apportion to the county high school fund of each county, or city and county, which is levying during the current fiscal year a county, or city and county, high school tax equal to a rate of at least nine cents on each one hundred dollars of assessed valuation of property in the county, or city and county, taxable for high school purposes, an amount computed by subtracting the estimated proceeds of a county, or city and county, high school tax rate of nine cents on each one hundred dollars of assessed valuation of such property from twice the amount of the estimated apportionment to such county, or city and county, during the ensuing school year from the state high school fund; *provided*, that said twice the estimated apportionment from the state high school fund shall not, for the purposes of this section, be fixed at less than sixty dollars for each unit of average daily attendance in the high school districts of the county, or city and county, during the preceding school year.

SEC. 18. Certification of apportionment. The amounts so apportioned shall be certified by the superintendent of public instruction to the state controller who must thereupon draw a warrant in favor of the treasurer of each county, or city and county, for the amount so apportioned to said county, or city and county.

SEC. 19. Duty of county treasurer. The treasurer of each county, or city and county, shall immediately upon receipt of such apportionments for the county elementary school fund and the county high school fund of his county, or city and county, place to the credit of such funds the amounts received therefor.

SEC. 20. Information furnished by county superintendent of schools. The superintendent of schools of each county, and city and county, shall forward to the superintendent of public instruction not later than July thirtieth of each year such information relative to the assessed valuation and tax rates of the county as shall be required by the superintendent of public instruction for the administration of the educational equalization fund.

SEC. 21. Duty of commissioner. The commissioner shall have authority and it shall be his duty to provide all necessary blanks for carrying out the provisions of this act, which blanks shall be distributed throughout the state in such manner as the commissioner may deem proper.

SEC. 22. Regulations by commissioner. The commissioner shall have power, and it shall be his duty, to administer this act, and to prescribe all such rules and regulations as are necessary and reasonable to carry out its provisions.

SEC. 23. Claims for exemption. Any taxpayer making return and paying, either in whole or in part, shall have the right, at the time of said payment, to file, with the person to whom payment is made, a written protest or claim of exemption as to any item or items included in his return which he conceived to be exempt from taxation by the State of California. In such case it shall be the duty of the taxpayer so making return to make a clear and distinct statement of all relevant facts connected with such protest or claim, and to make a clear statement of the reasons upon which his protest or claim is based. It shall be the duty of the commissioner to make a finding in regard to such protest or claim and notify the taxpayer of his decision thereon.

The right herein granted the taxpayer to file a claim of exemption or denial of liability for tax, shall not be construed to relieve the taxpayer from liability to make immediate payment of the tax, nor shall there be any judicial interference with the payment or collection of the tax upon any other ground, but all persons making return as herein provided for, or required so to do, shall pay as hereinbefore provided and make his complaint for or seek a refund as hereinafter provided."

AMENDMENT NUMBER FOURTEEN.

On page 4, line 30, of the printed bill, strike out the numerals "12", and insert in lieu thereof the numerals "24".

AMENDMENT NUMBER FIFTEEN.

On page 4, line 30, of the printed bill, strike out the word "Hearings."

AMENDMENT NUMBER SIXTEEN.

On page 4, line 33, of the printed bill, after the word "shall", insert the words "file a protest or".

AMENDMENT NUMBER SEVENTEEN.

On page 4, line 34, of the printed bill, strike out the numeral "7", and insert in lieu thereof the numerals "23".

AMENDMENT NUMBER EIGHTEEN.

On page 4, line 36, of the printed bill, beginning in said line, strike out the words "shall be by the commissioner referred", and insert in lieu thereof the words "may be referred by the taxpayer."

AMENDMENT NUMBER NINETEEN.

On page 4, line 37, of the printed bill, beginning in said line, strike out the following: "In all returns the taxpayer shall be required to give his post-office address."

AMENDMENT NUMBER TWENTY.

On page 4, line 50, of the printed bill, strike out the numerals "13", and insert in lieu thereof the numerals "25".

AMENDMENT NUMBER TWENTY-ONE.

On page 5, line 9, of the printed bill, strike out all of lines 9 to 18, inclusive, and insert in lieu thereof the following:

SEC. 26. Refunds. If in the opinion of the commissioner or of the state board, as the case may be, a tax has been computed in a manner contrary to law or has been erroneously computed, such fact shall be set forth in the records of the commissioner and the amount of the illegal levy shall be refunded to the taxpayer from the permanent revolving fund provided for in section 11 of this act, and it shall be the duty of the treasurer of this state to pay such refunds from said revolving fund with interest at five per cent per annum.

AMENDMENT NUMBER TWENTY-TWO.

On page 5, line 19, of the printed bill, strike out the numerals "15", and insert in lieu thereof the numerals "27".

AMENDMENT NUMBER TWENTY-THREE.

On page 5, line 19, of the printed bill, strike out the word "Penalties."

AMENDMENT NUMBER TWENTY-FOUR.

On page 5, line 35, of the printed bill, strike out the numerals "16", and insert in lieu thereof the numerals "28".

AMENDMENT NUMBER TWENTY-FIVE.

On page 5, line 35, of the printed bill, strike out the word "Punishment".

AMENDMENT NUMBER TWENTY-SIX.

On page 5, line 43, of the printed bill, strike out the numerals "17", and insert in lieu thereof the numerals "29".

AMENDMENT NUMBER TWENTY-SEVEN.

On page 5, line 45, of the printed bill, beginning in said line, strike out the words "state board shall, at the request of the income tax."

AMENDMENT NUMBER TWENTY-EIGHT.

On page 5, line 46, of the printed bill, after the word "commissioner", strike out the comma, and insert in lieu thereof the word "shall".

AMENDMENT NUMBER TWENTY-NINE.

On page 5, line 47, of the printed bill, strike out the word "its", and insert in lieu thereof the word "his".

AMENDMENT NUMBER THIRTY.

On page 5, line 47, of the printed bill, strike out the word "direct", and insert in lieu thereof the word "directed".

AMENDMENT NUMBER THIRTY-ONE.

On page 5, line 52, of the printed bill, strike out the words "state board", and insert in lieu thereof the word "commissioner."

AMENDMENT NUMBER THIRTY-TWO.

On page 5, line 52, of the printed bill, strike out the word "it", and insert in lieu thereof the word "him".

AMENDMENT NUMBER THIRTY-THREE.

On page 6, line 19, of the printed bill, strike out the words "state board", and insert in lieu thereof the word "commissioner".

AMENDMENT NUMBER THIRTY-FOUR.

On page 6, line 23, of the printed bill, strike out the numerals "18", and insert in lieu thereof the numerals "30".

AMENDMENT NUMBER THIRTY-FIVE.

On page 6, line 27, of the printed bill, strike out the numerals "19", and insert in lieu thereof the numerals "31".

AMENDMENT NUMBER THIRTY-SIX.

On page 6, line 29, of the printed bill, strike out the words "income tax".

AMENDMENT NUMBER THIRTY-SEVEN.

On page 6, line 29, of the printed bill, strike out the words "or of the state board".

AMENDMENT NUMBER THIRTY-EIGHT.

On page 6, line 32, of the printed bill, strike out the numerals "20", and insert in lieu thereof the numerals "32".

AMENDMENT NUMBER THIRTY-NINE.

On page 6, line 33, of the printed bill, strike out the numeral "1", and insert in lieu thereof the letter "a".

AMENDMENT NUMBER FORTY.

On page 6, line 42, of the printed bill, strike out the numeral "2", and insert in lieu thereof the letter "b".

AMENDMENT NUMBER FORTY-ONE.

On page 6, line 43, of the printed bill, strike out the words "income tax."

AMENDMENT NUMBER FORTY-TWO.

On page 6, line 49, of the printed bill, strike out all of lines 49 and 50, and insert in lieu thereof the following:

"SEC. 33. Taking effect of the act. This act shall go into effect the first day of January, one thousand nine hundred thirty-three, provided there shall have been theretofore adopted an amendment to section 6 of article nine of the constitution of the State of California to remove the provisions that the county, or city and county, be required to levy an elementary school tax sufficient to raise an amount equal to that contributed by the state and a high school tax sufficient to raise an amount equal to twice that contributed by the state.

SEC. 34. If any clause, sentence, paragraph, or part of this act shall for any reason be adjudged by any court of competent jurisdiction to be invalid, such judgment shall not affect, impair, or invalidate the remainder of this act, but shall be confined in its operation to the clause, sentence, paragraph, or part thereof directly involved in the controversy in which such judgment shall have been rendered."

Bill ordered to print, and re-referred to Committee on Revenue and Taxation.

ON FINANCE.

SENATE CHAMBER, SACRAMENTO, April 23, 1931.

MR. PRESIDENT: Your Committee on Finance, to which was referred the following resolution by Senators Breed, Duval and Moran:

WHEREAS, The site has been selected, near Tehachapi, for the construction of "The California Institution for Women" under the provisions of an act entitled "An act to establish an institution for the confinement, care and reformation of women misdemeanants, and women convicted of a felony the punishment for which is less than death; to provide for its maintenance, conduct and government, and to make an appropriation therefor," approved May 9, 1929; and

WHEREAS, It seems advisable that before proceeding with the contemplated construction of such institution, the desirability of the site for the purpose for which it was selected and advisability of such construction be further investigated; and

WHEREAS, The Director of Public Works has invited bids for such construction and improvements; now, therefore, be it

Resolved by the Senate, That a committee of the Senate is hereby created to consist of three members of the Senate and to be appointed by the President thereof; and be it further

Resolved, That said committee shall immediately proceed with said investigation in such manner as it may determine; and be it further

Resolved, That said committee with relation to such investigation shall have all the powers granted by the Political Code to committees of the Senate as to matter under investigation by such committees; and be it further

Resolved. That it shall be the duty of said committee to complete its investigation and report the facts found, together with its conclusions and recommendations relating thereto, to the Senate on or before May 8, 1931; and be it further

Resolved. That the members of the said committee shall be reimbursed for their actual expenses necessarily incurred hereunder, which expenses shall be payable out of the Contingent Fund of the Senate; and be it further

Resolved. That the Director of Public Works is hereby requested and directed to withhold the award of any contracts for construction and improvement at said site for the purchase of materials or hire of labor for use at said site until after June 1, 1931, pending the report of the committee created herein.

Has had the same under consideration, and respectfully reports the same back, and recommends that it be adopted.

Committee membership—18; committee vote: Ayes—18.

SWING, Chairman.

Resolution ordered on file.

ON GOVERNMENTAL EFFICIENCY.

SENATE CHAMBER, SACRAMENTO, April 22, 1931.

MR. PRESIDENT: Your Committee on Governmental Efficiency, to which was referred Senate Bill No. 138—An act to add a new article to chapter 3 of title 1 of part 111 of the Political Code, to be numbered article 11a, embracing sections 360 to 360g, both inclusive, and repealing sections 363k, 363l and 363m of the Political Code, relating to a Department of Motor Vehicles—has had the same under consideration, and respectfully reports the same back with amendments, and recommends that the amendments be adopted, and that it do pass as amended.

Committee membership—11; committee vote: Ayes—6; noes—3; absent—2.

CRITTENDEN, Chairman.

Senate Bill No. 138 ordered on file for second reading.

ON INSURANCE.

SENATE CHAMBER, SACRAMENTO, April 23, 1931.

MR. PRESIDENT: Your Committee on Insurance, to which was referred Senate Bill No. 139—An act to repeal section 633e of the Political Code relating to insurance adjusters—has had the same under consideration, and respectfully reports the same back, and recommends that it do pass.

Committee membership—11; committee vote: Ayes—8; absent—3.

TUBBS, Chairman.

Senate Bill No. 139 ordered on file for second reading.

Also:

MR. PRESIDENT: Your Committee on Insurance, to which was referred Assembly Bill No. 675—An act to amend the title and sections 1, 2, 4, 5, 6, 7, 9, 10, 11, 12, 13, 13a and 14 of chapter 267, Statutes of 1923, entitled "An act to regulate and license the business of producing, refining or distributing gasoline, distillate and other motor vehicle fuels, providing for the collection and disposition of license taxes, prescribing penalties for violation of the provisions of said act, and repealing all acts and parts of acts inconsistent herewith," as amended, to add thereto a new section to be numbered 14a, relating to failure to export motor vehicle fuel obtained for export, diversion thereof from interstate transit, improper return and sale of fuel previously exported, and prescribing penalties therefor, and providing that this act shall take effect immediately;

Also: Assembly Bill No. 734—An act to establish a standard for fire hose couplings and fire hydrant fittings, to provide for alteration of such existing equipment, to prevent the sale of such equipment as does not conform with such standard, and to prescribe penalties for violations of this act;

Has had the same under consideration, and respectfully reports the same back, and recommends that they do pass.

Committee membership—11; committee vote: Ayes—8; absent—3.

TUBBS, Chairman.

Assembly Bills Nos. 675 and 734 ordered on file for second reading.

ON CONSTITUTIONAL AMENDMENTS.

SENATE CHAMBER, SACRAMENTO, April 23, 1931.

MR. PRESIDENT: Your Committee on Constitutional Amendments, to which was referred Assembly Constitutional Amendment No. 22—A resolution to propose to the people of the State of California, an amendment to the constitution of said State by amending sections 4 and 5 of article XI thereof, relative to county government;

Also: Assembly Constitutional Amendment No. 23—A resolution to propose to the people of the State of California, an amendment to the constitution of said State by adding to article XI thereof, a new section to be numbered 7½, relative to the drafting of charters for counties by boards of supervisors; Has had the same under consideration, and respectfully reports the same back, without recommendation, and recommends that they be re-referred to Committee on County Government.

Committee membership—9; committee vote: Ayes—5; absent—4.

ALLEN, Chairman.

Assembly Constitutional Amendments Nos. 22 and 23 ordered re-referred to Committee on County Government.

Also:

MR. PRESIDENT: Your Committee on Constitutional Amendments, to which was referred Assembly Constitutional Amendment No. 32—A resolution to propose to the people of the State of California an amendment to section 31, article IV, of the constitution of said State, relating to certain payments by the city of Glendale—has had the same under consideration, and respectfully reports the same back, and recommends that it do pass, and be re-referred to Committee on Municipal Corporations.

Committee membership—9; committee vote: Ayes—5; absent—4.

ALLEN, Chairman.

Assembly Constitutional Amendment No. 32 ordered re-referred to Committee on Municipal Corporations.

Also:

MR. PRESIDENT: Your Committee on Constitutional Amendments, to which was referred Assembly Constitutional Amendment No. 25—A resolution to propose to the people of the State of California an amendment to the constitution of said State by amending section 3 of article IV thereof, relating to the election and term of office of members of the Assembly—has had the same under consideration, and respectfully reports the same back, without recommendation, and recommends that it be re-referred to Committee on Elections.

Committee membership—9; committee vote: Ayes—5; absent—4.

ALLEN, Chairman.

Assembly Constitutional Amendment No. 25 ordered re-referred to Committee on Elections.

ON MUNICIPAL CORPORATIONS.

SENATE CHAMBER, SACRAMENTO, April 23, 1931.

MR. PRESIDENT: Your Committee on Municipal Corporations, to which was referred Assembly Constitutional Amendment No. 33—A resolution to propose to the people of the State of California, an amendment to the constitution of said State by amending section 16½ of article XI of the constitution of the State of California, relating to the deposit of public moneys in banks—has had the same under consideration, and respectfully reports the same back, and recommends that it be adopted.

Committee membership—10; committee vote: Ayes—7; absent—3.

HARPER, Chairman.

Assembly Constitutional Amendment No. 33 ordered on file.

ON FINANCE.

SENATE CHAMBER, SACRAMENTO, April 22, 1931.

MR. PRESIDENT: Your Committee on Finance, to which was referred Senate Bill No. 128—An act to pay the claim of the Frederick W. Snook Company against the State of California;

Also: Senate Bill No. 285—An act making an appropriation to pay the claim of John H. Hellard against the State of California;

Also: Senate Bill No. 351—An act making an appropriation to pay the claim of Robert W. Blanton against the State of California;

Also: Senate Bill No. 434—An act to make an appropriation to pay the claim of the Comptroller of the State Compensation Insurance Fund against the State of California;

Also: Senate Bill No. 140—An act to amend section 4.102 of the School Code, relating to an appropriation for vocational rehabilitation;

Also: Senate Bill No. 259—An act to amend the title and sections 2, 3, 4, and 6 of an act entitled "An act creating a commission to codify, consolidate, revise or compile the Statutes of California and to report thereon to the Legislature at the forty-ninth session thereof," approved June 10, 1929, further defining the powers and duties of the California Code Commission, and making an appropriation therefor;

Also: Senate Bill No. 270—An act to add a new section to chapter 808, Statutes of 1927, entitled "American River Flood Control District Act," as amended, to be numbered 186 making an appropriation in the sum of \$20,000 to defray the expenses of the district and providing that said appropriation shall be returned to the State, and relating to the manner of repayment and containing a provision declaring this act to be an emergency measure stating the facts constituting such emergency, and providing this act shall take effect immediately upon its passage;

Also: Senate Bill No. 337—An act making an appropriation for surveys, plans, estimates and preliminary engineering for a bridge across the bay of San Francisco;

Also: Senate Bill No. 396—An act to repeal chapter 17, Statutes of 1929, entitled "An act making an appropriation to meet the deficiency in the appropriation for contingent expenses of the Senate for the seventy-ninth and eightieth fiscal years," approved March 5, 1929;

Also: Senate Bill No. 428—An act to amend section 22071 of the Political Code, relating to the Industrial Home for the Adult Blind;

Also: Senate Bill No. 468—An act making an appropriation for the construction of jetties at the mouth of the Russian River;

Also: Senate Bill No. 472—An act in relation to the control and eradication of bovine tuberculosis; to provide an appropriation for the purposes of this act; to prescribe penalties for violation of the provisions hereof, and to repeal certain acts therein specified;

Also: Senate Bill No. 520—An act to amend section 5 of chapter 845, Statutes of 1929, entitled "An act to establish salesrooms and industrial workshops for the blind, providing for the management, government and administration thereof, and making an appropriation for the establishment of a revolving fund therefor," relating to the Industrial Workshop Revolving Fund;

Also: Senate Bill No. 573—An act making appropriation of money to be used by the Attorney General in the payment of expenses in the proceeding brought by the Attorney General in the court of claims of the United States in behalf of the Indians of the State of California, in accordance with an act of the Legislature of 1927, Statutes of 1927, chapter 643;

Also: Senate Bill No. 574—An act to amend section 475 of the Political Code, relating to clerks, phonographic reporter, service agent and stenographers of the Attorney General's office;

Also: Senate Bill No. 820—An act to appropriate the sum of \$173,500 out of any money in the State treasury, not otherwise appropriated, to lease the necessary facilities and service for the establishment of a telephone typewriter system of communication between cities in California and the Bureau of Criminal Identification and Investigation at Sacramento; and for the operation and control of the system under the direction of the Bureau of Criminal Identification and Investigation;

Also: Senate Bill No. 426—An act to appropriate the sum of \$28,500 to be used in construction, renewal, and repair of works for restraining, impounding and control of debris resulting from mining operations and other causes along the Yuba River, and to provide for the manner of expending such appropriation;

Has had the same under consideration, and respectfully reports the same back, and recommends that they do pass.

Committee membership—18; committee vote: Ayes—18.

SWING, Chairman.

Senate Bills Nos. 128, 285, 351, 434, 140, 259, 270, 337, 396, 428, 468, 472, 520, 573, 574, 820 and 426 ordered on file for second reading.

ON ENGROSSMENT, ENROLLMENT AND PRINTING.

SENATE CHAMBER, SACRAMENTO, April 23, 1931.

MR. PRESIDENT: Your Committee on Engrossment, Enrollment and Printing has examined Senate Bill No. 362—An act to prohibit and prevent the waste of crude petroleum oil in the State of California and defining such waste, and in that behalf creating an Oil Conservation Commission; providing for the appointment of the members of said commission; fixing the terms of office of the members of said commission; providing for the filling of vacancies in the membership of said commission; providing for the powers, duties and authority of said commission and the members thereof; requiring producers of crude petroleum oil and operators of wells and owners and operators of any storage facilities of crude petroleum oil to make and file certain reports; providing for the filing and hearing of complaints concerning the waste of crude petroleum oil and for oaths, subpoenas and depositions; providing for the fixing of allowable production of crude petroleum oil for the State and for the several oil fields thereof, respectively, and for the several zones properties and wells in each such

oil field, respectively, so as to stop such waste; providing for the enforcement of said act; providing penalties for refusing to permit the commission or its representatives to inspect any drilling or producing well or storage facilities and for failing, neglecting or refusing to furnish any report or record or statement required by the commission and for wilfully rendering or furnishing a false or fraudulent report, statement or record, creating a fund for the purposes of said act and providing for the assessment and collection thereof—and reports that the same has been correctly re-engrossed.

RILEY, Chairman.

Also:

MR. PRESIDENT: Your Committee on Engrossment, Enrollment and Printing has examined Senate Bill No. 399—An act to amend section 25 of the Civil Code, relating to who are minors;

Also: Senate Bill No. 942—An act relating to citrus fruit fairs and expositions and providing that such fairs and expositions shall be entitled to receive and participate in the benefits and aid provided for agricultural fairs in and by the act entitled "An act to form agricultural districts, to provide for the formation, organization and powers, of agricultural associations therein and for the management and control of the same by the State, and repealing all acts and portions of acts in conflict with this act," approved April 17, 1909;

Also: Senate Bill No. 946—An act to amend section 141½ of the California Vehicle Act, approved May 30, 1923, relating to liability of an owner or driver or person responsible for the operation of a vehicle, for the injury or death of a guest;

Also: Senate Constitutional Amendment No. 20—A resolution to propose to the people of the State of California an amendment to the constitution of the State of California, by amending article VI thereof by adding thereto a new section to be known as and numbered section 8½, relating to the retirement of judicial officers, and their designation for service thereafter as extra service judges;

And reports that the same have been correctly engrossed.

RILEY, Chairman.

MESSAGES FROM THE ASSEMBLY.

The following messages from the Assembly were received and read:

ASSEMBLY CHAMBER, SACRAMENTO, April 23, 1931.

MR. PRESIDENT: I am directed to inform your honorable body that the Assembly on this day passed Assembly Bill No. 1690—An act to add a new section to the Penal Code, to be numbered 648a, relating to circulating slugs of the same dimension as United States coins;

Also: Assembly Bill No. 263—An act to amend sections 1, 2, 5, 6, 9, 10 and 11, and to repeal section 7 of an act entitled "An act for the regulation and control of fraternal benefit societies," approved May 1, 1911, as amended, relating to the definitions of fraternal benefit society, lodge system, representative form of government, the maintenance and disbursement of funds and the payment of benefits;

Also: Assembly Bill No. 264—An act to amend section 1 of an act entitled "An act to provide whole family protection for members of fraternal benefit societies," approved April 20, 1917, as amended, relating to the payment of death and annuity benefits upon the lives of children;

Also: Assembly Bill No. 5—An act relating to deer tight fences and providing for State cooperation in the construction thereof;

Also: Assembly Bill No. 647—An act granting certain tidelands and submerged lands of the State of California to the county of Los Angeles in said State upon certain trusts and conditions;

Also: Assembly Bill No. 219—An act to amend section 737s of the Political Code, relating to the salaries of the judges of the superior court of the county of Los Angeles;

Also: Assembly Bill No. 69—An act to amend section 737ll of the Political Code, relating to the salaries of judges of the superior court in and for the City and County of San Francisco.

ARTHUR A. OHNIMUS, Chief Clerk.
By A. W. ENGELKE, Assistant Clerk.

Assembly Bill No. 1690 read first time, and referred to Committee on Revision of Criminal Law and Procedure.

Assembly Bills Nos. 263 and 264 read first time, and referred to Committee on Insurance.

Assembly Bill No. 5 read first time, and referred to Committee on Fish and Game.

Assembly Bill No. 647 read first time, and referred to Committee on Commerce and Navigation.

Assembly Bills Nos. 219 and 69 read first time, and referred to Committee on Governmental Efficiency.

Also:

ASSEMBLY CHAMBER, SACRAMENTO, April 23, 1931.

MR. PRESIDENT: I am directed to inform your honorable body that the Assembly on this day passed Assembly Bill No. 510—An act to revise chapter 529, Statutes of 1929, entitled "An act to provide for needy blind persons, not inmates of any institution, supported in whole or in part by the State or any of its political subdivisions, making appropriation therefor and prescribing penalties for the violation of the provisions of the act," approved May 28, 1929;

Also: Assembly Bill No. 774—An act to amend section 3805a of the Political Code, relating to cancellation of assessments;

Also: Assembly Bill No. 121—An act to amend sections 1 and 2 of an act entitled "An act fixing the price, terms and conditions of sale at which jute goods shall be sold by the State, and providing for prosecution of and punishment of offenses under the same," approved May 19, 1927, relating to the sale of jute goods and providing that this act shall take effect immediately;

Also: Assembly Bill No. 1086—An act to add a new section to the School Code, to be numbered 1.395, relating to the duties of employers of minors who are subject to compulsory attendance upon continuation education classes;

Also: Assembly Bill No. 1423—An act to amend section 2168 of the Political Code, relating to arrest and commitment of insane persons;

Also: Assembly Bill No. 1911—An act authorizing and empowering any city and county, or county, or city operating under freeholders' charter or otherwise, or any town, or any municipal corporation in the State of California, to donate and grant to the United States of America any real property owned by it, or which it may hereafter acquire, within its corporate limits, for a site upon which the United States of America may erect post-office and/or federal office buildings or maintain grounds in connection therewith, and also authorizing the incurring of indebtedness for any of the purposes aforesaid, and validating any bonded indebtedness which may be incurred in furtherance of any such purpose.

ARTHUR A. OHNIMUS, Chief Clerk.

By A. W. ENGELKE, Assistant Clerk.

Assembly Bill No. 510 read first time, and referred to Committee on Public Charities and Corrections.

Assembly Bill No. 774 read first time, and referred to Committee on Revenue and Taxation.

Assembly Bill No. 121 read first time, and referred to Committee on Prisons and Reformatories.

Assembly Bill No. 1086 read first time, and referred to Committee on Education.

Assembly Bill No. 1423 read first time, and referred to Committee on Judiciary.

Assembly Bill No. 1911 read first time, and referred to Committee on Municipal Corporations.

Also:

ASSEMBLY CHAMBER, SACRAMENTO, April 23, 1931.

MR. PRESIDENT: I am directed to inform your honorable body that the Assembly on this day passed Assembly Joint Resolution No. 21—Relative to memorializing Congress to provide compensation, in lieu of taxes, for certain lands of the United States within the borders of the several states.

ARTHUR A. OHNIMUS, Chief Clerk.

By A. W. ENGELKE, Assistant Clerk.

Assembly Joint Resolution No. 21 read, and referred to Committee on Federal Relations.

REPORTS OF STANDING COMMITTEES—(RESUMED).

The following report of standing committee was received and read:

ON RULES.

SENATE CHAMBER, SACRAMENTO, April 23, 1931.

MR. PRESIDENT: Your Committee on Rules, to which was referred the request of Senator Wagye to introduce a bill entitled: An act to provide for reimbursement of

persons suffering loss by reason of the acts of tule elk during the closed season—has had the same under consideration, and respectfully reports the same back, and recommends that said request be granted.

Committee membership—5; committee vote: Ayes—5.

BREED, Chairman.

The question being on the adoption of the report.

The roll was called in accordance with the provisions of section 2 of article IV of the constitution, and the report adopted by the following vote:

AYES—Senators Allen, Baker, Breed, Bush, Carter, Cassidy, Christian, Cleveland, Clock, Crittenden, Denel, Edwards, Evans, Fellom, Harper, Hays, Ingels, Inman, Jones, Maloney, McCormack, McKinley, Moran, Pedrotti, Rich, Riley, Rochester, Schottky, Slater, Treacy, Tubbs, Wag, Williams, and Young—34.

NOES—None.

INTRODUCTION, FIRST READING AND REFERENCE OF BILLS.

The following bill was introduced:

By Senator Wag: Senate Bill No. 951—An act to provide for reimbursement of persons suffering loss by reason of the acts of tule elk during the closed season.

Bill read first time, and referred to Committee on Fish and Game.

CONSIDERATION OF DAILY FILE.

SECOND READING OF SENATE BILLS.

Senate Bill No. 459—An act to amend section 667 of the Penal Code, relating to punishment for second offenses.

Bill read second time, ordered engrossed, and on file for third reading.

Senate Bill No. 616—An act to amend section 270 of the Penal Code, relative to omitting to provide child with necessities.

Bill read second time, ordered engrossed, and on file for third reading.

Senate Bill No. 542—An act to amend the title and sections 1, 3, 5 and 7a of chapter 551, Statutes of 1919, as amended, entitled "An act to conserve the fish supply in California by empowering the Fish and Game Commission to regulate and control the handling of fish and other fishery products for the purpose of preventing deterioration or waste; to establish grades to which the fish or other fishery products offered for delivery to canners or preservers or to the fresh fish markets must conform; to make regulations to insure the proper handling and delivery of fish or fishery products to canners, preservers or fresh fish dealers; to regulate and control the use of fish or other fishery products for reduction purposes, and to provide penalties for any violation of any of the provisions of this act," approved May 25, 1919, relating to the canning of sardines.

COMMITTEE AMENDMENTS.

During the second reading of the bill, the following committee amendments were offered:

AMENDMENT NUMBER ONE.

In line 1 of the title of the printed bill, insert after the comma after the figure "3", the following: "4".

Amendment adopted.

AMENDMENT NUMBER TWO.

On page 3 of the printed bill, immediately following line 50, on said page, insert the following:

"Sec. 4. Section 4 of said act is hereby amended to read as follows:

Sec. 4. (a) Reduction plant, where used in this act, applies to any plant engaged in the reduction of fish into fish flour, fish meal, fish scrap, fertilizer, fish oil or other fishery products or by-products.

(b) Packer, where used in this act, means any person, firm, association or corporation using fish by canning, or preserving by the common methods of drying, salting, pickling, or smoking, or by an extraction or manufacturing process, directly using the body of fish, the product of which is fit for and used for human consumption.

(c) Fish offal, where used in this act, means the heads, viscera, and other parts of the fish taken off in preparing for canning or preserving."

Amendment adopted.

AMENDMENT NUMBER THREE.

On page 4, line 1, of the printed bill, strike out "4", and insert in lieu thereof "5".

Amendment adopted.

AMENDMENT NUMBER FOUR.

On page 4, line 7, of the printed bill, after "process," insert the following: "except an extraction or manufacturing process directly using the body of the fish by which a product fit for human consumption is produced".

Amendment adopted.

AMENDMENT NUMBER FIVE.

On page 5, line 26, of the printed bill, strike out "5", and insert in lieu thereof "6".

Amendment adopted.

AMENDMENT NUMBER SIX.

On page 3 of the printed bill, as amended in the Senate March 27, 1931, strike out all of lines 13 to 23, inclusive.

Amendment adopted.

Bill read second time, ordered to print, engrossment, and on file for third reading.

Senate Bill No. 917—An act to amend section 3 of chapter 197, Statutes of 1909, entitled "An act to amend 'An act to regulate the vocation of fishing and to provide therefrom revenue for the propagation, restoration and conservation of the fish in the waters of the State of California,' " relating to regulations of the Fish and Game Commission.

COMMITTEE AMENDMENTS.

During the second reading of the bill, the following committee amendments were offered:

AMENDMENT NUMBER ONE.

On page 2, line 8, of the printed bill, strike out "on the high seas".

Amendment adopted.

AMENDMENT NUMBER TWO.

On page 2, line 12, of the printed bill, strike out "of on", and insert in lieu thereof the following: "or on".

Amendment adopted.

AMENDMENT NUMBER THREE.

On page 2, lines 16 and 17, of the printed bill, strike out "conviction of such person for any such offense", and insert in lieu thereof the following: "the commission of any act proscribed by this section".

Amendment adopted.

Bill read second time, ordered to print, engrossment, and on file for third reading.

Senate Bill No. 686—An act to amend section 30 of and to add a new section to be numbered 15e to the California Irrigation District Act, relating to the powers and duties of the board of directors.

Bill read second time, ordered engrossed, and on file for third reading.

Senate Bill No. 51—An act relating to and providing for the construction of flood control works on the Santa Ana River system and for the prevention of floods and conserving of the flood waters of said river and its tributaries and making an appropriation therefor.

COMMITTEE AMENDMENTS.

During the second reading of the bill, the following committee amendments were offered:

AMENDMENT NUMBER ONE.

On page 1, line 24, of the printed amended bill, strike out the word "three", and insert in lieu thereof the word "two".

Amendment adopted.

AMENDMENT NUMBER TWO.

On page 2, line 25, of the printed amended bill, strike out the word "three", and insert in lieu thereof the word "two".

Amendment adopted.

AMENDMENT NUMBER THREE.

On page 2, line 27, of the printed amended bill, strike out the words "upon the", following the word "and", and all of lines 28 and 29, and the word "And", at the beginning of line 36.

Amendment adopted.

Bill read second time, ordered to print, engrossment, and on file for third reading.

Senate Bill No. 694—An act making an appropriation to pay the claim of Fanny Lem against the State of California.

COMMITTEE AMENDMENTS.

During the second reading of the bill, the following committee amendments were offered:

AMENDMENT NUMBER ONE.

On page 1, line 1, of the printed bill, strike out the words "thirty-five thousand", and insert in lieu thereof the following: "nine thousand nine hundred eighty-five and 75/100".

Amendment adopted.

AMENDMENT NUMBER TWO.

On page 1, line 2, of the printed bill, after the word "moneys", insert the following: "in the highway maintenance fund".

Amendment adopted.

AMENDMENT NUMBER THREE.

On page 1, line 3, of the printed bill, strike out the words "not otherwise appropriated".

Amendment adopted.

Bill read second time, ordered to print, engrossment, and on file for third reading.

Senate Bill No. 695—An act making an appropriation to pay the claim of Grace Takata against the State of California.

COMMITTEE AMENDMENTS.

During the second reading of the bill, the following committee amendments were offered:

AMENDMENT NUMBER ONE.

On page 1, line 1, of the printed bill, strike out the words "thirty-five thousand", and insert in lieu thereof the following: "six thousand five hundred forty-two".

Amendment adopted.

AMENDMENT NUMBER TWO.

On page 1, line 2, of the printed bill, after the word "moneys", insert the following: "in the highway maintenance fund".

Amendment adopted.

AMENDMENT NUMBER THREE.

On page 1, line 3, of the printed bill, strike out the words "not otherwise appropriated".

Amendment adopted.

Bill read second time, ordered to print, engrossment, and on file for third reading.

Senate Bill No. 696—An act making an appropriation to pay the claim of Shizue Morey against the State of California.

COMMITTEE AMENDMENTS.

During the second reading of the bill, the following committee amendments were offered:

AMENDMENT NUMBER ONE.

On page 1, line 1, of the printed bill, strike out the words "twenty-five thousand", and insert in lieu thereof the following: "two thousand five hundred twenty-two and 50/100".

Amendment adopted.

AMENDMENT NUMBER TWO.

On page 1, line 2, of the printed bill, after the word "moneys", insert the following: "in the highway maintenance fund".

Amendment adopted.

AMENDMENT NUMBER THREE.

On page 1, line 3, of the printed bill, strike out the words "not otherwise appropriated".

Amendment adopted.

Bill read second time, ordered to print, engrossment, and on file for third reading.

Senate Bill No. 697—An act making an appropriation to pay the claim of Clara Char against the State of California.

COMMITTEE AMENDMENTS.

During the second reading of the bill, the following committee amendments were offered:

AMENDMENT NUMBER ONE.

On page 1, line 1, of the printed bill, strike out the words "seven thousand five hundred", and insert in lieu thereof the following: "five thousand nine hundred fifty".

Amendment adopted.

AMENDMENT NUMBER TWO.

On page 1, line 2, of the printed bill, after the word "moneys", insert the following: "in the "highway maintenance fund".

Amendment adopted.

AMENDMENT NUMBER THREE.

On page 1, line 3, of the printed bill, strike out the words "not otherwise appropriated".

Amendment adopted.

Bill read second time, ordered to print, engrossment, and on file for third reading.

Senate Bill No. 42—An act to increase the number of judges of the superior court of the State of California, in and for the county of San Diego; to provide for the appointment of two additional judges and the manner of payment of their compensation.

COMMITTEE AMENDMENTS.

During the second reading of the bill, the following committee amendments were offered:

AMENDMENT NUMBER ONE.

In line 5 of the title of the printed bill, strike out "two", and insert in lieu thereof the following: "one".

Amendment adopted.

AMENDMENT NUMBER TWO.

In line 6 of the title of the printed bill, strike out "judges", and insert in lieu thereof the following: "judge".

Amendment adopted.

AMENDMENT NUMBER THREE.

In line 7 of the title of the printed bill, strike out "their", and insert in lieu thereof the following: "his".

Amendment adopted.

AMENDMENT NUMBER FOUR.

On page 2, line 25, of the printed bill, strike out "seven", and insert in lieu thereof the following: "six".

Amendment adopted.

AMENDMENT NUMBER FIVE.

On page 2, line 27, of the printed bill, strike out "two additional judges", and insert in lieu thereof the following: "one additional judge".

Amendment adopted.

AMENDMENT NUMBER SIX.

On page 2, line 31, of the printed bill, strike out "two judges", and insert in lieu thereof the following: "one judge".

Amendment adopted.

AMENDMENT NUMBER SEVEN.

On page 2, line 33, of the printed bill, strike out "successors to the judges", and insert in lieu thereof the following: "successor to the judge".

Amendment adopted.

AMENDMENT NUMBER EIGHT.

On page 2, line 35, of the printed bill, strike out "salaries of said additional judges", and insert in lieu thereof the following: "salary of said additional judge".

Amendment adopted.

Bill read second time, ordered to print, engrossment, and on file for third reading.

Senate Bill No. 824—An act appropriating money to pay the expenses of maintaining an exhibit of State products at the International Fair and Exhibit to be held in Chicago, Illinois, in 1933, and to provide commissioners thereof.

COMMITTEE AMENDMENTS.

During the second reading of the bill, the following committee amendments were offered:

AMENDMENT NUMBER ONE.

In the title of the printed bill, strike out lines 1 to 4, inclusive, and insert in lieu thereof the following:

"An act providing for the exhibit of the products and resources of the State of California at the Chicago world's fair centennial celebration to be held at Chicago, Illinois, in 1933, creating the California world's fair centennial celebration commission and defining its powers and duties, and making an appropriation therefor."

Amendment adopted.

AMENDMENT NUMBER TWO.

On page 1 of the printed bill, strike out lines 1 to 13, inclusive, and insert in lieu thereof the following:

"SECTION 1. The California world's fair centennial celebration commission is hereby created to consist of five members to be appointed by the governor, one of whom shall be selected from the membership of the board of directors of the state agricultural society and another, from the membership of the state board of agriculture. Each member within thirty days after his appointment shall execute an official bond to the State of California in the penal sum of ten thousand dollars conditioned upon the faithful performance of his duties. The members of the commission shall receive no compensation for their services but each shall be allowed their actual, necessary traveling expenses incurred in the performance of their duties hereunder. The governor shall designate the chairman of the commission and shall fill vacancies occurring for any cause in the membership thereof. Each and all the commissioners appointed hereunder are hereby authorized to be absent from the state for such period, or periods, as may be necessary in carrying out the provisions of this act, and they are hereby granted leave of absence from the state for a longer period than sixty days.

SEC. 2. The commission shall have the exclusive charge and control of the expenditure of all moneys appropriated by the State of California for the purposes hereof, including the acquisition, collection, transportation, and maintenance of an exhibit or exhibits of the resources and products of the State of California at the Chicago world's fair centennial celebration to be held at Chicago, Illinois, in 1933, and shall have power to employ and fix the compensation of such expert, clerical and other assistants as may be necessary.

SEC. 3. Out of any money in the state treasury not otherwise appropriated, the sum of one hundred thousand dollars is hereby appropriated, to be expended in accordance with law upon order of the chairman of the commission in carrying out the provisions of this act, including the acquisition, collection, transportation and maintenance of an exhibit or exhibits of the resources and products of the State of California at the Chicago world's fair centennial celebration to be held at Chicago, Illinois, in 1933. All expenditures hereunder are exempt from the provisions of section 669 of the Political Code."

Amendment adopted.

Bill read second time, ordered to print, engrossment, and on file for third reading.

Senate Bill No. 8—An act to amend section 67a of the Code of Civil Procedure, relating to the superior court in counties of the first class, increasing the number of judges thereof.

COMMITTEE AMENDMENTS.

During the second reading of the bill, the following committee amendments were offered:

AMENDMENT NUMBER ONE.

On page 1, lines 3 and 4, of the printed bill, strike out "forty-six", and insert in lieu thereof "fifty".

Amendment adopted.

AMENDMENT NUMBER TWO.

On page 1, line 10, of the printed bill, strike out "twenty-four", and insert in lieu thereof "twenty-six".

Amendment adopted.

AMENDMENT NUMBER THREE.

On page 1, line 19, of the printed bill, strike out "eight", and insert in lieu thereof "twelve".

Amendment adopted.

AMENDMENT NUMBER FOUR.

On page 1, line 24, of the printed bill, strike out "eight", and insert in lieu thereof "twelve".

Amendment adopted.

Bill read second time, ordered to print, engrossment, and on file for third reading.

Senate Bill No. 461—An act to provide for the investigation of the value of forest cover in the conservation of water in the prevention of erosion on watershed areas and to make an appropriation therefor.

COMMITTEE AMENDMENTS.

During the second reading of the bill, the following committee amendments were offered:

AMENDMENT NUMBER ONE.

On page 1, line 4, of the printed bill, strike out the word "value", and insert in lieu thereof the word "effect".

Amendment adopted.

AMENDMENT NUMBER TWO.

On page 1, line 12, of the printed bill, strike out the period, and insert in lieu thereof a semicolon and the following: "said moneys to become available only in the event and at the times equal sums are made available by the United States forestry service or other interested agencies for the same purpose".

Amendment adopted.

Bill read second time, ordered to print, engrossment, and on file for third reading.

CONSIDERATION OF DAILY FILE.

SECOND READING OF ASSEMBLY BILLS.

Assembly Bill No. 1901—An act to provide for the creation, organization, and government of port districts; to enumerate the powers thereof; to authorize the incurring of indebtedness, the issuance of bonds and the levy and collection of taxes by such district; to authorize municipal corporations in such districts to surrender and transfer certain municipal powers and to grant certain municipal property to such districts for the purpose of carrying out the objects and purposes of this act.

COMMITTEE AMENDMENT.

During the second reading of the bill, the following committee amendment was offered:

AMENDMENT NUMBER ONE.

On page 6, line 46, of the printed bill, strike out "or", and insert in lieu thereof the following: "of".

Amendment adopted.

Bill read second time, ordered to print, and on file for third reading.

Assembly Bill No. 186—An act amending an act entitled "An act to define and regulate the business of banking," approved March 1, 1909, as amended, designated the Bank Act, by amending section 61, relating to the purchase, holding and sale of real and personal property by savings banks.

COMMITTEE AMENDMENTS.

During the second reading of the bill, the following committee amendments were offered:

AMENDMENT NUMBER ONE.

On page 1, line 8, of the printed bill, following the semicolon after the word "business", strike out the balance of line 8 and all of lines 9, 10 and 11 of the bill and the words "paid-up capital and surplus", in line 12, and insert in lieu thereof the following: "but no savings bank shall hereafter invest an amount exceeding one-half of its paid-up capital and surplus in such lot and building, and banking equipment, except with the written consent of the superintendent of banks".

Amendment adopted.

AMENDMENT NUMBER TWO.

On page 1, line 14, of the printed bill, between the words "such", and "lot", insert the letter "a".

Amendment adopted.

AMENDMENT NUMBER THREE.

On page 4, line 21, of the printed bill, strike out the comma following the word "trust", and insert in lieu thereof a semicolon.

Amendment adopted.

AMENDMENT NUMBER FOUR.

On page 5, line 3, of the printed bill, strike out the letter "a", following the word "by".

Amendment adopted.

AMENDMENT NUMBER FIVE.

On page 6, line 47, of the printed bill, insert a comma after the word "corporation".

Amendment adopted.

AMENDMENT NUMBER SIX.

On page 6, line 48, of the printed bill, strike out the quotation marks following the word "Edge", and insert said quotation marks after the word "act", in said line.

Amendment adopted.

AMENDMENT NUMBER SEVEN.

On page 6, line 50, of the printed bill, insert a comma after the word "capacity".

Amendment adopted.

AMENDMENT NUMBER EIGHT.

On page 7, line 7, of the printed bill, between the words "as", and "legal", insert the letter "a".

Amendment adopted.

Bill read second time, ordered to print, and on file for third reading.

Assembly Bill No. 185—An act to amend an act entitled "An act to authorize and control the deposit in banks of money belonging to or in the custody of the State and to repeal all acts or parts of acts in conflict with this act," approved April 12, 1923, as amended, by amending section 4 thereof with reference to the security to be given for such deposits.

Bill read second time, and ordered on file for third reading.

Assembly Bill No. 787—An act to amend an act entitled "An act providing for the disposition of fines and forfeitures collected in all prosecutions for violations of the laws of the State referring to wild birds, wild mammals and fishes," approved May 20, 1915.

Bill read second time, and ordered on file for third reading.

Assembly Bill No. 786—An act to amend section 2 of an act entitled "An act to regulate the sale and issuance of licenses to hunt, take, pursue or kill wild birds or mammals, and/or to angle for, take, catch or kill game fishes for purposes other than sale or profit in order to provide revenue therefrom for fish and game preservation, protection and restoration; defining game fishes; providing a penalty for the violation of this act and repealing all acts and parts of acts inconsistent or in conflict with this act," approved May 27, 1929, relating to the Fish and Game Commissioners.

COMMITTEE AMENDMENTS.

During the second reading of the bill, the following committee amendments were offered:

AMENDMENT NUMBER ONE.

On page 1 of the printed bill, as amended, strike out all of the title and insert in lieu thereof the following:

"An act to amend section 5 of an act entitled "An act creating a game refuge to be known as the Huntington lake game refuge providing for the conservation and protection of game within such district, and providing penalties for violation of the act," approved April 7, 1931, relating to the disposition of fines collected for violation of the act."

Amendment adopted.

AMENDMENT NUMBER TWO.

On page 1, line 1, of the printed bill, as amended, strike out the figure "2", following the word "Section", and insert in lieu thereof the figure "5".

Amendment adopted.

AMENDMENT NUMBER THREE.

On page 2 of the printed bill, as amended, strike out all of lines 18 to 37, inclusive, and insert in lieu thereof the following:

"SEC. 5. All fines collected for any violation of the provisions of this act must be paid to the division of fish and game for deposit in the state treasury to the credit of the fish and game preservation fund."

Amendment adopted.

Bill read second time, ordered to print, and on file for third reading.

Assembly Bill No. 291—An act to amend the California Irrigation District Act by adding a new section thereto, to be numbered section 55a, relating to rates and charges for water.

Bill read second time, and ordered on file for third reading.

Assembly Bill No. 507—An act to amend the act known as Palo Verde Irrigation District Act, approved June 21, 1923, as amended, by amending section 28 thereof, relating to levy of taxes.

Bill read second time, and ordered on file for third reading.

CONSIDERATION OF DAILY FILE.

THIRD READING OF SENATE BILLS.

Senate Bill No. 760—An act to amend chapter 586 of the Statutes of 1913, known as the Water Commission Act, approved June 16, 1913, as amended, by amending section 36f thereof, relating to the adjudication of appropriative water rights and by adding thereto a new section

to be numbered 367, relating to modification of court decrees as to quantities of water awarded.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Senate Bill No. 760 passed by the following vote:

AYES—Senators Allen, Breed, Bush, Carter, Cassidy, Christian, Cleveland, Clock, Crittenden, Deuel, Duval, Edwards, Evans, Fellom, Harper, Ingels, Inman, Maloney, McKinley, Moran, Pedrotti, Rich, Riley, Rochester, Slater, Swing, Treacy, Tubbs, Wag, and Young—30.

NOES—None.

Title read and approved.

Bill ordered transmitted to the Assembly.

Senate Bill No. 392—An act appropriating money to pay the claim of J. A. Beek against the State of California.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Senate Bill No. 392 passed by the following vote:

AYES—Senators Allen, Baker, Breed, Bush, Carter, Cassidy, Cleveland, Clock, Crittenden, Deuel, Duval, Edwards, Evans, Fellom, Harper, Hays, Ingels, Inman, Maloney, McCormack, McKinley, Moran, Pedrotti, Rich, Riley, Rochester, Schottky, Slater, Swing, Treacy, Tubbs, Wag, Williams, and Young—34.

NOES—None.

Title read and approved.

Bill ordered transmitted to the Assembly.

CONSIDERATION OF DAILY FILE.

SECOND READING OF SENATE BILLS—(OUT OF ORDER).

Senate Bill No. 17—An act appropriating money for the control and conservation of flood waters in the Los Angeles County Flood Control District.

COMMITTEE AMENDMENTS.

During the second reading of the bill, the following committee amendments were offered:

AMENDMENT NUMBER ONE.

On page 1, line 1, of the printed amended bill, strike out the word "six", and insert in lieu thereof the word "four".

AMENDMENT NUMBER TWO.

On page 1, line 11, of the printed amended bill, strike out the word "three", and insert in lieu thereof the word "two".

AYES AND NOES DEMANDED.

A roll call was demanded by Senators Young, McKinley and Edwards, on the adoption of the committee amendments to Senate Bill No. 17, as offered by Committee on Finance.

The roll was called, and the committee amendments to Senate Bill No. 17 refused adoption by the following vote:

AYES—Senators Allen, Breed, Bush, Cleveland, Deuel, Duval, Jones, Moran, Riley, Schottky, Slater, and Young—12.

NOES—Senators Carter, Clock, Edwards, Evans, Fellom, Harper, Hays, Ingels, Maloney, McCormack, McKinley, Pedrotti, Rich, Rochester, Swing, Treacy, Tubbs, Wag, and Williams—19.

SENATE CONSTITUTIONAL AMENDMENT No. 13.

A resolution to propose to the people of the State of California, an amendment to the constitution of said State by amending section 15 of article XIII thereof, relating to the taxation of motor transportation companies operating under franchise.

Resolved by the Senate, the Assembly concurring. That the Legislature of the State of California at its regular session commencing on the fifth day of January, 1931, two-thirds of the members elected to each of the two houses of the said Legislature voting therefor, hereby proposes to the people of the State of California that the constitution of said State be amended by amending section 15 of article XIII thereof to read as follows:

Sec. 15. Taxes levied, assessed and collected as hereinafter provided upon companies operating under a franchise granted by the State Railroad Commission, which own, operate, or manage, any automobile, truck, or auto truck, jitney bus, stage or auto stage used in the business of transportation of persons or property as a common carrier for compensation over any public highway in this State between fixed termini or over a regular route, other than buses used exclusively for the transportation of pupils to or from any public school, when owned or operated by the school or school district, shall be entirely and exclusively for highway purposes, and shall be levied, assessed and collected in the manner hereinafter provided. The word "companies," as used in this section, shall include persons, partnerships, joint stock associations, companies and corporations.

(a) All such companies engaged in the business of transportation of persons, or persons and baggage, or persons and express, or persons, baggage and express where the same is transported on the same automobile, jitney bus, stage or auto stage transporting said persons shall annually pay to the state a tax upon their franchises, cars, equipment, and other property, or any part thereof, used exclusively in the operation of their business in this State, equal to four and one-quarter per cent of the gross receipts from operations of such companies, and each thereof within this State.

All such companies operating trucks or auto trucks engaged in the business of transporting property under a franchise from the State Railroad Commission shall annually pay to the State a tax upon their franchises, trucks or auto trucks, equipment and other property, or any part thereof, used exclusively in the operation of their business in this State, equal to five per cent of the gross receipts from operations of such companies, and each thereof, within this State.

When such companies are operating partly within and partly without this State, the gross receipts within this State shall be deemed to be all receipts on business beginning and ending within this State, and a proportion, based upon the proportion of the mileage within this State to the entire mileage over which such business is done, of receipts on all business passing through, into, or out of this State.

Such taxes shall be in lieu of all other taxes and licenses, state, county and municipal, upon the property above enumerated of such companies; *provided*, that nothing herein shall be construed to release any such company from the payment of any amount to be paid or required by law to be paid for any special privilege or franchise heretofore granted by any of the municipal authorities of this State.

The revenues from the taxes provided for in this section shall be deposited in the general fund and shall be applied and the same are hereby appropriated one-half to the State of California to be devoted exclusively to the maintenance and repair of public highways within this State; the remaining one-half shall be apportioned among the respective counties of this State, in the proportion that the number of motor vehicles registered within such county for the preceding calendar year bears to the total number of motor vehicles registered in the State of California under the Motor Vehicle Act of such State for the preceding year, and such sums so paid to said counties shall be devoted exclusively to the maintenance and repair of public highways within such county. In the event that all other State revenues are at any time deemed insufficient to meet the annual expenditures of the State, there may be levied in the manner to be provided by law, a tax, for State purposes, on all property in the State, including the classes of property enumerated in this section, sufficient to meet the deficiency. All property enumerated in this section shall be subject to taxation, in the manner provided by law, to pay the principal and interest of any bonded indebtedness created and outstanding by any city, city and county, county, town, township, or district on the first day of October, 1925. The taxes so paid for principal and interest on such bonded indebtedness shall be deducted from the total amount paid in taxes hereunder.

(b) All the provisions of this section shall be self-executing, and the Legislature shall pass all laws necessary to carry this section into effect, and shall provide for the valuation and assessment of the property enumerated in this section, and shall prescribe the duties of the State Board of Equalization and any other officers in connection with the administration thereof.

The rates of taxation fixed in this section shall remain in force until changed by the Legislature, two-thirds of all the members elected to each of the two houses voting in favor thereof. The taxes herein provided for shall become a lien on the first Monday in March of each year after the adoption of this section and shall become due and payable on the first Monday in July thereafter. The gross receipts herein mentioned shall be computed for the year ending the thirty-first day of December prior to the levy of such taxes and the value of any property mentioned herein shall be fixed as of the first Monday in March. Nothing herein contained shall affect any tax levied or assessed prior to the adoption of this section.

(c) No injunction shall ever issue in any suit, action or proceeding in any court against this State or against any officer thereof to prevent or enjoin the collection of any tax levied under the provisions of this section; but after payment action may be maintained to recover any tax illegally collected in such a manner and at such time as may now or hereafter be provided by law.

Amendment read.

The question being on the adoption of the amendment.

The roll was called, and Senate Constitutional Amendment No. 13 adopted by the following vote:

AYES—Senators Allen, Breed, Bush, Cassidy, Cleveland, Clock, Crittenden, Deuel, Duval, Edwards, Evans, Fellom, Harper, Hays, Ingels, Inman, Jones, Maloney, McCormack, McKinley, Moran, Pedrotti, Rich, Riley, Rochester, Schottky, Slater, Swing, Treacy, Tubbs, Waggy, Williams, and Young—33.

NOES—None.

Senate Constitutional Amendment No. 13 ordered transmitted to the Assembly.

Senate Constitutional Amendment No. 20—A resolution to propose to the people of the State of California an amendment to the constitution of the State of California, by amending article VI thereof by adding thereto a new section to be known as and numbered section 8½, relating to the retirement of judicial officers, and their designation for service thereafter as extra service judges.

Amendment read.

The question being on the adoption of the amendment.

The roll was called, and Senate Constitutional Amendment No. 20 refused adoption by the following vote:

AYES—Senators Allen, Breed, Carter, Cassidy, Crittenden, Jones, Maloney, McCormack, McKinley, Nelson, Pedrotti, Riley, Swing, Tubbs, Waggy, Williams, and Young—17.

NOES—Senators Bush, Christian, Cleveland, Clock, Deuel, Duval, Edwards, Evans, Fellom, Harper, Hays, Ingels, Inman, Moran, Rich, Rochester, Schottky, Slater, and Treacy—19.

NOTICE OF MOTION TO RECONSIDER.

Senator Inman gave notice that on the next legislative day he would move to reconsider the vote by which Senate Constitutional Amendment No. 20 was refused adoption.

Senate Bill No. 415—An act making an appropriation to pay the claim of Southern Pacific Company, a corporation, against the State of California.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Senate Bill No. 415 passed by the following vote:

AYES—Senators Allen, Breed, Bush, Carter, Cassidy, Christian, Cleveland, Clock, Crittenden, Deuel, Edwards, Evans, Fellom, Harper, Hays, Ingels, Jones, Maloney,

McCormack, McKinley, Moran, Nelson, Pedrotti, Rich, Riley, Schottky, Slater, Swing, Treacy, Tubbs, Wagv, Williams, and Young—33.
NOES—None.

Title read and approved.

Bill ordered transmitted to the Assembly.

FURTHER PROCEEDINGS UNDER CALL OF THE SENATE DISPENSED WITH.

At two o'clock and eight minutes p.m., further proceedings under the call of the Senate were dispensed with, on motion of Senator Christian.

The Secretary was directed to call the roll on Senator Christian's motion to refer Assembly Bill No. 965 to Senator Cleveland, as a Special Committee of One, for amendment.

The roll was called, and Senator Christian's motion lost by the following vote:

AYES—Senators Allen, Baker, Bush, Carter, Christian, Cleveland, Deuel, Edwards, Evans, Hays, Jones, Rich, Riley, Slater, Swing, and Wagv—16.

NOES—Senators Breed, Cassidy, Clock, Crittenden, Duval, Fellom, Harper, Ingels, Inman, Maloney, McCormack, McKinley, Moran, Nelson, Pedrotti, Rochester, Schottky, Sharkey, Treacy, Tubbs, Williams, and Young—22.

The question being on the passage of the bill.

The roll was called, and Assembly Bill No. 965 passed by the following vote:

AYES—Senators Allen, Breed, Cassidy, Clock, Crittenden, Deuel, Duval, Evans, Fellom, Harper, Hays, Ingels, Inman, Maloney, McCormack, McKinley, Moran, Nelson, Pedrotti, Riley, Rochester, Schottky, Sharkey, Slater, Treacy, Tubbs, Williams, and Young—28.

NOES—Senators Baker, Bush, Carter, Christian, Cleveland, Edwards, Jones, Rich, Swing, and Wagv—10.

Title read and approved.

Bill ordered transmitted to the Assembly.

RECESS.

On motion of Senator Breed, at two o'clock and twelve minutes p.m., the President of the Senate declared recess until three o'clock and thirty minutes p.m.

RECONVENED.

At three o'clock and thirty minutes p.m., the Senate reconvened.

Lieutenant Governor Frank F. Merriam, President of the Senate, in the chair.

Secretary Joseph A. Beek at the desk.

LEAVES OF ABSENCE.

Senators Swing and Mixter were, on motion of Senator Sharkey, granted leave of absence for the remainder of this legislative day.

COMMUNICATIONS.

The following communications were received and ordered printed in the Journal:

By Senator Inman:

THE SECRETARY OF THE INTERIOR,
WASHINGTON, April 9, 1931.

*The Honorable, The Governor of California,
Sacramento, California.*

MY DEAR GOVERNOR: The Oil States' Advisory Committee, including representatives of the governors of the states of Oklahoma, California, Texas, Louisiana, New Mexico, Kansas, Wyoming, Ohio, Colorado, and Arkansas, under the chairmanship

of Mr. Cicero I. Murray of Oklahoma, presented to the Federal Oil Conservation Board on April 9 a program for coordination of conservation efforts of these states, by means of an interstate agreement. I inclose the statement which they submitted. Their recommendations were as follows:

"I. That the Federal Oil Conservation Board continue its Voluntary Committee on Economics, to make periodic examinations into the status of the oil industry and formulate national and regional forecasts of supply and demand, and that such forecasts be given due consideration by the Interstate Committee and recommended, with any necessary modifications, to the respective state conservation bodies.

"II. That the Legislature of each oil-producing state be requested as rapidly as possible to authorize negotiation of an interstate agreement for coordination of conservation measures, any such agreement being subject to ratification by the states.

"III. That pending the working out of such a compact, an advisory committee, representing the several oil-producing states, continue to function as a liaison and fact finding body, to present to the conservation authorities of the various states, at such times as may be deemed necessary, recommendations for more effective cooperation as between the states."

I am pleased to advise you that the Federal Oil Conservation Board believes that this program of the states is constructive and it will give the states what cooperation it may, looking toward a conservation agreement having congressional approval. The first of your committee's three recommendations will accordingly be carried out by continuing the work of the Board's Voluntary Committee on Economics in making periodical examinations and formulating national and regional forecasts of supply and demand, to be transmitted for consideration of the states through the interstate committee.

The other two recommendations call for action by the states, rather than the board. This board has in the past suggested an interstate agreement to provide for uniformity in state conservation laws on certain major points, such as (1) unit operation, (2) protection against waste consequent on overproduction, and (3) conservation of gas energy, coupled with coordination between the states of their conservation efforts under an arrangement for liaison which will insure that curtailment in one state may not be followed, as at present, by unproportional production from another state.

This board stands ready, therefore, to give what assistance it can in working out a rational plan which must, however, adequately safeguard the national interest. The states, which possess the necessary police power, must be the active factors.

We shall accordingly await the further action of the respective states on the two features of your committee's recommendation which call for state action, i. e., authorization by the legislature of negotiation of such an interstate agreement, and continuation, meanwhile, of some liaison body, such as your present committee. We assume that we will hear from you when we can be of further assistance. The sooner that unified and constructive action is taken by the states, the better for every one concerned.

Very truly yours,
(Signed)

RAY LYMAN WILBUR.

Also:

WASHINGTON, D. C., April 9, 1931.

*To the Honorable Ray Lyman Wilbur,
Chairman of the Federal Oil Conservation Board, City.*

HONORED SIR: We, the undersigned members of the Oil States Advisory Committee, duly appointed by the governors of the respective states which we represent, to consider the present dire conditions of chaos and distress existing in the oil industry and to make recommendations for the betterment of such conditions, having requested of the honorable Federal Oil Conservation Commission a conference as of this date, hereby submit the following:

First. Stabilization of the production of crude oil is necessary to stability of public supply, to the elimination of waste of an irreplaceable resource, to prevention of the threatened forced abandonment of hundreds of thousands of small wells throughout the oil producing areas of the United States, to preservation of the independent oil-producing areas of the United States, to preservation of the independent oil operator as a competitive force, thereby avoiding the creation of monopoly, and to the prevention of loss of many millions of dollars in tax revenues to the various states and to the nation.

Second. No individual oil-producing state, by its own laws, can adequately protect the national interest against such conditions of overproduction, attendant waste and resultant demoralization of a great industry, as now exist, unless the conservation efforts of the large producing states shall be coordinated. Otherwise, curtailment efforts within one state may at any time be automatically offset and nullified by increased flush production in the fields of another state, or by unjustified

increases in the importations, to the great damage of the areas of old and settled production throughout the country.

Third. Through bitter experience, the various oil-producing states have been forced to the realization that the conservation authorities of each state must give due consideration to the general situation in the oil industry throughout the United States. With such consideration duly given, the stabilization of the production of crude oil within any state is purely a problem for solution by that state and the industry therein, with such cooperation and advice as may be rendered by interstate advisory committees and with such aid and assistance as the federal government may be able to give. Limitations on unnecessary drilling, conservation of gas energy, encouragement of unitization of development, ratable takings of oil among producers within a given field, and equitable apportionment of outlet as between the various fields, should be the objectives of the various state laws, and for the better saving in the ground of oil and gas not immediately needed, the state laws should be made more uniform and more effective in their enforcement.

Fourth. Coordinated restrictions to prevent wasteful overproduction by the major oil-producing states, with federal cooperation, may be furthered immediately by continuing for such time as may be necessary an advisory group representing the various states and by the conservation bodies within those states adopting, as a basis of regulation of production, the regional forecasts of supply and demand such as have just been made by the Voluntary Committee on Economics of the Federal Oil Conservation Board, if and when same shall have been approved or modified by an interstate advisory committee.

Fifth. Equalization of the rate of foreign production, with due consideration for the promotion efforts of the domestic producers, should be sought, not only to curtail imports but to safeguard the country's balance in exports, and we hereby fully indorse, and tender our thanks to your honorable board for the efforts put forth in procuring voluntary restrictions of imports into this country.

Sixth. The above objectives, *i. e.* sound and uniform conservation laws within the various states, coordination of their enforcement and effect with those of other states, balancing of their joint effect against foreign production, all under a system which will be stable for sufficiently long periods to enable economic production expenditures but flexible enough to meet changing conditions, may and should be placed on a permanent basis by means of an agreement between the oil-producing states, which will retain for each state its own administration of its own resources but will guarantee harmonious administration and cooperation through an interstate advisory board.

In view of the foregoing conditions, we hereby recommend:

I. That the Federal Oil Conservation Board continue its Voluntary Committee on Economics, to make periodic examinations into the status of the oil industry and formulate national and regional forecasts of supply and demand, and that such forecasts be given due consideration by the interstate committee and recommended, with any necessary modifications, to the respective state conservation bodies.

II. That the legislature of each oil-producing state be requested as rapidly as possible to authorize negotiation of an interstate agreement for coordination of conservation measures, any such agreement being subject to ratification by the states.

III. That pending the working out of such a compact, an advisory committee, representing the several oil-producing states, continue to function as a liaison and fact-finding body, to present to the conservation authorities of the various states, at such times as may be deemed necessary, recommendations for more effective cooperation as between the states.

Respectfully submitted.

CICERO I. MURRAY, Chairman, Oklahoma.
WILLIAM H. COOLEY, California.
ROBERT R. PENN, Texas.
W. SCOTT HAYWOOD, Louisiana.
VAN S. WELCH, New Mexico.
ALFRED M. LANDON, Kansas.
CARL M. COX, Wyoming.
I. C. GRIMM, Ohio.
WARWICK M. DOWNING, Colorado.

CONSIDERATION OF DAILY FILE.

THIRD READING OF SENATE BILLS—(RESUMED).

Senate Bill No. 388—An act to amend sections 1096 and 1115 of the Political Code, relating to the registration of electors.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Senate Bill No. 358 passed by the following vote:

AYES—Senators Baker, Breed, Cassidy, Christian, Cleveland, Crittenden, Evans, Harper, Ingels, Jones, Maloney, McCormack, McKinley, Moran, Pedrotti, Rich, Riley, Schottky, Sharkey, Slater, Treacy, Tubbs, Wagy, and Young—24.

NOES—None.

Title read and approved.

Bill ordered transmitted to the Assembly.

Senate Bill No. 362—An act to prohibit the production of crude petroleum oil so as to constitute waste; to define waste; to provide for a determination of waste and the allocation of production to the several sources of supply and the several properties therein and to provide penalties for a violation of said law.

Bill read third time.

MOTION TO POSTPONE CONSIDERATION OF SENATE BILL NUMBER
THREE HUNDRED SIXTY-TWO.

Senator Carter moved, seconded by Senator Riley, that further consideration of Senate Bill No. 362 be postponed until Monday, April 27, 1931.

SUBSTITUTE MOTION.

As a substitute motion, Senator Breed moved that Senate Bills Nos. 362 and 363 be made a special order for Tuesday, April 28, 1931, at two o'clock p.m.

Motion carried.

Senate Bill No. 108—An act regarding certificates of registration as "registered sanitarians" for persons performing the duties of sanitary inspectors or sanitary officers, prescribing terms and conditions under which such inspectors or officers may be employed, and providing penalties for the violation of the provisions hereof.

Bill read third time.

The question being on the passage of the bill.

The roll was called and Senate Bill No. 108 passed by the following vote:

AYES—Senators Allen, Breed, Carter, Cassidy, Christian, Cleveland, Clock, Crittenden, Deuel, Duxal, Edwards, Evans, Fellen, Harper, Hays, Ingels, Maloney, McKinley, Pedrotti, Rich, Rochester, Schottky, Slater, Treacy, Tubbs, Wagy, Williams, and Young—28.

NOES—None.

Title read and approved.

Bill ordered transmitted to the Assembly.

Senate Bill No. 159—An act relating to certificates of registration of inspectors and sanitary officers as "registered sanitarians"; empowering the State Board of Public Health to certify approved schools, conduct examinations, and to issue or deny "registered sanitarian" certificates; and providing penalties for violation of this act.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Senate Bill No. 159 passed by the following vote:

AYES—Senators Allen, Breed, Carter, Christian, Cleveland, Clock, Crittenden, Deuel, Duval, Edwards, Evans, Fellom, Harper, Hays, Ingels, Maloney, McKinley, Pedrotti, Rich, Rochester, Schottky, Slater, Treacy, Tubbs, Wagy, Williams, and Young—27.

NOES—None.

Title read and approved.

Bill ordered transmitted to the Assembly.

Senate Bill No. 399—An act to amend section 25 of the Civil Code, relating to who are minors.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Senate Bill No. 399 passed by the following vote:

AYES—Senators Allen, Baker, Breed, Carter, Christian, Cleveland, Clock, Crittenden, Deuel, Duval, Edwards, Evans, Fellom, Harper, Hays, Ingels, Inman, Jones, Maloney, McKinley, Pedrotti, Rich, Rochester, Schottky, Slater, Treacy, Tubbs, Wagy, Williams, and Young—30.

NOES—None.

Title read and approved.

Bill ordered transmitted to the Assembly.

Senate Bill No. 701—An act to amend sections 2, 3, 4, 5, 6, 7, 8, 9, 10, 11, 12, 13, 14, 15, 16, 17, 18, 19, 20, 21, 22, 23, 24, 25, 26, 27, 28, 29 and to repeal sections 20a and 24a of and to add sections 30, 31, 32, 33, 34, 35, 36, 37 and 38 to an act entitled "An act providing for the regulation and supervision of companies, brokers, agents, and sales of securities as the same are therein defined, and to prevent fraud in the sale of securities; providing for the enforcement of said act and penalties for the violation thereof; and creating a State Corporation Department and the office of 'Commissioner of Corporations,' " approved May 18, 1917, as amended, relating to the Division of Corporations, the regulation and supervision of companies, brokers, agents, investment counsel and sales of securities, and the prevention of fraud in the sale of securities.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Senate Bill No. 701 passed by the following vote:

AYES—Senators Allen, Breed, Cleveland, Clock, Crittenden, Deuel, Duval, Edwards, Evans, Fellom, Harper, Hays, Ingels, Inman, Jones, Maloney, McKinley, Nelson, Pedrotti, Rich, Rochester, Schottky, Slater, Treacy, Tubbs, Wagy, and Young—27.

NOES—None.

Title read and approved.

Bill ordered transmitted to the Assembly.

Senate Bill No. 702—An act to repeal chapter 353, Statutes of 1913, entitled "An act to define investment companies, investment brokers, and agents; to provide for the regulation, supervision and licensing

thereof; to provide penalties for the violation thereof; to create the office of Commissioner of Corporations, and making an appropriation therefor," approved May 28, 1913.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Senate Bill No. 702 passed by the following vote:

AYES—Senators Allen, Breed, Cleveland, Clock, Crittenden, Deuel, Duval, Edwards, Evans, Fellom, Hays, Ingels, Jones, Maloney, McKinley, Moran, Nelson, Rich, Rochester, Schottky, Slater, Treacy, Tubbs, Wagy, and Young—25.

NOES—None.

Title read and approved.

Bill ordered transmitted to the Assembly.

CONSIDERATION OF DAILY FILE.

THIRD READING OF ASSEMBLY BILLS.

Assembly Bill No. 1601—An act to amend section 4279 of the Political Code, relating to compensation of county and township officers in counties of the fiftieth class.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Assembly Bill No. 1601 passed by the following vote:

AYES—Senators Allen, Breed, Cleveland, Clock, Crittenden, Duval, Edwards, Evans, Fellom, Harper, Hays, Ingels, Inman, Jones, Maloney, McKinley, Moran, Nelson, Pedrotti, Rich, Rochester, Schottky, Slater, Treacy, Tubbs, Wagy, and Young—27.

NOES—None.

Title read and approved.

Bill ordered transmitted to the Assembly.

Assembly Bill No. 1074—An act to amend section 4249 of the Political Code, relating to compensation of county and township officers in counties of the twentieth class.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Assembly Bill No. 1074 passed by the following vote:

AYES—Senators Allen, Breed, Christian, Cleveland, Clock, Crittenden, Duval, Edwards, Evans, Fellom, Harper, Hays, Ingels, Jones, Maloney, McKinley, Nelson, Pedrotti, Rich, Riley, Rochester, Schottky, Slater, Treacy, Tubbs, Wagy, and Young—27.

NOES—None.

Title read and approved.

Bill ordered transmitted to the Assembly.

Assembly Bill No. 1530—An act to amend section 16x20 of the Weights and Measures Act, relating to sealers of weights and measures in counties of the twentieth class.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Assembly Bill No. 1530 passed by the following vote:

AYES—Senators Allen, Breed, Christian, Cleveland, Clock, Crittenden, Duval, Edwards, Evans, Fellom, Harper, Hays, Ingels, Jones, Maloney, McKinley, Moran,

Nelson, Pedrotti, Rich, Riley, Rochester, Schottky, Slater, Treacy, Tubbs, Wagy, and Young—28.
 NOES—None.

Title read and approved.

Bill ordered transmitted to the Assembly.

Assembly Bill No. 1535—An act to amend section 2322x23 of the Political Code, relating to the salary of the horticultural commissioner, his deputies and inspectors in counties of the twentieth class.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Assembly Bill No. 1535 passed by the following vote:

AYES—Senators Allen, Breed, Carter, Christian, Cleveland, Clock, Crittenden, Duval, Edwards, Evans, Fellom, Harper, Hays, Ingels, Jones, Maloney, McKinley, Nelson, Pedrotti, Rich, Riley, Rochester, Schottky, Slater, Treacy, Tubbs, Wagy, and Young—28.
 NOES—None.

Title read and approved.

Bill ordered transmitted to the Assembly.

Assembly Bill No. 1536—An act to amend section 19x23 of the Juvenile Court Law, relating to the compensation of probation officers in counties of the twentieth class.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Assembly Bill No. 1536 passed by the following vote:

AYES—Senators Allen, Breed, Carter, Christian, Cleveland, Clock, Crittenden, Duval, Edwards, Evans, Fellom, Harper, Hays, Ingels, Jones, Maloney, McKinley, Moran, Nelson, Pedrotti, Riley, Rochester, Schottky, Treacy, Tubbs, Wagy, and Young—27.
 NOES—None.

Title read and approved.

Bill ordered transmitted to the Assembly.

Assembly Bill No. 1604—An act to add a new section to be numbered 9a33, to the act entitled "An act to provide for the establishment and maintenance of county free libraries in the State of California, and repealing 'An act entitled "An act to provide county library systems," approved April 12, 1909, and all acts and parts of acts in conflict with this act," approved February 25, 1911, as amended, relating to libraries in counties of the thirty-third class.

On motion of Senator Ingels, Assembly Bill No. 1604 was ordered re-referred to Committee on County Government.

Assembly Bill No. 896—An act to provide for the adoption and use of a uniform fire alarm code signal in all public, private or parochial schools, hospitals and other public institutions.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Assembly Bill No. 896 passed by the following vote:

AYES—Senators Allen, Breed, Carter, Christian, Cleveland, Clock, Crittenden, Deuel, Duval, Edwards, Evans, Fellom, Harper, Ingels, Maloney, McKinley, Moran,

Nelson, Pedrotti, Rochester, Schottky, Slater, Treacy, Tubbs, Wagy, and Young—26.
NOES—Senator Hays—1.

Title read and approved.

Bill ordered transmitted to the Assembly.

Assembly Bill No. 203—An act to amend section 4247 of the Political Code, relating to salaries and fees of officers in counties of the sixteenth class.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Assembly Bill No. 203 passed by the following vote:

AYES—Senators Allen, Breed, Christian, Cleveland, Clock, Crittenden, Deuel, Duval, Edwards, Evans, Fellom, Harper, Hays, Ingels, Inman, Jones, Maloney, McKinley, Moran, Nelson, Pedrotti, Rochester, Schottky, Slater, Treacy, Tubbs, Wagy, and Young—28.

NOES—None.

Title read and approved.

Bill ordered transmitted to the Assembly.

REPORTS OF STANDING COMMITTEES—(RESUMED).

The following report of standing committee was received and read:

ON CONTINGENT EXPENSES.

SENATE CHAMBER, SACRAMENTO, April 23, 1931.

MR. PRESIDENT: Your Committee on Contingent Expenses, to which was referred Senate Joint Resolution No. 14—Relative to memorializing and petitioning Congress to enact legislation to eliminate the restrictions which now attach to the taxation of national banking associations, and creating a committee to further such purpose—has had the same under consideration, and respectfully reports the same back, and recommends that it be adopted.

(Signed out)

INGELS, Chairman.
MALONEY.

Senate Joint Resolution No. 14 ordered on file.

REQUEST FOR PERMISSION TO INTRODUCE A BILL.

The following request for permission to introduce a bill was presented:

By Senator Harper:

SENATE CHAMBER, SACRAMENTO, April 23, 1931.

MR. PRESIDENT: In accordance with the provisions of section 2, article IV of the constitution, I request permission to introduce a bill, the title of which is set forth below:

An act to add two new sections, to be numbered sections 4 and 5, to an act entitled, "An act providing for a State park on Mission Bay in San Diego County and for the administration thereof," approved June 15, 1929, relating to the making of a survey of said State park for the purpose of development and making an appropriation therefor.

Request referred to Committee on Rules.

CONSIDERATION OF DAILY FILE.

THIRD READING OF ASSEMBLY BILLS—(RESUMED).

Assembly Bill No. 1140—An act providing for the formation, government and operation of harbor districts; for the creation, improvement, development and maintenance of recreational harbors; for the acquisition and improvement, government and operation of lands and works in

connection therewith or appurtenant thereto, whether lying entirely within unincorporated territory of a county or wholly or partially including territory of one or more municipalities within such county, defining the term, "recreational harbor," within the meaning of this act; and providing generally what may and may not be done in such harbor so classified and authorizing the governing body of such harbor district to adopt rules and regulations in relation to said harbor, and to adopt and enforce ordinances restricting and governing the said harbor and its use, violation of any said ordinance being punishable as are misdemeanors by fine or imprisonment, or both fine and imprisonment; providing a means for defraying the cost and expense of forming, constructing, improving, governing and operating such harbor district and harbors, and authorizing counties and cities, jointly and separately, to contribute out of their general funds the costs and expenses of such harbor district, and authorizing the incurring of indebtedness, and the issuance of bonds and the levy and collection of taxes within such district and the enforcement of such bonds and taxes to defray the cost of the organization of such harbor district and of the creation, construction, improvement, and extension of such harbor, and the works incidental thereto, and to defray the cost of operating and managing such harbor district and harbor; authorizing the establishment of appropriate funds in the manner provided by law for the impounding and disbursement of the moneys required to meet such costs and expenses; providing for the levy of special assessments within such district to defray such costs and expenses, either wholly or partially, and authorizing the legislative body of the county or city assuming jurisdiction to call the election upon the question of the formation of such harbor district to determine what zone or zones, if any, within the proposed harbor district are to be benefited to a greater or less extent than other zone or zones therein, and to define said zones within such district and assess the cost of the said harbor works and improvements within said district zones, and each of them, in accordance with the benefits so found to be enjoyed by the several zones therein delineated; providing and empowering such district to accept financial or other aid for improvements and operations from the United States of America, the State of California, and from any person or persons; providing the means whereby the legislative body of any city heretofore or hereafter granted any rights in respect to tidelands and submerged lands may permit the exercise of such rights by the board of governors of any harbor district formed hereunder and providing that accretions caused by work or structures constructed shall be deemed and treated as natural accretions; and providing the means for obtaining action by the State through the Chief of the Division of State Lands in the Department of Finance of the State and Governor whereby tidelands, submerged lands and coastal waters may be segregated for recreational use, as herein defined, and providing for the appointment within any such harbor district formed under this act of a board of governors and fixing the qualifications, tenure of office, powers, duties of such board of governors, and providing the means and terms by which territory may be annexed to any harbor district formed hereunder.

Bill read third time.

MOTION TO REFER TO SPECIAL COMMITTEE OF ONE.

During third reading of the bill, Senator Rochester moved to refer Assembly Bill No. 1140 to Senator Clock, as a Special Committee of One, to amend as follows:

AMENDMENT NUMBER ONE.

On page 20, line 44, of the printed bill, as amended in the Senate April 21, 1931, strike out the word "and", and insert in lieu thereof the word "or".

AMENDMENT NUMBER TWO.

On page 20, line 45, of said printed bill, after the word "hereby", and the comma, insert the following: "no fence, building or other structure of any kind other than".

AMENDMENT NUMBER THREE.

On page 20, line 46, of said printed bill, strike out the word "under".

AMENDMENT NUMBER FOUR.

On page 20, line 47, of said printed bill, strike out the words "proper public authority", and strike out the word "and", and insert in lieu thereof the word "or".

Motion carried.

REPORT OF SPECIAL COMMITTEE OF ONE.

SENATE CHAMBER, SACRAMENTO, April 23, 1931.

MR. PRESIDENT: Your Special Committee of One, to which was referred Assembly Bill No. 1140, with instructions to amend, respectfully reports the same back, amended as per instructions.

CLOCK, Committee.

Report read, and on motion of Senator Rochester adopted.

Bill ordered to print.

Assembly Bill No. 1023—An act to amend sections 653bb, 653cc, 653hh, 653ii, 653jj, 653kk, 653mm, 653qq, 653tt and 653vv, of title XXIII of part IV of division I of the Civil Code of the State of California, relating to nonprofit cooperative marketing associations, and to add to said title XXIII new sections to be known as section 653hh (1), section 653hh (2) and section 653yy of the Civil Code of the State of California.

Bill read third time.

MOTION TO REFER TO SPECIAL COMMITTEE OF ONE.

During third reading of the bill, Senator Nelson moved to refer Assembly Bill No. 1023 to Senator Breed, as a Special Committee of One, to amend as follows:

AMENDMENT NUMBER ONE.

On page 2, line 37, of the printed bill, strike out the word "into".

Motion carried.

REPORT OF SPECIAL COMMITTEE OF ONE.

SENATE CHAMBER, SACRAMENTO, April 23, 1931.

MR. PRESIDENT: Your Special Committee of One, to which was referred Assembly Bill No. 1023, with instructions to amend, respectfully reports the same back, amended as per instructions.

BREED, Committee.

Report read, and on motion of Senator Nelson adopted.

Bill ordered to print.

Assembly Bill No. 450—An act to amend section 8, of chapter 202, Statutes of 1919, entitled "An act to regulate the payment of wages or compensation for labor or service in private employments, establishing

regular pay days, providing penalties for the violation of its provisions, authorizing the Commissioner of the Bureau of Labor Statistics to enforce this act, defining the duties of district attorneys relative to its enforcement, providing for the collection of certain penalties by civil action at the direction of said commissioner and for the disposition of penalties so collected; repealing an act entitled 'An act providing for the time of payment of wages,' approved May 1, 1911, as amended April 28, 1915, and repealing an act entitled 'An act to regulate the payment of wages or compensation of employees in private employments; to provide for regular pay days in such employments; providing a penalty for the violation thereof; and authorizing the Commissioner of the Bureau of Labor Statistics to enforce the provisions of this act,' approved June 8, 1915," approved May 6, 1919, as amended, relating to the enforcement of the act and permitting individual actions for wages and penalties.

Bill read third time.

MOTION TO REFER TO SPECIAL COMMITTEE OF ONE.

During third reading of the bill, Senator Maloney moved to refer Assembly Bill No. 450 to Senator Crittenden, as a Special Committee of One, to amend as follows:

AMENDMENT NUMBER ONE.

On page 2, line 12, of the printed amended bill, before the word "providing", insert the following: "providing that notices as to pay days must be kept posted by the employer and making failure to keep such notices posted prima facie evidence of violation of the act,".

Motion carried.

REPORT OF SPECIAL COMMITTEE OF ONE.

SENATE CHAMBER, SACRAMENTO, April 23, 1931.

MR. PRESIDENT: Your Special Committee of One, to which was referred Assembly Bill No. 450, with instructions to amend, respectfully reports the same back, amended as per instructions.

CRITTENDEN, Committee.

Report read, and on motion of Senator Maloney adopted.

Bill ordered to print.

Assembly Bill No. 1025—An act to amend sections 950 and 951 of the Probate Code, relating to preferred labor claims, raising the preference in claims against the estate of deceased persons to not exceeding \$300 for each worker for work done within 90 days prior to such death and providing procedure for the enforcement of such claims.

Bill read third time.

MOTION TO REFER TO SPECIAL COMMITTEE OF ONE.

During third reading of the bill, Senator Inman moved to refer Assembly Bill No. 1025 to Senator Jones, as a Special Committee of One, to amend as follows:

AMENDMENT NUMBER ONE.

On page 1, line 3, of the printed amended bill, insert at the beginning of the sentence the following: "950."

Motion carried.

REPORT OF SPECIAL COMMITTEE OF ONE.

SENATE CHAMBER, SACRAMENTO, April 23, 1931.

MR. PRESIDENT: Your Special Committee of One, to which was referred Assembly Bill No. 1025, with instructions to amend, respectfully reports the same back, amended as per instructions.

JONES, Committee.

Report read, and on motion of Senator Inman adopted.
Bill ordered to print.

SECRETARY JOSEPH A. BEEK AT THE DESK.

CONSIDERATION OF DAILY FILE.

THIRD READING OF SENATE BILLS—(OUT OF ORDER).

Senate Bill No. 175—An act to define medical and hospital service companies and agents; to provide for the regulation, supervision and licensing thereof; to create a fund therefor; to create the office of Commissioner of Medical and Hospital Service Companies; to provide for the enforcement of said act and penalties for the violation thereof; and to make an appropriation.

Bill read third time.

MOTION TO REFER TO SPECIAL COMMITTEE OF ONE.

During third reading of the bill, Senator Fellom moved to refer Senate Bill No. 175 to Senator Treacy, as a Special Committee of One, to amend as follows:

AMENDMENT NUMBER ONE.

On page 2 of the printed bill, in lines 16 to 19, strike out the following: "nor to any insurance company, association, interinsurance exchange or other person or persons, licensed to transact an insurance business under the laws of the State of California;"

AMENDMENT NUMBER TWO.

On page 2, line 27, of the printed bill, after the word "family", strike out the period and insert the following: "; nor to any insurance company, association, interinsurance exchange or other person or persons, licensed to transact an insurance business under the laws of the State of California."

Motion carried.

REPORT OF SPECIAL COMMITTEE OF ONE.

SENATE CHAMBER, SACRAMENTO, April 23, 1931.

MR. PRESIDENT: Your Special Committee of One, to which was referred Senate Bill No. 175, with instructions to amend, respectfully reports the same back, amended as per instructions.

TREACY, Committee.

Report read, and on motion of Senator Fellom adopted.
Bill ordered to print and re-engrossment.

MESSAGES FROM THE ASSEMBLY.

The following messages from the Assembly were received and read:

ASSEMBLY CHAMBER, SACRAMENTO, April 23, 1931.

MR. PRESIDENT: I am directed to inform your honorable body that the Assembly on this day adopted Senate Concurrent Resolution No. 25—Relating to the suppression of traffic in narcotic drugs and authorizing the appointment of a committee for the purpose of considering and recommending the enactment of effective laws governing the traffic in narcotic drugs and related matters;

Also: Senate Concurrent Resolution No. 23—Relative to requesting the Division of Motor Vehicles to use the full word "California" on all number plates.

ARTHUR A. OHNIMUS, Chief Clerk.
By A. W. ENGELEKE, Assistant Clerk.

Senate Concurrent Resolutions Nos. 23 and 25 ordered to enrollment.

Also:

ASSEMBLY CHAMBER, SACRAMENTO, April 23, 1931.

MR. PRESIDENT: I am directed to inform your honorable body that the Assembly on this day passed Senate Bill No. 425—An act to add a new section to be numbered 7½, to chapter 358, Statutes of 1925, entitled "An act authorizing the establishment of municipal courts, prescribing their constitution, regulation, government, procedure and jurisdiction, and providing for the election and appointment of the judges, clerks and other attaches of such courts, their terms of office, qualification and compensation and for the selection of jurors therein," as amended, approved May 23, 1925, by adding thereto a new section to be designated as section 7½, relating to pensions for marshals and deputy marshals of cities of the first and one-half class.

ARTHUR A. OHNIMUS, Chief Clerk.
By A. W. ENGELKE, Assistant Clerk.

Senate Bill No. 425 ordered to enrollment.

Also:

ASSEMBLY CHAMBER, SACRAMENTO, April 23, 1931.

MR. PRESIDENT: I am directed to inform your honorable body that the Assembly on this day adopted Senate Constitutional Amendment No. 8—A resolution to propose to the people of the State of California to amend the constitution of said State by amending section 7½ of article XI, relating to charters of counties and the election of officers thereunder.

ARTHUR A. OHNIMUS, Chief Clerk.
By A. W. ENGELKE, Assistant Clerk.

Senate Constitutional Amendment No. 8 ordered to enrollment.

Also:

ASSEMBLY CHAMBER, SACRAMENTO, April 23, 1931.

MR. PRESIDENT: I am directed to inform your honorable body that the Assembly on this day passed Assembly Bill No. 1151—An act providing for the formation, government and operation of harbor districts, the calling and conducting of elections in such districts of harbor commissioners, defining their powers and duties, and providing for the issuance and disposal of bonds of such harbor districts, and providing for the assessment, levy and collection of taxes for the payment of such bonds and for the ordinary annual expenses of such harbor districts;

Also: Assembly Bill No. 508—An act to define motor carrier transportation agent; to provide for the regulation, supervision and licensing thereof, and to provide for the enforcement of said act and penalties for the violation thereof.

ARTHUR A. OHNIMUS, Chief Clerk.
By A. W. ENGELKE, Assistant Clerk.

Assembly Bill No. 1151 read first time, and referred to Committee on Commerce and Navigation.

Assembly Bill No. 508 read first time, and referred to Committee on Public Utilities.

Also:

ASSEMBLY CHAMBER, SACRAMENTO, April 23, 1931.

MR. PRESIDENT: I am directed to inform your honorable body that the Assembly on this day adopted Senate Joint Resolution No. 16—Relative to accepting amendments to permit from the government of the United States for the construction of approach roads and toll collection areas over certain rights of way leading to the Golden Gate Bridge and relating to the retrocession by the Congress of the United States of jurisdiction over said rights of way as relocated and said toll areas, bridge ends and bridge;

Also: Senate Joint Resolution No. 17—Relative to memorializing Congress to provide compensation, in lieu of taxes, for certain lands of the United States within the borders of the several states.

ARTHUR A. OHNIMUS, Chief Clerk.
By A. W. ENGELKE, Assistant Clerk.

Senate Joint Resolutions Nos. 16 and 17 ordered to enrollment.

Also:

ASSEMBLY CHAMBER, SACRAMENTO, April 23, 1931.

MR. PRESIDENT: I am directed to inform your honorable body that the Assembly on this day concurred in Senate amendments to Assembly Bill No. 1138—An act to repeal part V of division IV of the School Code embracing sections 4.960 to 4.1353, both inclusive thereof, and to add a new part of division IV thereof, to be known as

part V, embracing sections 4,960 to 4,1044, both inclusive, all relating to elementary district, high school district and junior college district bonds;

Also: Assembly Bill No. 923—An act to amend sections 633 and 633a, and to add sections 633a1, 633a2, 633a3, 633a4, 633a5, 633a6, 633a7, 633a8, 633a9, 633a10, 633a11, 633a12, 633a13, 633a14, 633a15, 633a16, 633a17, 633a18, 633a19, 633a20, 633a21, 633a22, 633a23, 633a24, 633a25, 633a26, 633a27, 633a28, 633a29, 633a30 and 633a31 to the Political Code, relating to the qualification, licensing and fees of insurance agents, brokers, and solicitors;

Also: Assembly Bill No. 829—An act to amend the title, to amend sections 1, 1a, 2, 4, 5, and 10, and to add a new section, to be numbered section 20a, to an act entitled "An act to provide for the laying out, opening, extending, widening, or straightening, in whole or in part, of public highways, roads, streets, squares, lanes, alleys, courts, and places, within municipalities, or within unincorporated territory and one or more municipalities, or lying within two or more municipalities; for the condemnation of property necessary or convenient for such purposes, or of any interest therein, and for the establishment of assessment districts and the assessment of property therein to pay the expense of such improvement, and providing for aid from the county or municipalities toward the expense of such improvement," approved March 24, 1903, as amended, relating to street improvements;

Also: Assembly Bill No. 204—An act to amend section 2322a18 of the Political Code, relating to the salary of the county agricultural commissioner, his deputies and inspectors, in counties of the eighteenth class.

ARTHUR A. OHNIMUS, Chief Clerk.
By A. W. ENGELKE, Assistant Clerk.

REPORTS OF STANDING COMMITTEES—(RESUMED).

The following report of standing committee was received and read:

ON CONSTITUTIONAL AMENDMENTS.

SENATE CHAMBER, SACRAMENTO, April 23, 1931.

MR. PRESIDENT: Your Committee on Constitutional Amendments, to which was referred Senate Constitutional Amendment No. 31—A resolution to propose to the people of the State of California an amendment of the constitution of said State by amending section 6 of article IX thereof, relating to the support of the school system—has had the same under consideration, and respectfully reports the same back, and recommends that same be re-referred to the Committee on Revenue and Taxation.

Committee membership—9; committee vote: Ayes—9.
(Signed out)

ALLEN, Chairman.
CRITTENDEN.
EVANS.
JONES.
ROCHESTER.
SCHOTTKY.

Senate Constitutional Amendment No. 31 ordered re-referred to Committee on Revenue and Taxation.

ADJOURNMENT.

At five o'clock and thirteen minutes p.m., on motion of Senator Breed, the President declared the Senate adjourned until eleven o'clock a.m., Friday, April 24, 1931.

HAROLD J. POWERS, Minute Clerk.

IN SENATE.

SENATE CHAMBER,
SACRAMENTO, Friday, April 24, 1931.

The Senate met at eleven o'clock a.m.

Lieutenant Governor Frank F. Merriam, President of the Senate, in the chair.

Secretary Joseph A. Beek at the desk.

ROLL CALL.

The roll was called, and the following answered to their names:

Senators Allen, Baker, Breed, Bush, Carter, Cassidy, Cleveland, Crittenden, Deuel, Duval, Evans, Fellom, Harper, Hays, Ingels, Jones, Maloney, McCormack, McKinley,

Mixer, Moran, Nelson, Pedrotti, Rich, Riley, Rochester, Schottky, Sharkey, Slater, Swing, Treacy, Waggy, Williams, and Young—34.

Quorum present.

PRAYER.

Prayer was offered by the Chaplain, Rev. Sherman L. Divine.

READING OF THE JOURNAL.

During the reading of the Journal of Thursday, April 23, 1931, the further reading was dispensed with, on motion of Senator Slater.

LEAVE OF ABSENCE.

Senator Christian was, on motion of Senator Cleveland, granted leave of absence for this day.

MINUTE CLERK HAROLD J. POWERS AT THE DESK.

PRIVILEGE OF FLOOR OF SENATE EXTENDED.

On request of Senator Treacy, the privilege of the floor of the Senate Chamber for this day was unanimously extended to Isidore B. Dockweiler of Los Angeles.

On request of Senator Treacy, the privilege of the floor of the Senate Chamber for this day was unanimously extended to Robert L. Mann.

On request of Senator Maloney, the privilege of the floor of the Senate Chamber for this day was unanimously extended to former Assemblyman John J. McManus of San Francisco.

On request of Senator Cleveland, the privilege of the floor of the Senate Chamber for this day was unanimously extended to Mr. and Mrs. James Snell of Hollister.

REPORTS OF STANDING COMMITTEES.

The following reports of standing committee were received and read:

ON ENGROSSMENT, ENROLLMENT AND PRINTING.

SENATE CHAMBER, SACRAMENTO, April 24, 1931.

MR. PRESIDENT: Your Committee on Engrossment, Enrollment and Printing has examined Senate Bill No. 17—An act appropriating money for the control and conservation of flood waters in the Los Angeles County Flood Control District;

Senate Bill No. 459—An act to amend section 667 of the Penal Code, relating to punishment for second offenses;

Also: Senate Bill No. 616—An act to amend section 270 of the Penal Code, relative to omitting to provide child with necessities;

Also: Senate Bill No. 686—An act to amend section 30 of and to add a new section to be numbered 15e to the California Irrigation District Act, relating to the powers and duties of the board of directors;

Also: Senate Bill No. 937—An act to amend section 1980 of the Civil Code, relating to contracts for personal service;

And reports that the same have been correctly engrossed.

RILEY, Chairman.

Also:

MR. PRESIDENT: Your Committee on Engrossment, Enrollment and Printing has examined Senate Bill No. 679—An act to provide for the sanitary inspection of slaughterhouses, the inspection of animals or meats intended for human consumption, to provide rules and regulations therefor, to provide penalties for the violation thereof and to repeal the California Meat Inspection Law, approved June 3, 1921—and reports that the same has been correctly re-engrossed.

RILEY, Chairman.

Also:

MR. PRESIDENT: Your Committee on Engrossment, Enrollment and Printing has examined Senate Constitutional Amendment No. 6—A resolution to propose to the people of the State of California an amendment to the constitution of said State by

amending section 14 of article XIII, relating to exemptions of property on account of military service;

Also: Senate Constitutional Amendment No. 23—A resolution to propose to the people of the State of California an amendment to the constitution of said State by adding a new section to be numbered 14a to article XIII thereof, relating to revenue and taxation;

Also: Senate Concurrent Resolution No. 30—Providing for the creation of a Joint Committee of the Senate and Assembly to Study Street Improvement Laws of the State of California; to continue the work of preparing and making recommendations concerning changes in existing laws and to make an appropriation to meet the expenses of said committee necessarily incurred in said work; And reports that the same have been correctly engrossed.

RILEY, Chairman.

CONSIDERATION OF DAILY FILE.

THIRD READING OF SENATE BILLS.

Senate Bill No. 503—An act to amend an act entitled "An act to provide for the organization, incorporation, and government of municipal corporations," approved March 13, 1883, as amended, by amending sections 806 and 882 thereof, relating to the jurisdiction of courts, in municipal corporations of fifth and sixth classes.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Senate Bill No. 503 passed by the following vote:

AYES—Senators Allen, Baker, Breed, Bush, Carter, Cleveland, Crittenden, Deuel, Duval, Evans, Fellom, Harper, Hays, Ingels, Maloney, McCormack, McKinley, Mixer, Moran, Riley, Schottky, Sharkey, Slater, Swing, Treacy, and Wagy—26.

NOES—None.

NOTICE OF MOTION TO RECONSIDER.

Senator Harper gave notice that on the next legislative day he would move to reconsider the vote by which Senate Bill No. 503 was passed.

Senate Bill No. 375—An act permitting boards of supervisors of the respective counties, and the city council of every incorporated city, and the board of education of every school district, and the board of directors of every duly organized irrigation, reclamation water conservatory or flood control district, to require answers to a standard form of questionnaire from persons proposing to bid on any public work.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Senate Bill No. 375 passed by the following vote:

AYES—Senators Allen, Baker, Breed, Carter, Cleveland, Crittenden, Deuel, Duval, Evans, Fellom, Harper, Hays, Ingels, Maloney, McCormack, McKinley, Mixer, Moran, Pedrotti, Riley, Schottky, Sharkey, Slater, Swing, Treacy, and Wagy—26.

NOES—None.

AMENDMENT TO TITLE.

The following amendment was offered, and its adoption moved by Senator Baker:

AMENDMENT NUMBER ONE.

In line 1 of the title of the printed bill, strike out "boards of supervisors of the respective", and all of lines 2 to 5, inclusive, and insert in lieu thereof the following: "certain boards and officers to".

Amendment adopted.

Title, as amended, read and approved.

Bill ordered to print and re-engrossment, and transmitted to the Assembly.

RESOLUTION.

The following resolution was offered:
By Senators Breed, Duval and Moran:

WHEREAS, The site has been selected, near Tehachapi, for the construction of "The California Institution for Women" under the provisions of an act entitled "An act to establish an institution for the confinement, care and reformation of women misdemeanants, and women convicted of a felony the punishment for which is less than death; to provide for its maintenance, conduct and government, and to make an appropriation therefor," approved May 9, 1929; and

WHEREAS, It seems advisable that before proceeding with the contemplated construction of such institution, the desirability of the site for the purpose for which it was selected and advisability of such construction be further investigated; and

WHEREAS, The Director of Public Works has invited bids for such construction and improvements; now, therefore, be it

Resolved by the Senate, That a committee of the Senate is hereby created to consist of three members of the Senate and to be appointed by the President thereof; and be it further

Resolved, That said committee shall immediately proceed with said investigation in such manner as it may determine; and be it further

Resolved, That said committee with relation to such investigation shall have all the powers granted by the Political Code to committees of the Senate as to matter under investigation by such committees; and be it further

Resolved, That it shall be the duty of said committee to complete its investigation and report the facts found, together with its conclusions and recommendations relating thereto, to the Senate on or before May 8, 1931; and be it further

Resolved, That the members of the said committee shall be reimbursed for their actual expenses necessarily incurred hereunder, which expenses shall be payable out of the Contingent Fund of the Senate; and be it further

Resolved, That the Director of Public Works is hereby requested and directed to withhold the award of any contracts for construction and improvement at said site for the purchase of materials or hire of labor for use at said site until after June 1, 1931, pending the report of the committee created herein.

Resolution read.

REPORT.

The following statement was received, read, and on motion of Senator Swing ordered printed in the Journal:

REPORT.

To the Chairman and Members of the Finance Committee of the Senate.

Your subcommittee, to which was referred the matter of the location of the California Institution for Women near Tehachapi, respectfully reports as follows:

At a meeting of the committee, many witnesses were heard upon the question of water supply, soil, climatic conditions and transportation.

From the evidence, the committee finds the following:

LAND.

That the site is located about nine miles from Tehachapi, that being the nearest railroad station, and consists of 1682 acres, of which, approximately, 1150 acres are tillable, the balance being grazing land; that the land is located in a valley, known as Cummings Valley, of which the soil is of a sandy loam; that it is an old ranch that has been under cultivation for 50 years or more; that the soil is suitable for the raising of garden truck of all kinds, and also suitable for apples and pears.

CLIMATE.

The elevation is between 3900 and 4000 feet in the valley, having a snowfall at times to the depth of 18 inches.

TRANSPORTATION.

The nearest railroad station is nine miles from the site. From the railroad station to the site there is a good gravel road.

WATER.

The water supply is obtained from wells, from which water is pumped. There are three wells upon the property, one capable, at the present time, of producing 80 to 90 inches of water. The site is located near the head of the valley, and at the lower end of the valley there is a flowing well from the same underground source as the wells on the said site. If the valley should be cultivated below the site in question, and irrigated by pumping of wells, the water supply would be diminished on the State land, according to the amount used for such irrigation; that the State has purchased and now owns 40 acres of mountain land, situated about four miles from

the institutional site, where it is expected an additional water supply can be obtained, in case of water shortage.

SECLUSION.

Statements of witnesses were to the effect that the site is desirable by reason of its seclusion from populated districts, which is desirable in an institution of that kind.

No information has been given to the committee of the amount or quantity of water required for such an institution, hence the committee can make no comparison with the needs of such an institution and the known available water supply.

The following persons gave statements before the committee:

Mrs. Ernest Wallace, president of board of trustees of the California Institution for Women.

Mr. Phil Marks, president of the Bank of Tehachapi.

Mr. L. D. Norris, secretary, Kern County Chamber of Commerce.

Mr. Vance Anderson, attorney at law, Bakersfield.

Mr. John McMillan, farmer, who has land near the site, but is not acquainted with the land in question.

Mr. W. M. Wiley, engineer, representing Kern County in the proposed State-wide water investigation.

Mr. Hugh S. Jewett, engaged in land development in Kern County.

Mr. Alfred Harrell, editor of the *Bakersfield Californian*, daily paper.

Mr. A. E. Hoagland, farm and land agent for Miller & Lux interests in Kern County.

M. Barlow, farmer and superintendent of large farms in San Joaquin Valley.

L. A. Burch, agricultural commissioner of Kern County.

Percy Slater, resident of Kern County.

Judge T. N. Harvey of Bakersfield, member of board of trustees of the institution.

L. J. Kansteen of Kern County.

Perry Brite, who was born and reared on this ranch, and is now chairman of the board of supervisors of Kern County.

W. L. Atkinson of Taft, California.

Mr. Brant of Kern County.

Whit Barber of Bakersfield.

W. H. Rockingham, engineer of State Division of Agriculture.

Owen Duffy, superintendent, Napa State Farm, and supervisor of agriculture in Department of Institutions.

Edward Hyatt, State Engineer.

Respectfully submitted.

CARTER, Chairman,
DUVAL,
RICH,
Subcommittee.

The question being on the adoption of the resolution offered by Senators Breed, Duval and Moran.

The roll was called, and the resolution adopted by the following vote:

AYES—Senators Allen, Baker, Breed, Carter, Cassidy, Cleveland, Crittenden, Deuel, Duval, Evans, Fellom, Hays, Jones, Maloney, McCormack, McKinley, Moran, Nelson, Rich, Riley, Slater, Treacy, and Williams—23.

NOES—Senators Harper, Ingels, Mixter, Schottky, and Sharkey—5.

APPOINTMENT OF SPECIAL COMMITTEE.

In accordance with the preceding resolution by Senators Breed, Duval and Moran, the President announced the appointment of Senators Duval, Moran and Carter.

CONSIDERATION OF DAILY FILE.

THIRD READING OF SENATE BILLS—(RESUMED).

Senate Bill No. 857—An act to amend section 1 of chapter 834 of the Statutes of 1927, relating to acceptance of the Workmen's Compensation Act.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Senate Bill No. 857 passed by the following vote:

AYES—Senators Allen, Baker, Breed, Cassidy, Cleveland, Crittenden, Deuel, Duval, Evans, Fellom, Harper, Hays, Ingels, Jones, Maloney, McCormack, McKinley,

Mixer, Moran, Nelson, Rich, Riley, Schottky, Sharkey, Slater, Treacy, Wagy, and Williams—28.

NOES—None.

Title read and approved.

Bill ordered transmitted to the Assembly.

MOTION TO RECONSIDER.

Pursuant to a motion given on the previous legislative day, Senator Jones moved to reconsider the vote by which Senate Constitutional Amendment No. 20 was adopted.

POSTPONEMENT OF RECONSIDERATION.

On motion of Senator Jones, the further consideration of the motion to reconsider the vote whereby Senate Constitutional Amendment No. 20 was adopted, was continued until the next legislative day.

Senate Bill No. 287—An act to regulate motor boats of less than 15 gross tons capacity, operating in California waters and carrying passengers for hire.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Senate Bill No. 287 passed by the following vote:

AYES—Senators Allen, Baker, Breed, Carter, Cleveland, Crittenden, Evans, Fellom, Harper, Hays, Ingels, Maloney, McCormack, McKinley, Mixer, Moran, Pedrotti, Rich, Rochester, Schottky, Sharkey, Slater, Treacy, Wagy, Williams, and Young—26.

NOES—None.

Title read and approved.

Bill ordered transmitted to the Assembly.

Senate Bill No. 937—An act to amend section 1980 of the Civil Code, relating to contracts for personal service.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Senate Bill No. 937 passed by the following vote:

AYES—Senators Allen, Baker, Breed, Carter, Cassidy, Cleveland, Crittenden, Duval, Duval, Evans, Fellom, Harper, Hays, Ingels, Maloney, McCormack, McKinley, Mixer, Moran, Nelson, Pedrotti, Rich, Riley, Rochester, Schottky, Slater, Treacy, Wagy, Williams, and Young—30.

NOES—None.

Title read and approved.

Bill ordered transmitted to the Assembly.

LEAVES OF ABSENCE.

Senator Swing was, on motion of Senator Sharkey, granted leave of absence for this day.

Senator Inman was, on motion of Senator Jones, granted leave of absence for this day.

Senator Clock was, on motion of Senator Rochester, granted leave of absence for this day.

SECRETARY JOSEPH A. BEEK AT THE DESK.
REQUESTS FOR PERMISSION TO INTRODUCE BILLS.

The following requests for permission to introduce bills were presented:

By Senators Pedrotti, Deuel, and Williams:

SENATE CHAMBER, SACRAMENTO, April 24, 1931.

MR. PRESIDENT: In accordance with the provisions of section 2, article IV of the constitution, we request permission to introduce a bill, the title of which is set forth below:

An act to amend section 1228 of the Penal Code, relating to capital punishment.

Request referred to Committee on Rules.

By Senator Nelson:

SENATE CHAMBER, SACRAMENTO, April 24, 1931.

MR. PRESIDENT: In accordance with the provisions of section 2, article IV of the constitution, I request permission to introduce a bill, the title of which is set forth below:

An act to amend section 7371 of the Political Code, relating to salary of judges of the superior court in and for the county of Humboldt.

Request referred to Committee on Rules.

By Senator Riley:

SENATE CHAMBER, SACRAMENTO, April 24, 1931.

MR. PRESIDENT: In accordance with the provisions of section 2, article IV of the constitution, I request permission to introduce a bill, the title of which is set forth below:

An act to amend section 736b and repeal section 736c of the Political Code, relating to salaries of judges of the superior court and to make an appropriation to cover increases in the payments by the State therefor.

Request referred to Committee on Rules.

By Senator Carter:

SENATE CHAMBER, SACRAMENTO, April 24, 1931.

MR. PRESIDENT: In accordance with the provisions of section 2, article IV of the constitution, I request permission to introduce a bill, the title of which is set forth below:

An act requiring the filing of a bond or making of a deposit to cover labor risk on oil wells, and prescribing means for the enforcement hereof.

Request referred to Committee on Rules.

REPORTS OF STANDING COMMITTEES—(RESUMED).

The following reports of standing committee were received and read:

ON RULES.

SENATE CHAMBER, SACRAMENTO, April 24, 1931.

MR. PRESIDENT: Your Committee on Rules, to which was referred the request of Senators Pedrotti, Deuel and Williams to introduce a bill entitled—An act to amend section 1228 of the Penal Code, relating to capital punishment—has had the same under consideration, and respectfully reports the same back, and recommends that said request be granted.

Committee membership—5; committee vote: Ayes—5.

BREED, Chairman.

The question being on the adoption of the report.

The roll was called in accordance with the provisions of section 2 of article IV of the constitution, and the report adopted by the following vote:

AYES—Senators Allen, Breed, Carter, Cassidy, Cleveland, Crittenden, Deuel, Duval, Evans, Fellom, Harper, Hays, Ingels, Jones, Maloney, McCormack, McKinley, Mixer.

Moran, Nelson, Pedrotti, Rich, Riley, Rochester, Schottky, Sharkey, Slater, Treacy, Wagy, Williams, and Young—31.

NOES—None.

Also :

MR. PRESIDENT: Your Committee on Rules, to which was referred the request of Senator Harper to introduce a bill entitled—An act to add two new sections, to be numbered sections 4 and 5, to an act entitled "An act providing for a State park on Mission Bay in San Diego County and for the administration thereof," approved June 15, 1929, relating to the making of a survey of said State park for the purpose of development and making an appropriation therefor—has had the same under consideration, and respectfully reports the same back, and recommends that said request be granted.

Committee membership—5; committee vote: Ayes—5.

BREED, Chairman.

The question being on the adoption of the report.

The roll was called in accordance with the provisions of section 2 of article IV of the constitution, and the report adopted by the following vote :

AYES—Senators Allen, Breed, Carter, Cassidy, Cleveland, Crittenden, Deuel, Duval, Evans, Fellom, Harper, Hays, Ingels, Maloney, McCormack, McKinley, Mixter, Moran, Nelson, Pedrotti, Rich, Riley, Rochester, Schottky, Sharkey, Slater, Treacy, Wagy, Williams, and Young—30.

NOES—None.

Also :

MR. PRESIDENT: Your Committee on Rules, to which was referred the request of Senator Nelson to introduce a bill entitled—An act to amend section 7371 of the Political Code, relating to salary of judges of the superior court in and for the county of Humboldt—has had the same under consideration, and respectfully reports the same back, and recommends that said request be granted.

Committee membership—5; committee vote: Ayes—5.

BREED, Chairman.

The question being on the adoption of the report.

The roll was called in accordance with the provisions of section 2 of article IV of the constitution, and the report adopted by the following vote :

AYES—Senators Allen, Breed, Carter, Cleveland, Crittenden, Deuel, Duval, Evans, Fellom, Harper, Hays, Ingels, Jones, Maloney, McCormack, McKinley, Mixter, Moran, Nelson, Pedrotti, Rich, Riley, Rochester, Schottky, Sharkey, Slater, Treacy, Wagy, Williams, and Young—30.

NOES—None.

Also :

MR. PRESIDENT: Your Committee on Rules, to which was referred the request of Senator Riley to introduce a bill entitled: An act to amend section 736b and repeal section 736c of the Political Code, relating to salaries of judges of the superior court and to make an appropriation to cover increases in the payments by the State therefor—has had the same under consideration, and respectfully reports the same back, and recommends that said request be granted.

Committee membership—5; committee vote: Ayes—5.

BREED, Chairman.

The question being on the adoption of the report.

The roll was called in accordance with the provisions of section 2 of article IV of the constitution, and the report adopted by the following vote :

AYES—Senators Allen, Breed, Carter, Cleveland, Crittenden, Deuel, Duval, Evans, Fellom, Harper, Hays, Ingels, Jones, Maloney, McCormack, McKinley, Mixter, Moran, Nelson, Pedrotti, Rich, Riley, Rochester, Schottky, Sharkey, Slater, Treacy, Wagy, Williams, and Young—30.

NOES—None.

Also:

MR. PRESIDENT: Your Committee on Rules, to which was referred the request of Senator Carter to introduce a bill entitled: An act requiring the filing of a bond or making of a deposit to cover labor risk on oil wells, and prescribing means for the enforcement hereof—has had the same under consideration, and respectfully reports the same back, and recommends that said request be granted.

Committee membership—5; committee vote: Ayes—5.

BREED, Chairman.

The question being on the adoption of the report.

The roll was called in accordance with the provisions of section 2 of article IV of the constitution, and the report adopted by the following vote:

AYES—Senators Allen, Breed, Carter, Cassidy, Cleveland, Crittenden, Deuel, Duval, Evans, Fellom, Harper, Hays, Ingels, Jones, Maloney, McCormack, McKinley, Mixer, Moran, Nelson, Pedrotti, Rich, Riley, Rochester, Sharkey, Slater, Treacy, Wagy, Williams and Young—30.

NOES—None.

INTRODUCTION, FIRST READING AND REFERENCE OF BILLS.

The following bills were introduced:

By Senators Pedrotti, Deuel, Williams: Senate Bill No. 952—An act to amend section 1228 of the Penal Code, relating to capital punishment.

Bill read first time, and referred to Committee on Revision of Criminal Law and Procedure.

By Senator Harper: Senate Bill No. 953—An act to add two new sections, to be numbered sections 4 and 5, to an act entitled "An act providing for a State park on Mission Bay in San Diego County and for the administration thereof," approved June 15, 1929, relating to the making of a survey of said State park for the purpose of development and making an appropriation therefor.

Bill read first time, and referred to Committee on Finance.

By Senator Nelson: Senate Bill No. 954—An act to amend section 737f of the Political Code, relating to salary of judges of the superior court in and for the county of Humboldt.

Bill read first time, and referred to Committee on Governmental Efficiency.

By Senator Riley: Senate Bill No. 955—An act to amend section 736b and repeal section 736c of the Political Code, relating to salaries of judges of the superior court and to make an appropriation to cover increases in the payments by the State therefor.

Bill read first time, and referred to Committee on Governmental Efficiency.

By Senator Carter: Senate Bill No. 956—An act requiring the filing of a bond or making of a deposit to cover labor risk on oil wells, and prescribing means for the enforcement hereof.

Bill read first time, and referred to Committee on Oil Industries.

RESOLUTION.

The following resolution was offered:

By Senator Rochester:

Resolved, That Senate Bill No. 260 be withdrawn from the Committee on Finance and placed on file.

SPECIAL ORDER.

Senator Rochester moved that the preceding resolution be made a special order for Wednesday, April 29, 1931, at two o'clock and thirty minutes p.m.

Motion carried.

HOOR OF RECESS EXTENDED.

At one o'clock p.m., Senator Breed moved the hour of recess be extended until one o'clock and thirty minutes p.m.

Motion carried.

MESSAGES FROM THE ASSEMBLY.

The following messages from the Assembly were received and read:

ASSEMBLY CHAMBER, SACRAMENTO, April 14, 1931.

MR. PRESIDENT: I am directed to inform your honorable body that the Assembly amended, and on this day passed as amended, Senate Bill No. 18—An act to revise and consolidate the law relating to probate, including the custody, disposal by will, succession, administration and distribution of estates of decedents, the custody and administration of estates of persons under guardianship, and the custody of persons under guardianship; to repeal certain provisions of law therein revised and consolidated and therein specified; and to establish a Probate Code—and respectfully requests your honorable body to concur in said amendments.

ARTHUR A. OHNIMUS, Chief Clerk.
By FRED J. DESCH, Assistant Clerk.

CONSIDERATION OF ASSEMBLY AMENDMENTS.

The Senate took up for consideration Assembly amendments to Senate Bill No. 18—An act to revise and consolidate the law relating to probate, including the custody, disposal by will, succession, administration and distribution of estates of decedents, the custody and administration of estates of persons under guardianship, and the custody of persons under guardianship; to repeal certain provisions of law therein revised and consolidated and therein specified; and to establish a Probate Code.

ASSEMBLY AMENDMENTS TO SENATE BILL NUMBER EIGHTEEN.

AMENDMENT NUMBER ONE.

On page 20, line 40, of the printed bill, strike out the word "cost", and insert in lieu thereof the word "costs".

AMENDMENT NUMBER TWO.

On page 36 of the printed bill, strike out lines 18 to 23, both inclusive, and insert in lieu thereof the following: "must appoint three disinterested persons, one of whom must be one of the inheritance tax appraisers provided for by law. Any two of them may act, provided one of them be the inheritance tax appraiser. But the court may, in its discretion, appoint such inheritance tax appraiser as sole appraiser of the estate."

AMENDMENT NUMBER THREE.

On page 38 of the printed bill, after line 40, insert a new section as follows: "630.5. Whether a person dies testate or intestate, and irrespective of the character of his or her property, if the value of the estate does not exceed five thousand dollars, the spouse of the decedent, if entitled by succession or by the last will and testament of the decedent to any money of the decedent on deposit in bank, may collect such money, not to exceed the total sum of five hundred dollars, without procuring letters testamentary or of administration, upon furnishing the bank with an affidavit showing the right of the affiant to receive such money."

AMENDMENT NUMBER FOUR.

On page 38, line 44, of the printed bill, after the word "thereto", insert the following: ", without the necessity of inquiring into the truth of any of the facts stated in the affidavit".

AMENDMENT NUMBER FIVE.

On page 40, line 46, of the printed bill, after the word "may", add the words "in its discretion".

AMENDMENT NUMBER SIX.

On page 40, line 47, of the printed bill, after the word "all", add the words "or any part of".

AMENDMENT NUMBER SEVEN.

On page 40, line 48, of the printed bill, strike out the word "including", and insert in lieu thereof the following: "and must set apart to such spouse or to such minor child or children".

AMENDMENT NUMBER EIGHT.

On page 43 of the printed bill, strike out all of line 12 after the comma, and all of line 13, and insert in lieu thereof the following: "and there are other persons entitled to a family allowance, the allowance shall be granted only to those who have not such maintenance."

AMENDMENT NUMBER NINE.

On page 44, line 41, of the printed bill, strike out the words "bond, bill, note or other", and insert in lieu thereof "written".

AMENDMENT NUMBER TEN.

On page 53, line 1, of the printed bill, strike out the words "real property or some part thereof is located", and insert in lieu thereof "land or some portion thereof lies".

AMENDMENT NUMBER ELEVEN.

On page 60, line 38, of the printed bill, strike out the semicolon, and insert in lieu thereof ", or, if there is no such newspaper, then, in lieu of publication, three written or printed notices of the hearing shall be posted at three of the most public places in the county at least ten days before the hearing;"

AMENDMENT NUMBER TWELVE.

On page 62, after line 4, of the printed bill, insert "The carrying on of the decedent's business pursuant to an order of the court,"

AMENDMENT NUMBER THIRTEEN.

On page 62, line 28, of the printed bill, insert a period after the word "service", and strike out all of the remaining part of line 28 and lines 29 to 33, both inclusive.

AMENDMENT NUMBER FOURTEEN.

On page 63, after line 9, of the printed bill, insert a new section as follows:

"920.5. When a trust company is an executor, special administrator, or administrator with the will annexed, and in the exercise of reasonable judgment deposits money of the estate in any department of the corporation of which it is a part, it shall be chargeable with interest thereon at the rate of interest prevailing among banks of the locality upon such deposits."

AMENDMENT NUMBER FIFTEEN.

On page 75, line 6, of the printed bill, strike out the period, and insert in lieu thereof the following: "whether or not they are in being."

The question being: Shall the Senate concur in Assembly amendments to Senate Bill No. 18?

The roll was called, and Assembly amendments to Senate Bill No. 18 concurred in by the following vote:

AYES—Senators Allen, Breed, Carter, Cassidy, Cleveland, Crittenden, Deuel, Evans, Fellom, Harper, Hays, Ingels, Jones, Maloney, McCormack, McKinley, Mixter, Moran, Nelson, Pedrotti, Rich, Riley, Rochester, Sharkey, Slater, Treacy, Waggy, Williams, and Young—29.

NOES—None.

Senate Bill No. 18 ordered to print, and enrollment.

Also:

ASSEMBLY CHAMBER, SACRAMENTO, April 23, 1931.

MR. PRESIDENT: I am directed to inform your honorable body that the Assembly amended, and on this day passed as amended, Senate Bill No. 182—An act to authorize the counties of the State of California to establish systems for the retirement and pension of county and township officers and employees and to provide certain benefits for their dependents, and empowering county boards of supervisors to levy a special tax—and respectfully requests your honorable body to concur in said amendments.

ARTHUR A. OHNIMUS, Chief Clerk.

By A. W. ENGELKE, Assistant Clerk.

CONSIDERATION OF ASSEMBLY AMENDMENTS.

The Senate took up for consideration Assembly amendments to Senate Bill No. 182—An act to authorize the counties of the State of California to establish systems for the retirement and pension of county and township officers and employees and to provide certain benefits for their

dependents, and empowering county boards of supervisors to levy a special tax.

ASSEMBLY AMENDMENTS TO SENATE BILL NUMBER ONE HUNDRED
EIGHTY-TWO.

AMENDMENT NUMBER ONE.

In the title of the printed bill, strike out lines 1 to 5, inclusive, and insert in lieu thereof the following:

"An act to authorize the counties of the State of California to establish systems for the retirement and pension of certain county and township officers and employees, namely county peace officers as defined in the act, and to provide certain benefits for their dependents, and empowering county boards of supervisors to levy a special tax."

AMENDMENT NUMBER TWO.

On page 2, line 40, of the printed bill, strike out "such person".

AMENDMENT NUMBER THREE.

On page 6, between lines 3 and 4, of the printed bill, insert the following:

"SEC. 14. Any person who is eligible to participate in the pension system provided by this act and who does so participate and who is a member of or participant in or is eligible for membership or participation in any other pension system provided by law for county or township officers or employees shall upon his election to participate in the pension system provided by this act be ineligible for membership or participation in any other retirement or pension system provided by law for county or township officers or employees. Upon election by any said person to come within the provisions of this act said person shall automatically be excluded from any other system as aforementioned and any sums due such person under such other system shall be paid to him as in the case of separation from the service, it being the intention that the retirement system provided by this act shall be exclusive and that the persons entitled thereto shall not participate in any other system now or hereafter provided by law for county or township officers or employees.

No peace officer who receives compensation from the county for disability under any workmen's compensation act or by virtue of any judgment obtained against the county for disability shall receive any of the benefits provided by this act, nor in the event of his death shall any such benefits inure to his dependents as here provided; *provided, however,* that where such person is retired under the provisions of this act and would be entitled to a pension thereunder such person may receive such portion of the pension authorized as is represented by the difference between workmen's compensation and the full amount of the pension to which he might otherwise be entitled, it being the intention that the pension allowed for injury incurred in line of duty shall not be cumulative with the benefits under workmen's compensation which may be awarded for the same injury or disability."

AMENDMENT NUMBER FOUR.

On page 6, line 4, of the printed bill, strike out "14", and insert in lieu thereof "15".

AMENDMENT NUMBER FIVE.

On page 6 of the printed bill, after line 12, add the following:

"SEC. 16. The purpose of this act is to recognize a public obligation to employees in the public service whose duties expose them to more than ordinary risks and at the same time provide a means whereby such public employees who may be incapacitated in the performance of their duties, or by age, may be replaced by more capable employees to the betterment of the public service and without prejudice and without inflicting a hardship upon the employees removed, and the retirement pension and benefits herein provided are granted as an additional element of compensation for future services.

This act, therefore, shall be given a liberal interpretation with a view of carrying out such purpose and it shall not be construed as a local measure or one intended as a benefit to particular persons or places.

In case any section, or sections, or part of any section, of this act, shall be found to be unconstitutional or invalid for any reason, the remainder of the act shall not thereby be invalidated but shall remain in full force and effect."

The question being: Shall the Senate concur in Assembly amendments to Senate Bill No. 182?

The roll was called, and Assembly amendments to Senate Bill No. 182 concurred in by the following vote:

AYES—Senators Allen, Carter, Cassidy, Duval, Evans, Fellom, Harper, Hays, Ingels, Jones, Maloney, McCormack, McKinley, Mixter, Moran, Nelson, Pedrotti, Rich, Riley, Rochester, Sharkey, Slater, Treacy, Wag, Williams, and Young—26.
NOES—None.

Senate Bill No. 182 ordered to print, and enrollment.

Also:

ASSEMBLY CHAMBER, SACRAMENTO, April 24, 1931.

MR. PRESIDENT: I am directed to inform your honorable body that the Assembly on this day respectfully refused to concur in Senate amendments to Assembly Bill No. 58—An act providing for cooperative construction or improvement of highways by the State and a county or counties, and repealing an act entitled "An act providing for the construction and maintenance by the State of State aid highways in counties and towns," approved June 5, 1913, and all other acts or parts of acts in conflict herewith—and requests that your honorable body recede therefrom.

ARTHUR A. OHNIMUS, Chief Clerk.
By FRED J. DESCH, Assistant Clerk.

The question being: Shall the Senate recede from Senate amendments to Assembly Bill No. 58?

The roll was called, and the Senate refused to recede from Senate amendments to Assembly Bill No. 58 by the following vote:

AYES—None.

NOES—Senators Allen, Breed, Cassidy, Duell, Evans, Fellom, Harper, Hays, Ingels, Jones, Maloney, McCormack, McKinley, Mixer, Moran, Nelson, Pedrotti, Rich, Riley, Rochester, Sharkey, Treacy, Waggy, Williams, and Young—25.

APPOINTMENT OF COMMITTEE ON FREE CONFERENCE.

The President announced the appointment of Senators Ingels, Riley and Fellom, as a Committee on Free Conference, to meet with a like Committee from the Assembly to consider Senate amendments to Assembly Bill No. 58.

CONSIDERATION OF DAILY FILE.

THIRD READING OF ASSEMBLY BILLS.

Assembly Bill No. 1322—An act to add a new section to be numbered 9a23 to an act entitled "An act to provide for the establishment and maintenance of county free libraries in the State of California, and repealing 'An act entitled 'An act to provide county library systems,' approved April 12, 1909, and all acts and parts of acts in conflict with this act,' " approved February 25, 1911, as amended, relating to libraries in counties of the twenty-third class.

Bill read third time.

MOTION TO REFER TO SPECIAL COMMITTEE OF ONE.

During third reading of the bill, Senator Sharkey moved to refer Assembly Bill No. 1322 to Senator Tubbs, as a Special Committee of One, to amend as follows:

AMENDMENT NUMBER ONE.

On page 1, line 3, of the printed bill, strike out "9a25", and insert in lieu thereof the following: "9a23".

Motion carried.

REPORT OF SPECIAL COMMITTEE OF ONE.

SENATE CHAMBER, SACRAMENTO, April 23, 1931.

MR. PRESIDENT: Your Special Committee of One, to which was referred Assembly Bill No. 1322, with instructions to amend, respectfully reports the same back, amended as per instructions.

TUBBS, Committee.

Report read, and on motion of Senator Sharkey adopted.

Bill ordered to print.

CONSIDERATION OF DAILY FILE.

THIRD READING OF SENATE BILLS—(RESUMED).

Senate Bill No. 919—An act to amend section 4233 and to repeal section 4233a of the Political Code, relating to the salaries, fees and expenses of officers in counties of the fourth class.

Bill read third time.

MOTION TO REFER TO SPECIAL COMMITTEE OF ONE.

During third reading of the bill, Senator Harper moved to refer Senate Bill No. 919 to Senator Mixter, as a Special Committee of One, to amend as follows:

AMENDMENT NUMBER ONE.

On page 1, line 5, of the printed bill, after the figure "1.", insert the following: "The county clerk."

AMENDMENT NUMBER TWO.

On page 2 of the printed bill, after line 8, insert the following: "purpose of registering electors during said year of the general election, who shall be paid ten cents per name for each person legally registered by them; *provided*, that if, in counties of this class, there shall be created an additional department of the superior court, then and in that event the county clerk shall be allowed an additional court clerk, who shall receive a salary of two thousand one hundred dollars per annum, which sum shall be paid out of the county treasury in equal monthly installments at the same time and in the same manner as the other county officials are paid; the salaries and compensation of each of said deputies and clerks to be paid out of the county treasury in equal monthly installments in the same manner and at the same time as the other county officials are paid."

AMENDMENT NUMBER THREE.

On page 4, line 14, of the printed bill, after "5.", insert the words "The treasurer."

AMENDMENT NUMBER FOUR.

On page 7, line 6, of the printed bill, after "9.", insert the words "Superintendent of schools."

AMENDMENT NUMBER FIVE.

On page 7, line 30, of the printed bill, after "10.", insert the words "Public administrator."

AMENDMENT NUMBER SIX.

On page 8, line 1, of the printed bill, after "11.", insert the word "Coroner."

AMENDMENT NUMBER SEVEN.

On page 9 of the printed bill, strike out lines 31 to 35, inclusive, and insert in lieu thereof the following: "this class are hereby classified as follows: Townships having a population of over thirty thousand shall be designated as townships of the first class; townships having a population of more than fifteen thousand and under thirty thousand shall be designated as townships of the second class; townships having a population under fifteen thousand shall be designated as townships of the third class."

AMENDMENT NUMBER EIGHT.

On page 11 of the printed bill, strike out lines 27 to 34, inclusive.

AMENDMENT NUMBER NINE.

On page 11, line 43, of the printed bill, strike out "seven hundred twenty", and insert in lieu thereof the words "one thousand".

AMENDMENT NUMBER TEN.

On page 11 of the printed bill, after line 44, insert as a new paragraph the following:

"In townships of the third class in all criminal cases, in lieu of fees now allowed by law, seven hundred twenty dollars per annum."

AMENDMENT NUMBER ELEVEN.

On page 12 of the printed bill, after line 29, insert the following: "clerks, copyists and employees shall be paid by the counties of this class in monthly installments, at the same time, in the same manner, and out of the same fund as the salaries of the county officers are paid."

AMENDMENT NUMBER TWELVE.

On page 13, line 5, of the printed bill, strike out "the fifth", and insert in lieu thereof the word "this".

AMENDMENT NUMBER THIRTEEN.

On page 13 of the printed bill, strike out lines 19 to 25, inclusive.

AMENDMENT NUMBER FOURTEEN.

On page 13, line 26, of the printed bill, strike out "23", and insert in lieu thereof the figures "22".

Motion carried.

REPORT OF SPECIAL COMMITTEE OF ONE.

SENATE CHAMBER, SACRAMENTO, April 23, 1931.

MR. PRESIDENT: Your Special Committee of One, to which was referred Senate Bill No. 919, with instructions to amend, respectfully reports the same back, amended as per instructions.

MINTER, Committee.

Report read, and on motion of Senator Harper adopted.

Bill ordered to print, and re-engrossment.

MESSAGES FROM THE ASSEMBLY.

The following messages from the Assembly were received and read:

ASSEMBLY CHAMBER, SACRAMENTO, April 24, 1931.

MR. PRESIDENT: I am directed to inform your honorable body that the Assembly on this day concurred in Senate amendments to Assembly Bill No. 1601—An act to amend section 4279 of the Political Code, relating to compensation of county and township officers in counties of the fiftieth class.

ARTHUR A. OHNIMUS, Chief Clerk.
By FRED J. DESCH, Assistant Clerk.

Also:

ASSEMBLY CHAMBER, SACRAMENTO, April 24, 1931.

MR. PRESIDENT: I am directed to inform your honorable body that the Assembly on this day concurred in Senate amendments to Assembly Bill No. 72—An act to amend section 1607 of the Penal Code, relating to the medical treatment of prisoners.

ARTHUR A. OHNIMUS, Chief Clerk.
By FRED J. DESCH, Assistant Clerk.

Also:

ASSEMBLY CHAMBER, SACRAMENTO, April 23, 1931.

MR. PRESIDENT: I am directed to inform your honorable body that the Assembly on this day passed Senate Bill No. 863—An act to amend section 1641 of the Weights and Measures Act, relating to sealers of weights and measures in counties of the forty-first class;

Also: Senate Bill No. 491—An act to amend section 384 of the Penal Code, relating to fires;

Also: Senate Bill No. 430—An act adding a new section to be numbered 7b to chapter 648, Statutes of 1909, entitled "An act to form agricultural districts, to provide for the formation, organization and powers, of agricultural associations therein and for the management and control of the same by the State, and repealing all acts and portions of acts in conflict with this act," as amended, relating to the use and disposition of moneys and funds of district agricultural associations;

Also: Senate Bill No. 681—An act to promote the development of the California ripe olive industry and to prevent deception in the packing and sale of canned ripe olives by establishing and defining certain standards for canned ripe olives, defining the powers and duties of the Director of the Department of Agriculture in relation hereto including the collection of fees, creating a Board of Appeal and defining its powers and duties in relation hereto and fixing the compensation of the members thereof, prescribing penalties for violations hereof and making an appropriation to carry out the provision hereof;

Also: Senate Bill No. 866—An act to amend section 232241 of the Political Code, relating to the office of agricultural commissioner in counties of the forty-first class;

Also: Senate Bill No. 867—An act to amend section 19441 of the Juvenile Court Law, relating to probation officers in counties of the forty-first class.

ARTHUR A. OHNIMUS, Chief Clerk.
By A. W. ENGELKE, Assistant Clerk.

Senate Bills Nos. 863, 491, 430, 681, 866 and 867 ordered to enrollment.

Also:

ASSEMBLY CHAMBER, SACRAMENTO, April 23, 1931.

MR. PRESIDENT: I am directed to inform your honorable body that the Assembly on this day passed Senate Bill No. 773—An act providing for the organization of water districts by the board of supervisors of the different counties of the State upon petition therefor by the landowners; providing for the joint government and control thereof by the landowners thereof and the board of supervisors of the county in which the same are formed; providing for the duties in connection therewith of the county officials of each county in which any of the lands contained in said district are located; providing for the acquisition and construction by said district of irrigation works, for the irrigation of the lands embraced therein and for the distribution thereby of water for irrigation purposes; providing for the payment of the debts thereof by a tax levied on the lands embraced therein; providing for the issuance and sale of bonds thereby; providing for the transfer of the properties of such districts to any reclamation, drainage or irrigation project and the extension of contracts providing for such transfer in exchange for the right to receive and use water; providing for the approval of the California Bond Certification Commission of such contracts or transfers; providing that said bonds and contracts or transfers may be investigated by the California Bond Certification Commission; providing for the approval of said bonds and such transfers, or contracts providing therefor by the California Bond Certification Commission in case said investigation is favorably reported and that thereafter said bonds may be lawfully purchased, or received in pledge as security for any money or deposits or for the performance of any act, by banks, banking institutions, insurance companies, trust companies, guardians, executors, administrators and special administrators; providing in certain cases for the transfer of districts from the supervision of one county board of supervisors to another; providing for the dissolution of said districts for nonuser of corporate power; and providing for the annexation of lands to and the exclusion of lands from such districts," approved June 13, 1913, as amended, by chapter 758, Statutes of 1929, by amending sections 2, 2b, 2d, 4, 5, 6, 8, 9, 10, 11, 13, 14, 15, 17, 19, 20, 21, 23, 30, 31, 36, 39 and 49 and by adding a new section thereto to be numbered section 60, relating to the organization, functions, purposes, powers, duties, government, dissolution and control of water districts and the election, appointment, qualifications, tenure, functions, powers, duties and jurisdiction of the officers and employees thereof; supervision of county boards of supervisors thereover, the assessment, fixing of rate and levy of taxes therefor; issuance, approval, and sale of bonds; receipt and disposition of moneys; annexation and exclusion of lands; the office of the district; the securing, use and disposition of water for irrigation purposes and the irrigation of lands therein; and obtaining, maintaining, use and construction of irrigation works.

ARTHUR A. OHNIMUS, Chief Clerk.
By A. W. ENGELKE, Assistant Clerk.

Senate Bill No. 773 ordered to enrollment.

Also:

ASSEMBLY CHAMBER, SACRAMENTO, April 23, 1931.

MR. PRESIDENT: I am directed to inform your honorable body that the Assembly on this day adopted Senate Concurrent Resolution No. 18—Relative to highway extension for the purpose of developing agricultural and natural resources.

ARTHUR A. OHNIMUS, Chief Clerk.
By A. W. ENGELKE, Assistant Clerk.

Senate Concurrent Resolution No. 18 ordered to enrollment.

Also:

ASSEMBLY CHAMBER, SACRAMENTO, April 23, 1931.

MR. PRESIDENT: I am directed to inform your honorable body that the Assembly on this day passed Senate Bill No. 151—An act to validate bonds, including refunding bonds, of reclamation districts and all proceedings relative thereto, and to provide for the levy and collection of taxes to pay the principal and interest on such bonds;

Also: Senate Bill No. 345—An act to amend section 2 of chapter 591, Statutes of 1915, entitled "An act to create a reclamation district to be called 'Reclamation District No. 1660,' and providing for the control and management thereof";

Also: Senate Bill No. 126—An act to provide for the recall of elective officers of incorporated cities and towns, and to repeal chapter 32, Statutes of 1911, extra session, entitled "An act to provide for the recall of elective officers of incorporated cities and towns," approved January 2, 1912;

Also: Senate Bill No. 89—An act to amend section 15 of chapter 755 of the Statutes of 1915, entitled "Los Angeles County Flood Control Act," approved June 12, 1915, as amended, relating to contracts for work, materials and supplies;

Also: Senate Bill No. 47—An act to add section 5128 to the School Code, relating to the requirements to be met by persons applying for credentials for employment in the public schools.

ARTHUR A. OHNIMUS, Chief Clerk.
By A. W. ENGELKE, Assistant Clerk.

Senate Bills Nos. 151, 345, 126, 89 and 47 ordered to enrollment.

Also:

ASSEMBLY CHAMBER, SACRAMENTO, April 23, 1931.

MR. PRESIDENT: I am directed to inform your honorable body that the Assembly on this day passed Senate Bill No. 382—An act to amend section 31 of chapter 89, Statutes of 1897, the California Irrigation District Act, by amending section 31 thereof, relating to the issuance of bonds;

Also: Senate Bill No. 508—An act to amend section 626 of the Penal Code, relating to the protection of fish and game;

Also: Senate Bill No. 150—An act confirming and validating the formation or organization and existence of reclamation districts.

ARTHUR A. OHNIMUS, Chief Clerk.
By A. W. ENGELKE, Assistant Clerk.

Senate Bills Nos. 382, 508 and 150 ordered to enrollment.

Also:

ASSEMBLY CHAMBER, SACRAMENTO, April 23, 1931.

MR. PRESIDENT: I am directed to inform your honorable body that the Assembly on this day passed Senate Bill No. 403—An act to provide for the inspection and certification of liquid eggs, frozen eggs and dried eggs and any other egg products imported into the State of California from without the United States for the purpose of human consumption; to prescribe certain powers and duties of the State Department of Public Health with respect thereto, and to provide penalties for violations of the provisions of this act;

Also: Senate Bill No. 289—An act to amend chapter 207, Statutes of 1921, entitled "An act to authorize counties to cooperate with the Secretary of Agriculture of the United States for the survey, construction and maintenance of roads and trails, and to pay part of the expenses thereof, pursuant to the provisions of section 8 of the act of Congress approved July 11, 1916, entitled 'An act to provide that the United States shall aid the states in the construction of rural post roads and for other purposes,'" approved May 23, 1921, relating to roads and trails;

Also: Senate Bill No. 30—An act to amend section 831 of the Code of Civil Procedure, relating to change of place of trial;

Also: Senate Bill No. 772—An act to amend section 21, chapter 914, Statutes of 1921, entitled California Water Storage District Act, approved June 3, 1921, as amended, relating to the collection of unpaid assessments, the sale of property for delinquent assessments and the redemption of said property.

ARTHUR A. OHNIMUS, Chief Clerk.
By A. W. ENGELKE, Assistant Clerk.

Senate Bills Nos. 403, 289, 30 and 772 ordered to enrollment.

Also:

ASSEMBLY CHAMBER, SACRAMENTO, April 24, 1931.

MR. PRESIDENT: I am directed to inform your honorable body that the Assembly on April 23, 1931, passed Senate Bill No. 423—An act to amend section 521 of the School Code, relating to the management and control of funds of State teachers colleges.

ARTHUR A. OHNIMUS, Chief Clerk.
By FRED J. DESCH, Assistant Clerk.

Senate Bill No. 423 ordered to enrollment.

Also:

ASSEMBLY CHAMBER, SACRAMENTO, April 24, 1931.

MR. PRESIDENT: I am directed to inform your honorable body that the Assembly on this day passed Assembly Bill No. 467—An act granting in trust to the City and County of San Francisco the interest of the State in and to, and the control and management of the harbor of San Francisco, as described in the act; providing for the disposition of revenues derived from the operation of said harbor; providing for the sale of bonds authorized but not sold; providing for the payment of interest on bonds, and for the redemption of bonds; fixing the terms and conditions of the grant; providing for the issuance of a proclamation by the Governor.

ARTHUR A. OHNIMUS, Chief Clerk.
By FRED J. DESCH, Assistant Clerk.

Assembly Bill No. 467 read first time, and referred to Committee on Commerce and Navigation.

Also:

ASSEMBLY CHAMBER, SACRAMENTO, April 24, 1931.

MR. PRESIDENT: I am directed to inform your honorable body that the Assembly on this day passed Assembly Bill No. 138—An act to add two new sections to the State Civil Service Act to be numbered 26a and 26b, relating to preference to disabled veterans;

Also: Assembly Bill No. 678—An act to amend an act, entitled "An act to provide for the formation, organization and government of storm-water districts, for the purpose of protecting the land therein from damage from storm water and from the waters of any unnavigable stream, watercourse, canyon or wash, for the construction of the necessary works of protection by said district, and for the levying of taxes and assessments to pay for the cost of constructing, repairing and maintaining such improvements," approved March 13, 1909, as amended, by amending section 25 and section 26 thereof to provide that where any new or additional improvements have been constructed other than those which have been constructed under the first proceedings had for that purpose, that all moneys required for the maintenance and repair of such improvements shall be chargeable to the land which originally bore the cost of such improvements, and also to provide that any damages caused the district or any part thereof by reason of such additional improvements shall be charged against the land which originally bore the cost of such improvements;

Also: Assembly Bill No. 1680—An act to amend section 146a of the Penal Code, relating to falsely representing a public officer;

Also: Assembly Bill No. 799—An act to amend the title and sections 1, 2 and 7 of chapter 729, Statutes of 1909, entitled "An act to provide for the protection and preservation of shade and ornamental trees growing and to be grown upon the roads, highways, grounds and property within the State of California; and for the planting, care, protection and preservation of shade and ornamental trees, hedges, lawns, shrubs and flowers growing and to be grown in and upon such roads, highways, grounds and property; and to create county boards of forestry for such purposes; and to prescribe the duties and powers of such boards; and to authorize such boards to appoint county foresters; and to prescribe the duties and fix the compensation of county forester, and to empower such boards to enforce all laws and adopt and enforce any and all lawful and reasonable rules for the protection, planting, regulation, preservation, care and control of such shade and ornamental trees, hedges, lawns, shrubs and flowers," approved April 28, 1909, as amended, relating to protection from fire, diseases, pests, or any other dangers, of any nature, to the safety and encouragement of such growths.

ARTHUR A. OHNIMUS, Chief Clerk.
By FRED J. DESCH, Assistant Clerk.

Assembly Bill No. 138 read first time, and referred to Committee on Governmental Efficiency.

Assembly Bill No. 678 read first time, and referred to Committee on Conservation.

Assembly Bill No. 1680 read first time, and referred to Committee on Judiciary.

Assembly Bill No. 799 read first time, and referred to Committee on Roads and Highways.

RESOLUTION.

The following resolution was offered:

By Senator Ingels:

WHEREAS, The Senate desks are inadequately equipped with locks; and

WHEREAS, Many of the members have been inconvenienced by reason of the failure to properly lock their desks; therefore, be it

Resolved, That the Secretary of the Senate, be and he is hereby instructed and directed to secure suitable locks and to have Mr. Frank N. Killam, Superintendent of the Capitol Building and Grounds, install same on the desks of the Senate.

Resolution referred to Committee on Contingent Expenses.

REPORTS OF STANDING COMMITTEES—(RESUMED).

The following reports of standing committees were received and read:

ON EDUCATION.

SENATE CHAMBER, SACRAMENTO, April 24, 1931.

MR. PRESIDENT: Your Committee on Education, to which was referred Senate Bill No. 665—An act providing for the conditional retirement and service of justices of the supreme court and of the district courts of appeal, and judges of the superior court and of the municipal courts, and prescribing their duties; and also providing for an additional judge and his compensation;

Also: Senate Bill No. 666—An act to amend section 13 of an act entitled "An act to regulate and license the business of producing, refining or distributing gasoline, distillate and other motor vehicle fuels, providing for the collection and disposition of license taxes, prescribing penalties for violation of the provisions of said act, and repealing all acts and parts of acts inconsistent herewith," approved May 30, 1923, as amended, and providing for the creation of the "Grade Separation Fund" and authorizing its expenditure in partially defraying the cost of the separation of grades at railroad crossings;

Has had the same under consideration, and respectfully reports the same back with amendments, and recommends that the amendments be adopted, and the bill be re-referred to this committee.

Committee membership 13; committee vote: Ayes—12; absent 1.

SLATER, Chairman.

CONSIDERATION OF COMMITTEE AMENDMENTS.

Pursuant to the report of the Committee on Education, the following amendments to Senate Bill No. 665 were read and adopted:

AMENDMENT NUMBER ONE.

On page 1, line 4, of the printed bill, strike out the word "tenth", and insert in lieu thereof the word "twenty-fifth".

AMENDMENT NUMBER TWO.

On page 1, line 4, of the printed bill, after the word "July", insert the following: "and after the public hearing as provided in section 4.383 supra has been held".

AMENDMENT NUMBER THREE.

On page 1, line 14, of the printed bill, strike out the word "twentieth", and insert in lieu thereof the word "fifth".

AMENDMENT NUMBER FOUR.

On page 1, line 14, of the printed bill, strike out the word "July", and insert in lieu thereof the word "August".

AMENDMENT NUMBER FIVE.

On page 1, line 22, of the printed bill, strike out the words "The board of supervisors shall", and strike out all of lines 23 and 24, and add the following:

"Unless objection to said budget be made by ten or more taxpayers of the district to said supervisors within ten days after the public hearings provided in section 4.383 has been held, the budget as resubmitted by the trustees shall be final. If such objection be made, however, then the board of supervisors may revise the budget in whole or in part and settle the same, but shall not revise the budget so as to increase the total amount thereof.

When any school district is situated partly within two or more counties, the county superintendent of schools having jurisdiction over the district shall submit the estimate or budget to the board of supervisors of the county in which the greatest assessed valuation of the district is located. Any review or revision of the budget which said supervisors may make shall be made within ten days before the time set for the levy of county taxes, and the estimate or budget for the district. A certified copy of such estimate or budget as finally adopted by such board of supervisors shall be transmitted immediately by the clerk of said board to the board of supervisors of each county in which the district is located, and a tax shall be levied by the board of supervisors of each county in which district has property pursuant to article ten of this chapter.

Nothing herein shall be construed as repealing the provisions of chapter II of this part."

Bill ordered to print, and re-referred to Committee on Education.

CONSIDERATION OF COMMITTEE AMENDMENT.

Pursuant to the report of the Committee on Education, the following amendment to Senate Bill No. 666 was read and adopted:

AMENDMENT NUMBER ONE.

On page 1, line 14, of the printed bill, strike out the words "in section 4.370", and insert in lieu thereof the word "herein".

Bill ordered to print, and re-referred to Committee on Education.

ON LABOR AND CAPITAL.

SENATE CHAMBER, SACRAMENTO, April 23, 1931.

MR. PRESIDENT: Your Committee on Labor and Capital, to which was referred Senate Bill No. 177—An act to add a new section, to be numbered section 11b, to an act entitled "An act regulating private employment agencies, providing for a license for the operation thereof and a fee therefor, providing forms of receipts and registers to be used and kept, prohibiting any charge for registering or filing application for help or employment, prohibiting the dividing of fees, providing for the refunding of fees and expenses in the event of failure to procure employment, and granting the Commissioner of the Bureau of Labor Statistics the power to prescribe rules and regulations to carry out the purpose and intent of this act," approved June 3, 1913, as amended, requiring licensed employment agencies to print or publish the maximum fees which they charge for positions on all their advertising matter, including introduction cards, bulletins, blotters, throw-aways, newspaper and other advertising—has had the same under consideration, and respectfully reports the same back, and recommends that it do pass.

Committee membership—9; committee vote: Ayes—7; absent—2.

MALONEY, Chairman.

Senate Bill No. 177 ordered on file for second reading.

Also:

MR. PRESIDENT: Your Committee on Labor and Capital, to which was referred Assembly Bill No. 713—An act to add a new section to the Civil Code to be numbered 2016, defining the liability of the master to his servant when requiring such servant to wear a uniform or special dress in performing the duties of the employment—has had the same under consideration, and respectfully reports the same back and recommends that it do pass.

Committee membership—9; committee vote: Ayes—7; absent—2.

MALONEY, Chairman.

Assembly Bill No. 713 ordered on file for second reading.

ON ELECTIONS.

SENATE CHAMBER, SACRAMENTO, April 24, 1931.

MR. PRESIDENT: Your Committee on Elections, to which was referred Assembly Bill No. 454—An act to amend section 1160 of the Political Code, relating to the opening and closing of the polls;

Also: Assembly Bill No. 455—An act to amend section 14 of the Direct Primary Law, relating to the opening and closing of the polls at primary elections;

Also: Assembly Bill No. 456—An act to amend section 1264 of the Political Code, relating to elections;

Also: Assembly Bill No. 270—An act to amend sections 1, 4 and 6 of an act entitled "An act to permit the consolidation of elections and to provide a procedure therefor," approved June 11, 1913, as amended, relating to consolidation of elections; Has had the same under consideration, and respectfully reports the same back, and recommends that they do pass.

Committee membership—11; committee vote: Ayes—10; absent—1.

FELLOM, Chairman.

Assembly Bills Nos. 454, 455, 456 and 270 ordered on file for second reading.

ON MILITARY AFFAIRS.

SENATE CHAMBER, SACRAMENTO, April 24, 1931.

MR. PRESIDENT: Your Committee on Military Affairs, to which was referred Assembly Concurrent Resolution No. 16—Relative to General Pulaski's Memorial Day—has had the same under consideration, and respectfully reports the same back, and recommends that it be re-referred to Committee on Judiciary.

Committee membership—11; committee vote: Ayes—6; absent—5.

HAYS, Chairman.

Assembly Concurrent Resolution No. 16 ordered re-referred to Committee on Judiciary.

Also:

MR. PRESIDENT: Your Committee on Military Affairs, to which was referred Assembly Bill No. 682—An act to amend section 12 of an act entitled "An act to accept from the Veterans' Home Association the conveyance of, and to vest the title in the State of California to, the tract of land in Napa County known as the Veterans' Home, with the improvements and furnishings thereon, to make the same a State home for United States soldiers, sailors, and marines, and to provide for the government thereof by the State," approved March 11, 1897, as amended;

Also: Assembly Bill No. 817—An act to amend section 2 of, and to add section 7a to, the Veterans' Farm and Home Purchase Act, approved May 30, 1921, as amended, relating to farm and home aid for veterans and their widows; Has had the same under consideration, and respectfully reports the same back with amendments, and recommends that the amendments be adopted, and that they do pass as amended.

Committee membership—11; committee vote: Ayes—6; absent—5.

HAYS, Chairman.

Assembly Bills Nos. 682 and 817 ordered on file for second reading.

ON PRISONS AND REFORMATORIES.

SENATE CHAMBER, SACRAMENTO, April 24, 1931.

MR. PRESIDENT: Your Committee on Prisons and Reformatories, to which was referred Assembly Bill No. 121—An act to amend sections 1 and 2 of an act entitled "An act fixing the price, terms and conditions of sale at which jute goods shall be sold by the State, and providing for prosecution of and punishment of offenses under the same," approved May 19, 1927, relating to the sale of jute goods and providing that this act shall take effect immediately—has had the same under consideration, and respectfully reports the same back, and recommends that it do pass.

Committee membership—7; committee vote: Ayes—5; absent—2.

PEDROTTI, Chairman.

Assembly Bill No. 121 ordered on file for second reading.

ON EDUCATION.

SENATE CHAMBER, SACRAMENTO, April 24, 1931.

MR. PRESIDENT: Your Committee on Education, to which was referred Assembly Bill No. 804—An act to add a new section to the School Code to be numbered 2,657, relating to the annexation of elementary school districts to county high school districts—has had the same under consideration, and respectfully reports the same back with amendments, and recommends that the amendments be adopted, and that it do pass as amended.

Committee membership—13; committee vote: Ayes—12; absent—1.

SLATER, Chairman.

Assembly Bill No. 804 ordered on file for second reading.

Also:

MR. PRESIDENT: Your Committee on Education, to which was referred Assembly Bill No. 1239—An act to amend chapters III and VII, part III, division V of the School Code, by adding to chapter III a new article to be numbered IV, and by adding to chapter VII a new article to be numbered Va, relating to the employment and dismissal of temporary employees requiring certification qualifications;

Also: Assembly Bill No. 366—An act to repeal article I, embracing sections 5,500 to 5,502, both inclusive, of chapter III of part III of division V of the School Code; to repeal article II, embracing sections 5,650 and 5,651, and article III, embracing sections 5,660 to 5,670, both inclusive, of chapter VII of part III of division V of the School Code; to repeal article VI, embracing sections 5,700 and 5,701, of chapter VII of part III of division V of the School Code; to add a new article to chapter III of part III of division V thereof to be known as article I, embracing sections 5,500 to 5,504, both inclusive, and to add a new article to chapter VII of part III of division V thereof, to be known as article II, embracing sections 5,650 to 5,667, both inclusive; to add thereto a new section to be numbered 5,407; and to amend sections 5,520 and 5,681 thereof, all relating to the classification and dismissal of persons employed by school districts in positions requiring certification qualifications;

Has had the same under consideration, and respectfully reports the same back, and recommends that they do pass.

Committee membership—13; committee vote: Ayes—12; absent—1.

SLATER, Chairman.

Assembly Bills Nos. 1239 and 366 ordered on file for second reading.

Also:

MR. PRESIDENT: Your Committee on Education, to which was referred Senate Bill No. 384—An act to repeal articles I, II, III, IV, V and IX, embracing respectively, sections 2.670 to 2.674, both inclusive, of the School Code; sections 2.680 to 2.684, both inclusive, sections 2.690 to 2.693, both inclusive, sections 2.700 to 2.710, both inclusive, sections 2.720 to 2.728, both inclusive, section 2.760, all of chapter XI of part I of division II of the School Code; to repeal article II, embracing sections 2.1130 and 2.1131, both inclusive, of chapter V of part II of division II of the School Code; to repeal sections 2, 3, and 4 of chapter 433 of the Statutes of 1929, entitled "An act relating to the formation, suspension and support of junior college districts and the powers of governing boards thereof," approved May 23, 1929; to repeal article II, embracing sections 3.370 to 3.374, both inclusive, of chapter VI of part III of division III of the School Code; to repeal article VIII, embracing sections 2.750 to 2.753, both inclusive, of chapter XI of part I of division II of the School Code; to add new articles to chapter XI of part I of division II of the School Code to be known as articles I, II, and IX, embracing respectively sections 2.670 to 2.677, both inclusive; sections 2.680 to 2.689, both inclusive; section 2.760; to add a new article to chapter V of part II of division II of the School Code to be known as article II, embracing sections 2.1130 and 2.1131; to add new sections to the School Code to be numbered 4.943 and 4.944; and to amend sections 2.740, 2.741, 2.742, 2.1121, 2.1140, 2.1150, 2.1160, 2.1170, 4.941 and 4.942, all relating to the formation, suspension, reestablishment, lapsation, government and support of junior college districts;

Also: Senate Bill No. 895—An act to amend sections 3.354 and 3.411 of the School Code, relating to minimum requirements for graduation from junior college courses of study;

Has had the same under consideration, and respectfully reports the same back with amendments, and recommends that the amendments be adopted, and that they do pass as amended.

Committee membership—13; committee vote: Ayes—12; absent—1.

SLATER, Chairman.

Senate Bills Nos. 384 and 895 ordered on file for second reading.

Also:

MR. PRESIDENT: Your Committee on Education, to which was referred Senate Bill No. 950—An act to amend section 5.1043 of the School Code, relating to the payment of contributions to the Public School Teachers Permanent Fund—has had the same under consideration, and respectfully reports the same back, and recommends that it do pass.

Committee membership—13; committee vote: Ayes—12; absent—1.

SLATER, Chairman.

Senate Bill No. 950 ordered on file for second reading.

Also:

MR. PRESIDENT: Your Committee on Education, to which was referred Senate Concurrent Resolution No. 31 Relating to the Marshall monument at Coloma, El Dorado County—has had the same under consideration, and respectfully reports the same back, and recommends that it be adopted.

Committee membership—13; committee vote: Ayes—12; absent—1.

SLATER, Chairman.

Senate Concurrent Resolution No. 31 ordered on file.

Also:

MR. PRESIDENT: Your Committee on Education, to which was referred Assembly Bill No. 1168—An act to amend sections 6.260, 6.262, 6.264 and 6.523 of, and to add sections 2.1223 and 6.5614 to the School Code, relating to the public school system—has had the same under consideration, and respectfully reports the same back with amendments, and recommends that the amendments be adopted, and the bill be re-referred to this committee.

Committee membership—13; committee vote: Ayes—12; absent—1.

SLATER, Chairman.

CONSIDERATION OF COMMITTEE AMENDMENTS.

Pursuant to the report of the Committee on Education, the following amendments to Assembly Bill No. 1168 were read and adopted:

AMENDMENT NUMBER ONE.

On page 2, line 9, of the printed bill, as amended in Assembly April 16, 1931, strike out the comma after the word "adopted", and insert in lieu thereof a semicolon.

AMENDMENT NUMBER TWO.

On page 2, line 9, of the printed bill, as amended in Assembly April 16, 1931, strike out the word "the also", and insert in lieu thereof the word "This".

AMENDMENT NUMBER THREE.

On page 2, line 13, of the printed bill, as amended in Assembly April 16, 1931, strike out the period and insert in lieu thereof the following: "; provided, further, that nothing in this section shall be construed as prohibiting district boards of school trustees, city boards of education and county libraries from ordering and purchasing such supplementary textbooks as may be required."

Bill ordered to print, and re-referred to Committee on Education.

Also:

MR. PRESIDENT: Your Committee on Education, to which was referred Senate Bill No. 832—An act to amend sections 4871, 4872, 4873, 4874, 4875, 4890, 4891, 4892, 4893, 4894, 4895, and 4896 of the School Code and to repeal sections 4876, 4897, 4899, 4900, 4921, 4925, 4926 and 4927 thereof relating to the apportionment of State and county funds to large school districts—has had the same under consideration, and respectfully reports the same back with amendments, and recommends that the amendments be adopted, and that it do pass as amended.

Committee membership—13; committee vote: Ayes—12; absent—1.

SLATER, Chairman.

Senate Bill No. 832 ordered on file for second reading.

ON DRAINAGE, SWAMP AND OVERFLOWED LANDS.

SENATE CHAMBER, SACRAMENTO, April 22, 1931.

MR. PRESIDENT: Your Committee on Drainage, Swamp and Overflowed Lands, to which was referred Senate Bill No. 622—An act to amend an act entitled "An act to create a flood control district to be called 'Los Angeles County Flood Control District'; to provide for the control and conservation of flood and storm waters, and for the protection of harbors, waterways, public highways and property in said district from damage from such waters, and for the construction of works and the acquisition of property therefor; to authorize the incurring of indebtedness, and the voting, issuing and selling of bonds, and the levying and collecting of taxes by said district; to provide for the government and control of said district, and to define the powers and duties of the officers thereof," by increasing the purposes for which said Los Angeles County Flood Control District was created—has had the same under consideration, and respectfully reports the same back with amendments, and recommends that the amendments be adopted, and that it do pass as amended.

Committee membership—5.

(Signed out)

MCCORMACK, Chairman.
CRITTENDEN.
EVANS.
MORAN.
SWING.

Senate Bill No. 622 ordered on file for second reading.

ON PUBLIC CHARITIES AND CORRECTIONS.

SENATE CHAMBER, SACRAMENTO, April 24, 1931.

MR. PRESIDENT: Your Committee on Public Charities and Corrections, to which was referred Assembly Bill No. 966—An act to amend section 4099a of the Political Code, relating to accounts of orphans and half-orphans—has had the same under consideration, and respectfully reports the same back, and recommends that it do pass.

Committee membership—5; committee vote: Ayes—3; absent—2.

MORAN, Chairman.

Assembly Bill No. 966 ordered on file for second reading.

Also:

MR. PRESIDENT: Your Committee on Public Charities and Corrections, to which was referred Assembly Bill No. 510—An act to revise chapter 529, Statutes of 1929, entitled "An act to provide for needy blind persons, not inmates of any institution supported in whole or in part by the State or any of its political subdivisions, making appropriation therefor and prescribing penalties for the violation of the provisions of the act," approved May 28, 1929—has had the same under consideration, and respectfully reports the same back with amendments, and recommends that the amendments be adopted, and that it do pass as amended.

Committee membership—5; committee vote: Ayes—3; absent—2.

MORAN, Chairman.

Assembly Bill No. 510 ordered on file for second reading.

Also :

MR. PRESIDENT: Your Committee on Public Charities and Corrections, to which was referred Assembly Bill No. 242—An act to amend sections 2187, 2240 and 2255 of the Political Code, relating to county settlements with the State for maintenance of inmates in institutions and of pupils at the California School for the Deaf and the California School for the Blind—has had the same under consideration, and respectfully reports the same back with amendments, and recommends that the amendments be adopted, and that it do pass as amended.

(Signed out)

MORAN, Chairman.
INGELS,
PEDROTTI,
RILEY,
WILLIAMS.

Assembly Bill No. 242 ordered on file for second reading.

ON COUNTY GOVERNMENT.

SENATE CHAMBER, SACRAMENTO, April 24, 1931.

MR. PRESIDENT: Your Committee on County Government, to which was referred Assembly Bill No. 285—An act to amend section 2322x51 of the Political Code, relating to the salary of the agricultural commissioner in counties of the fifty-first class;

Also: Assembly Bill No. 1798—An act to amend section 16x51 of the Weights and Measures Act, relating to sealers of weights and measures in counties of the fifty-first class;

Also: Assembly Bill No. 284—An act to amend section 19x51 of the Juvenile Court Law, as amended, relating to probation officers in counties of the fifty-first class;

Also: Assembly Bill No. 1578—An act to amend section 2322x47 of the Political Code, relating to the office of agricultural commissioner in counties of the forty-seventh class;

Has had the same under consideration, and respectfully reports the same back, and recommends that they do pass.

Committee membership—9; committee vote: Ayes—7; absent—2.

WAGY, Chairman.

Assembly Bills Nos. 285, 1798, 284 and 1578 ordered on file for second reading.

Also :

MR. PRESIDENT: Your Committee on County Government, to which was referred Assembly Bill No. 1579—An act to add section 19x47 to the Juvenile Court Law, relating to probation officers in counties of the forty-seventh class;

Also: Assembly Bill No. 1577—An act to amend section 4275 of the Political Code, relating to compensation of county and township officers in counties of the forty-sixth class;

Also: Assembly Bill No. 1592—An act to amend section 19x46 of the Juvenile Court Law, relating to probation officers in counties of the forty-sixth class;

Also: Assembly Bill No. 1593—An act to amend section 2322x46 of the Political Code, relating to the office of agricultural commissioner in counties of the forty-sixth class;

Also: Assembly Bill No. 1581—An act to amend section 16x52 of the Weights and Measures Act, relating to sealers of weights and measures in counties of the fifty-second class;

Also: Assembly Bill No. 1582—An act to amend section 2322x52 of the Political Code, relating to the office of agricultural commissioner in counties of the fifty-second class;

Has had the same under consideration, and respectfully reports the same back, and recommends that they do pass.

Committee membership—9; committee vote: Ayes—7; absent—2.

WAGY, Chairman.

Assembly Bills Nos. 1579, 1577, 1592, 1593, 1581 and 1582 ordered on file for second reading.

Also :

MR. PRESIDENT: Your Committee on County Government, to which was referred Assembly Bill No. 402—An act to add section 9a5 to an act entitled "An act to provide for the establishment and maintenance of county free libraries in the State of California, and repealing 'An act entitled "An act to provide county library systems," approved April 12, 1900, and all acts and parts of acts in conflict with this act,"

approved February 25, 1911, as amended, relating to libraries in counties of the fifth class;

Also: Assembly Bill No. 403—An act to amend section 16r5 of the Weights and Measures Act, relating to sealers of weights and measures in counties of the fifth class;

Also: Assembly Bill No. 405—An act to amend section 19r5 of the Juvenile Court Law, relating to probation officers in counties of the fifth class;

Also: Assembly Bill No. 726—An act to amend sections 4236b, 4236d, 4236g, 4236h, 4236i, of the Political Code, relating to county and township officers in counties of the seventh class, the assistants, deputies, and other employees of said officers, and provided for the compensation of said officers and said assistants, deputies, and other employees;

Also: Assembly Bill No. 1292—An act to amend section 4041.13 of the Political Code, relating to powers of boards;

Also: Assembly Bill No. 1595—An act to amend sections 16r46 and 16r47 of the Weights and Measures Act, relating to sealers of weights and measures in counties of the forty-sixth and forty-seventh classes;

Has had the same under consideration, and respectfully reports the same back, and recommends that they do pass.

Committee membership—9; committee vote: Ayes—7; absent—2.

WAGY, Chairman.

Assembly Bills Nos. 402, 403, 405, 726, 1292 and 1595 ordered on file for second reading.

Also:

MR. PRESIDENT: Your Committee on County Government, to which was referred Assembly Bill No. 1642—An act to amend section 4258 of the Political Code, relating to compensation of county and township officers in counties of the twenty-ninth class;

Also: Assembly Bill No. 1646—An act to amend section 2322r29 of the Political Code, relating to the office of agricultural commissioner in counties of the twenty-ninth class;

Also: Assembly Bill No. 1643—An act to add section 9a29 to the act entitled "An act to provide for the establishment and maintenance of county free libraries in the State of California, and repealing 'An act entitled 'An act to provide county library systems,' approved April 12, 1909, and all acts and parts of acts in conflict with this act,'" approved February 25, 1911, as amended, relating to librarians in counties of the twenty-ninth class;

Also: Assembly Bill No. 1640—An act to amend section 19r48 of the Juvenile Court Law, relating to probation officers in counties of the forty-eighth class;

Also: Assembly Bill No. 1647—An act to amend section 19r29 of the Juvenile Court Law, relating to probation officers in counties of the twenty-ninth class;

Also: Assembly Bill No. 1645—An act to amend section 16r29 of the Weights and Measures Act, relating to sealers of weights and measures in counties of the twenty-ninth class;

Has had the same under consideration, and respectfully reports the same back, and recommends that they do pass.

Committee membership—9; committee vote: Ayes—7; absent—2.

WAGY, Chairman.

Assembly Bills Nos. 1642, 1646, 1643, 1640, 1647 and 1645 ordered on file for second reading.

Also:

MR. PRESIDENT: Your Committee on County Government, to which was referred Assembly Bill No. 298—An act to amend section 4266 and to repeal section 4264a of the Political Code, relating to the salaries of county officers of counties of the thirty-seventh class;

Also: Assembly Bill No. 1636—An act to amend section 4277 and to repeal section 4281a of the Political Code, relating to compensation of county and township officers and jurors in counties of the forty-eighth class;

Also: Assembly Bill No. 404—An act to amend section 2322r5 of the Political Code, relating to the office of agricultural commissioner in counties of the fifth class;

Also: Assembly Bill No. 617—An act to amend section 4232a of the Political Code, relating to fees of grand jurors and trial jurors in counties of the third class; Has had the same under consideration, and respectfully reports the same back with amendments, and recommends that the amendments be adopted, and that they do pass as amended.

Committee membership—9; committee vote: Ayes—7; absent—2.

WAGY, Chairman.

Assembly Bills Nos. 298, 1636, 404 and 617 ordered on file for second reading.

Also:

MR. PRESIDENT: Your Committee on County Government, to which was referred Assembly Bill No. 1633—An act to amend section 1 of an act entitled "An act to form agricultural districts, to provide for the formation, organization and powers of agricultural associations therein and for the management and control of the same by the State, and repealing all acts and portions of acts in conflict with this act," approved April 17, 1909, relating to county agricultural districts;

Also: Assembly Bill No. 1638—An act to amend section 16x48 of the Weights and Measures Act, relating to sealers of weights and measures in counties of the forty-eighth class;

Also: Assembly Bill No. 1639—An act to amend section 2322x48 of the Political Code, relating to the office of agricultural commissioner in counties of the forty-eighth class;

Also: Assembly Bill No. 1648—An act to amend section 19x17 of the Juvenile Court Law, relating to probation officers in counties of the seventeenth class;

Also: Assembly Bill No. 1650—An act to amend section 16x17 of the Weights and Measures Act, relating to sealers of weights and measures in counties of the seventeenth class;

Also: Assembly Bill No. 1651—An act to amend section 2322x17 of the Political Code, relating to the office of agricultural commissioner in counties of the seventeenth class;

Has had the same under consideration, and respectfully reports the same back, and recommends that they do pass.

Committee membership—9; committee vote: Ayes—7; absent—2.

WAGY, Chairman.

Assembly Bills Nos. 1633, 1638, 1639, 1648, 1650 and 1651 ordered on file for second reading.

Also:

MR. PRESIDENT: Your Committee on County Government, to which was referred Assembly Bill No. 1583—An act to amend section 4281 of the Political Code, relating to compensation of county and township officers in counties of the fifty-second class;

Also: Assembly Bill No. 1584—An act to add section 19x52 to the Juvenile Court Law, relating to probation officers in counties of the fifty-second class;

Also: Assembly Bill No. 1588—An act to amend section 2322x45 of the Political Code, relating to the office of agricultural commissioner in counties of the forty-fifth class;

Also: Assembly Bill No. 1589—An act to amend section 4274 of the Political Code, relating to compensation of county and township officers in counties of the forty-fifth class;

Also: Assembly Bill No. 1590—An act to amend section 19x45 of the Juvenile Court Law, relating to probation officers in counties of the forty-fifth class;

Also: Assembly Bill No. 1591—An act to amend section 16x45 of the Weights and Measures Act, relating to sealers of weights and measures in counties of the forty-fifth class;

Has had the same under consideration, and respectfully reports the same back, and recommends that they do pass.

Committee membership—9; committee vote: Ayes—7; absent—2.

WAGY, Chairman.

Assembly Bills Nos. 1583, 1584, 1588, 1589, 1590 and 1591 ordered on file for second reading.

Also:

MR. PRESIDENT: Your Committee on County Government, to which was referred Assembly Bill No. 1793—An act to amend section 16x22 of the Weights and Measures Act, relating to sealers of weights and measures in counties of the twenty-second class;

Also: Assembly Bill No. 1814—An act to amend section 2322x22 of the Political Code, relating to the office of agricultural commissioner in counties of the twenty-second class;

Also: Assembly Bill No. 1380—An act to amend section 42x47 of the Political Code, relating to the salaries, fees, and expenses, of officers and their deputies and assistants in counties of the eighteenth class;

Also: Assembly Bill No. 1641—An act to amend section 19x37 of the Juvenile Court Law, relating to probation officers in counties of the thirty-seventh class;

Also: Assembly Bill No. 1632—An act to add a new section to be numbered 9a37 to the act entitled "An act to provide for the establishment and maintenance of county free libraries in the State of California, and repealing 'An act entitled 'An

act to provide county library systems," approved April 12, 1909, and all acts and parts of acts in conflict with this act," approved February 25, 1911, as amended, relating to libraries in counties of the thirty-seventh class;

Also: Assembly Bill No. 1634—An act to amend section 16x37 of the Weights and Measures Act, relating to sealers of weights and measures in counties of the thirty-seventh class;

Has had the same under consideration, and respectfully reports the same back, and recommends that they do pass.

Committee membership—9; committee vote: Ayes—7; absent—2.

WAGY, Chairman.

Assembly Bills Nos. 1793, 1814, 1380, 1641, 1632 and 1634 ordered on file for second reading.

Also:

MR. PRESIDENT: Your Committee on County Government, to which was referred Senate Bill No. 257—An act to amend section 4237 of the Political Code, relating to the salaries, fees and expenses of officers in counties of the eighth class;

Also: Senate Bill No. 372—An act to add a new section to the Political Code, to be numbered 4041.24a, relating to the withdrawal of county records;

Has had the same under consideration, and respectfully reports the same back with amendments, and recommends that the amendments be adopted, and the bills be re-referred to this committee.

Committee membership—9; committee vote: Ayes—6; absent—3.

WAGY, Chairman.

CONSIDERATION OF COMMITTEE AMENDMENTS.

Pursuant to the report of the Committee on County Government, the following amendments to Senate Bill No. 257 were read and adopted:

AMENDMENT NUMBER ONE.

Strike out the title of the printed bill, and insert in lieu thereof the following:

"An act to add a new section to the Political Code to be numbered 4041.28, relating to the disposition of courthouse and other sites dedicated to public use."

AMENDMENT NUMBER TWO.

On page 1, of the printed bill, strike out lines 1 to 27, inclusive, and strike out pages 2 to 7, inclusive, and insert in lieu thereof the following:

"SECTION 1. Section 4041.28 is hereby added to the Political Code, to read as follows:

4041.28. Whenever a county courthouse or other public building belongs to or is used by a county and is situate on land dedicated to public use, which land is not owned by the county in fee, the board of supervisors of the county, if the said board deems it for the best interest of the county, may select and acquire a new site for the courthouse or other building and erect a new building or remodel an existing building on such new site for such purpose, and to this end may, in conjunction with the holders of title to such land and any other person or public, private or municipal corporation having an interest therein, sell such land upon such terms and conditions as shall by them, respectively, be agreed upon, and may abandon or convey their several interests and abandon the interest of the public in such land."

Bill ordered to print, and re-referred to Committee on County Government.

CONSIDERATION OF COMMITTEE AMENDMENTS.

Pursuant to the report of the Committee on County Government, the following amendments to Senate Bill No. 372 were read and adopted:

AMENDMENT NUMBER ONE.

On page 1, line 6, of the printed bill, after "permit", insert the following: "non-profit".

AMENDMENT NUMBER TWO.

On page 1 of the printed bill, strike out lines 11 and 12, and insert in lieu thereof the following: "Society, after preparing a certified copy at the applicant's expense, and filing it in place of the original".

Bill ordered to print, and re-referred to Committee on County Government.

CONSIDERATION OF DAILY FILE.
SECOND READING OF SENATE BILLS.

Senate Bill No. 91—An act to amend section 763 of the Code of Civil Procedure, relating to partition.

Bill read second time, ordered engrossed, and on file for third reading.

Senate Bill No. 215—An act to amend section 963 of the Code of Civil Procedure, relating to appeals from the superior court.

Bill read second time, ordered engrossed, and on file for third reading.

Senate Bill No. 684—An act to add a new section to the Penal Code to be numbered 537b $\frac{1}{2}$, relating to the defrauding of owners of automobiles.

Bill read second time, ordered engrossed, and on file for third reading.

Senate Bill No. 549—An act to add a new section to be numbered 1a to chapter 267, Statutes of 1923, entitled "An act to regulate and license the business of producing, refining, or distributing gasoline, distillate and other motor vehicle fuels, providing for the collection and distribution of license taxes, and adopting those provisions, not inconsistent herewith, of an act entitled 'An act to regulate and license the business of producing, refining or distributing gasoline, distillate and other motor vehicle fuels, providing for the collection and disposition of license taxes, describing penalties for violation of the provisions of said act, and repealing all acts and parts of acts inconsistent herewith,' " relating to a revolving fund for the State Highway Commission.

COMMITTEE AMENDMENTS.

During the second reading of the bill, the following committee amendments were offered:

AMENDMENT NUMBER ONE.

In line 1 of the title of the printed bill, strike out "a", and insert in lieu thereof "two"; strike out "section", and insert in lieu thereof "sections"; strike out "1a", and insert in lieu thereof "2a and 13a".

Amendment adopted.

AMENDMENT NUMBER TWO.

In line 3 of the title of the printed bill, strike out the comma after "refining".

Amendment adopted.

AMENDMENT NUMBER THREE.

In line 5 of the title of the printed bill, strike out "distribution", and insert in lieu thereof "disposition".

Amendment adopted.

AMENDMENT NUMBER FOUR.

From the fifth line to the end of the title of the printed bill, strike out "and adopting those provisions, not inconsistent herewith, of an act entitled 'An act to regulate and license the business of producing, refining or distributing gasoline distillate and other motor vehicle fuels, providing for the collection and disposition of license taxes, describing penalties for violation of the provisions of said act, and repealing all acts and parts of acts inconsistent herewith,' " relating to a revolving fund for the state highway commission.", and insert in lieu thereof "prescribing penalties for violation of the provisions of said act, and repealing all acts and parts of acts inconsistent herewith," approved May 30, 1923, as amended, relating to the license taxes of unauthorized distributors and revolving funds for the state board of equalization and the department of public works, division of highways."

Amendment adopted.

AMENDMENT NUMBER FIVE.

On page 1, line 1, of the printed bill, strike out "1a", and insert in lieu thereof "2a".

Amendment adopted.

AMENDMENT NUMBER SIX.

On page 1, line 3, of the printed bill, strike out the comma after "refining".

Amendment adopted.

AMENDMENT NUMBER SEVEN.

On page 1, line 5, of the printed bill, strike out "distribution", and insert in lieu thereof "disposition".

Amendment adopted.

AMENDMENT NUMBER EIGHT.

On page 1, lines 6 to 12, of the printed bill, strike out "and adopting those provisions, not inconsistent herewith, of an act entitled 'An act to regulate and license the business of producing, refining or distributing gasoline, distillate and other motor vehicle fuels, providing for the collection and disposition of license taxes, describing penalties for violation of the provisions of said act, and repealing all acts and parts of acts inconsistent herewith,'" and insert in lieu thereof "prescribing penalties for violation of the provisions of said act, and repealing all acts and parts of acts inconsistent herewith," approved May 30, 1923, as amended.

Amendment adopted.

AMENDMENT NUMBER NINE.

On page 1, lines 13 to 18, of the printed bill, strike out the entire paragraph and insert in lieu thereof the following:

"SEC. 2a. If any person, firm, association or corporation shall become a distributor without first securing the license required by section 2 of this act, the license tax shall be immediately due and payable on account of all motor vehicle fuel distributions made by such person, firm, association or corporation. The state board of equalization shall proceed forthwith to determine as best it may the amount of such distributions and such person, firm, association or corporation shall be estopped from complaining of the amount so determined. Said board shall assess immediately the license tax on account of such distributions, adding to such license tax a penalty of one hundred per cent for failure to secure the license. Said board shall file a certificate of such assessment with the state controller who must proceed forthwith to collect the license tax due from such person, firm, association or corporation by seizure and sale of property in the manner prescribed in section 4 of this act with reference to delinquency of the payment of the monthly license tax. At the request of the controller, the attorney general shall commence and prosecute to final determination an action at law to collect the license tax and penalty, or any part thereof, assessed against any such person, firm, association or corporation. In any such suit the certificate of assessment made by the state board of equalization, or a copy thereof certified by the controller, shall be prima facie evidence that the person, firm, association or corporation is indebted to the people of the State of California in the amount of such license tax and penalties. It is expressly provided that the foregoing remedies of the state shall be cumulative and that no action taken pursuant to this section shall relieve in any wise the person, firm, association or corporation from the penal provisions of section 14 of this act.

SEC. 2. A new section, to be numbered section 13a, is hereby added to chapter 267, statutes of 1923, as amended, to read as follows:

SEC. 13a. The state board of equalization may, without at the time furnishing vouchers and itemized statements, draw from the "Fuel tax enforcement fund," a sum not to exceed five thousand dollars; and the department of public works, division of highways, may, in like manner, draw five hundred thousand dollars from the "State highway maintenance fund." The sum or sums so drawn shall be used as a revolving fund where cash advances are necessary."

Amendment adopted.

Bill read second time, ordered to print, engrossment, and on file for third reading.

Senate Bill No. 138—An act to add a new article to chapter 3 of title I of part III of the Political Code, to be numbered article 11a, embracing sections 360 to 360g, both inclusive, and repealing sections 363k, 363l and 363m of the Political Code, relating to a Department of Motor Vehicles.

COMMITTEE AMENDMENTS.

During the second reading of the bill, the following committee amendments were offered:

AMENDMENT NUMBER ONE.

In line 4 of the title of the printed bill, strike out "repealing", and insert in lieu thereof the following: "to repeal".

Amendment adopted.

AMENDMENT NUMBER TWO.

In line 5 of the title of the printed bill, strike out the comma after "Code", and insert in lieu thereof the following: "and section 30 of the California vehicle act,".

Amendment adopted.

AMENDMENT NUMBER THREE.

On page 1, line 15, of the printed bill, strike out "an", also strike out all of line 16, and insert in lieu thereof the following: "no salary, but shall be allowed his actual and necessary traveling expenses incurred in the performance of the duties of his office. Before entering".

Amendment adopted.

AMENDMENT NUMBER FOUR.

On page 2 of the printed bill, strike out lines 47 to 51, inclusive, also, on page 3, strike out lines 1 to 36, inclusive, and insert in lieu thereof the following: "The control of a chief of said division to be known as the registrar of vehicles, which office is hereby created. The registrar of vehicles shall be appointed by and hold office at the pleasure of the director, subject to the approval of the governor, and shall receive an annual salary of five thousand dollars. Before entering upon the duties of his office, the registrar of vehicles shall execute an official bond to the State of California in the penal sum of twenty-five thousand dollars. The registrar of vehicles with the approval of the director may appoint a deputy registrar and secretary, whose salaries shall be fixed by the director, with the approval of the department of finance, which positions are hereby declared to be exempt from the provisions of the civil service law.

360c. (a) The division of enforcement, to be known as the California patrol, shall be conducted under the control of a chief of said division to be known as the chief of the California highway patrol, which office is hereby created. The chief of the California highway patrol shall be appointed by and hold office at the pleasure of the director, subject to the approval of the governor, and shall receive an annual salary of seven thousand two hundred dollars. Before entering upon the duties of his office, the chief of the California highway patrol shall execute an official bond to the State of California in the penal sum of twenty-five thousand dollars.

(b) The chief of the California highway patrol with the approval of the director may appoint one assistant chief and such deputy chiefs of the California highway patrol, as may be necessary, which offices are hereby created. The assistant chief shall serve at the pleasure of the chief of the California highway patrol and his salary and the salaries of the deputy chiefs shall be fixed by the director, with the approval of the department of finance. The chief of the California highway patrol may appoint a secretary and a stenographer whose salaries shall be fixed by the director, with the approval of the department of finance. The positions of assistant chief and secretary are hereby declared to be exempt from the provisions of the civil service law. The chief and assistant chief of the California highway patrol shall succeed to and be vested with all the duties, responsibilities, powers and jurisdiction and shall exercise all powers and jurisdiction of the superintendent and assistant superintendent of the California highway patrol.

(c) The chief of the California highway patrol, with the approval of the director, shall appoint, in accordance with the provisions of the civil service act, all necessary inspectors, deputy chiefs, captains, traffic officers, traffic clerks, and other employees, for the purpose of enforcing the provisions of the California Vehicle Act, with such salaries as may be fixed by the director, with the approval of the department of finance.

(d) The director of the department of motor vehicles, the chief, assistant chief and deputy chiefs of the California highway patrol, and the inspectors, captains and traffic officers as provided herein shall constitute the California highway patrol and are hereby vested with the authority of peace officers for the purpose of enforcing the provisions of the California vehicle act in any part of the state, and shall also have the power of serving warrants issued by any court of this state in any portion thereof.

(e) The division shall in counties having charters, other than counties of the first and second class, and may from time to time, in such localities in the rural portions of the state, as it shall deem most suitable, establish headquarters or

substations for the efficient performance of the duties of the California highway patrol and for that purpose may lease or purchase lands and buildings.

(f) The division is hereby authorized to:

(1) Establish a school for the training and education of the members of the California highway patrol in traffic regulation, their duties and the proper enforcement of the California vehicle act.

(2) Create districts within the state in the organization of the California highway patrol.

(3) Adopt rules covering the policy, procedure, regulation and administration of all activities of the California highway patrol.

(g) The division shall issue to each member of the California highway patrol a badge of authority with the words "California highway patrol" encircling the same, the seal of the State of California in the center thereof, and below the designation of the office held by each member thereof.

(h) Any person who without authority wears the badge of a member of the California highway patrol or a badge of similar design which would tend to deceive anyone shall be guilty of a misdemeanor.

(i) Any person who impersonates a member of the California highway patrol with the intention to deceive anyone shall be guilty of a misdemeanor.

(j) Applicants for examination for captains, traffic officers, and traffic clerks, shall be limited to citizens of the United States who shall have for at least one year immediately preceding the date of any such examination maintained a bona fide residence within one of the counties in which the highway patrol is established.

Members of the California highway patrol shall be appointed from the respective counties in which the California highway patrol is established in proportion to the number of motor vehicles registered during the preceding calendar year in such county, as that registration bears to the total registration in all of the counties in which the California highway patrol is established. Eligibles who have qualified for the positions of captains, traffic officers, and traffic clerks, who have at the time of examination residence in any of such counties, shall have a priority over eligibles from the other counties for appointment within the county in which they maintained such residence; *provided, further*, that if there is more than one resident eligible upon the list for appointment in any county, the selection shall be made in accordance with their relative standing upon such eligible list; *provided, further*, in the event that there are no eligibles from the county in which such appointment should be made, then the chief of the California highway patrol shall fill the appointment for such county from the three highest on the eligible list regardless of their residence. Promotional examinations shall be as provided in section 13 of the civil service act; *provided, however*, that any candidate for promotion shall have served at least one year in the next lower grade.

(k) The chief of the division whenever in his opinion an emergency exists, is hereby authorized to assign the members of the California highway patrol for service in any portion of the state.

(l) The chief of the division shall make adequate provision for the patrol of the highways both day and night.

(m) Members of the California highway patrol guilty of any of the offenses or violations set forth in section 14 of the civil service act, or the rules and regulations of the division of enforcement, shall be subject to the penalties set forth in said section 14 of the civil service act, after trial and hearing by a trial board of three officers of equal or superior rank, who shall be designated as such by the chief of the division of enforcement.

(n) Members of the California highway patrol shall not be subject to the penalties set forth in section 14 of the civil service act until after a fair and impartial trial before the trial board upon a verified complaint filed with such board setting forth specifically the acts complained of, and after such reasonable notice to them as to the time and place of hearing as such board may, by rule, prescribe. The hearing shall be held at a place to be designated by the chief of the division within the county in which the offense charged is alleged to have been committed. The accused shall be entitled, upon hearing, to appear personally or with counsel and to have a public trial.

(o) The findings of the trial board shall be submitted to the chief of the division of enforcement for his decision, and such decision, when approved by the civil service commission, shall be final.

360d. The director of motor vehicles as head of the department of motor".

Amendment adopted.

AMENDMENT NUMBER FIVE.

On page 3, line 43, of the printed bill, strike out "Except"; also strike out all of line 44, and insert in lieu thereof the following: "The director of motor".

Amendment adopted.

AMENDMENT NUMBER SIX.

On page 4 of the printed bill, strike out lines 2 to 5, inclusive, and insert in lieu thereof the following: "deputy director and a secretary, whose salaries shall be fixed by the director, with the approval of the department of finance. The positions of deputy director and secretary are hereby declared to be exempt from the provisions of the civil service laws."

Amendment adopted.

AMENDMENT NUMBER SEVEN.

On page 5 of the printed bill, strike out lines 14 to 19, inclusive, and insert in lieu thereof the following:

"360g. The department of motor vehicles is authorized to employ and, with the approval of the department of finance, fix the salaries of such officers, deputies, employees and technical experts as may be necessary for the proper discharge of the duties of the department, including an attorney at law and necessary assistants, which attorney shall act as attorney and legal adviser to said department and its several divisions."

Amendment adopted.

AMENDMENT NUMBER EIGHT.

On page 5 of the printed bill, after line 25, insert as a new paragraph the following:

"SEC. 4. Section 30 of the California vehicle act is hereby repealed."

Amendment adopted.

Bill read second time, ordered to print, engrossment, and on file for third reading.

Senate Bill No. 139—An act to repeal section 633c of the Political Code, relating to insurance adjusters.

Bill read second time, ordered engrossed, and on file for third reading.

Senate Bill No. 349—An act to repeal section 4.52 of the School Code and to repeal section 1 of chapter 433, Statutes of 1929, entitled "An act relating to the formation, suspension and support of junior college districts and the powers of governing boards thereof," approved May 23, 1929, and to add a new section to the School Code to be numbered 4.52, all relating to the State Junior College Fund.

COMMITTEE AMENDMENTS.

During the second reading of the bill, the following committee amendments were offered:

AMENDMENT NUMBER ONE.

In line 8 of the title of the printed bill, as amended, after the word "fund", insert the following: "and making an appropriation therefor".

Amendment adopted.

AMENDMENT NUMBER TWO.

On page 1, line 17, of the printed bill, as amended, strike out the word "treasurer", and insert in lieu thereof the word "controller".

Amendment adopted.

AMENDMENT NUMBER THREE.

On page 1, line 18, of the printed bill, as amended, strike out the comma following the word "fund", and the following words "in addition to such sums now", and insert in lieu thereof the following: "such amounts as may be appropriated by the Legislature; *provided, however,* that the amount so transferred from the general fund when added to the balance already in the state junior college fund, shall in no case exceed the total amount required to be apportioned to the junior college districts".

Amendment adopted.

AMENDMENT NUMBER FOUR.

On page 2 of the printed bill, strike out all of lines 1 to 10, inclusive, and insert in lieu thereof the following:

"SEC. 4. There is hereby appropriated out of any moneys in the state treasury not otherwise appropriated, to the state junior college fund the sum of one million seven hundred one thousand five hundred twenty dollars (\$1,701,520.00), or so much thereof as may be necessary for apportionment to the junior college districts of this state in the manner prescribed by the School Code during the eighty-third and eighty-fourth fiscal years".

Amendment adopted.

Bill read second time, ordered to print, engrossment, and on file for third reading.

Senate Bill No. 563—An act to promote the development of the California dried fruit industry and to prevent deception in the packing and sale of dried fruit by providing for the establishment and definition of standards for dried fruit, by authorizing the Director of Agriculture to provide for the certification of dried fruits, establishing a Dried Fruit Certification Fund and revolving fund, and making an appropriation to carry out the provisions hereof.

COMMITTEE AMENDMENTS.

During the second reading of the bill, the following committee amendments were offered:

AMENDMENT NUMBER ONE.

On page 2 of the printed bill, strike out all of lines 49 to 52, inclusive, and insert in lieu thereof the following:

"SEC. 6. The director of agriculture, at least once each month, shall report to the state controller the total amount of moneys collected under the provisions of this act, and at the same time or oftener, he shall pay into the state treasury the entire amount of such moneys. All moneys received by the director shall be paid to the controller and credited to the department of agriculture fund created by chapter 70 of the statutes of 1929, to be expended in accordance with law in carrying out the provisions of this act.

Amendment adopted.

AMENDMENT NUMBER TWO.

On page 3 of the printed bill, strike out all of lines 1 and 2.

Amendment adopted.

AMENDMENT NUMBER THREE.

On page 3 of the printed bill, strike out all of lines 18, 19 and 20.

Amendment adopted.

Bill read second time, ordered to print, engrossment, and on file for third reading.

Senate Bill No. 107—An act providing for the erection and maintenance of a monument to the memory of Chief Solano, to be erected in Solano County, and making an appropriation therefor.

COMMITTEE AMENDMENT.

During the second reading of the bill, the following committee amendment was offered:

AMENDMENT NUMBER ONE.

On page 1, line 12, of the printed bill, strike out the words "seven thousand five hundred", and insert in lieu thereof the words "five thousand".

Amendment adopted.

Bill read second time, ordered to print, engrossment, and on file for third reading.

Senate Bill No. 41—An act appropriating money to pay the claim of Joseph E. Painter against the State of California.

Bill read second time, ordered engrossed, and on file for third reading.

Senate Bill No. 677—An act making an appropriation to pay the claim of B. F. Schlessinger against the State of California.

Bill read second time, ordered engrossed, and on file for third reading.

Senate Bill No. 683—An act to establish a retirement system to provide for the retirement of employees of the State of California, and make an appropriation therefor.

Bill read second time, ordered engrossed, and on file for third reading.

Senate Bill No. 128—An act to pay the claim of the Frederick W. Snook Company against the State of California.

Bill read second time, ordered engrossed, and on file for third reading.

Senate Bill No. 285—An act making an appropriation to pay the claim of John H. Hellard against the State of California.

Bill read second time, ordered engrossed, and on file for third reading.

Senate Bill No. 351—An act making an appropriation to pay the claim of Robert W. Blanton against the State of California.

Bill read second time, ordered engrossed, and on file for third reading.

Senate Bill No. 434—An act to make an appropriation to pay the claim of the Comptroller of the State Compensation Insurance Fund against the State of California.

Bill read second time, ordered engrossed, and on file for third reading.

Senate Bill No. 140—An act to amend section 4.102 of the School Code, relating to an appropriation for vocational rehabilitation.

Bill read second time, ordered engrossed, and on file for third reading.

Senate Bill No. 259—An act to amend the title and sections 2, 3, 4, and 6 of an act entitled "An act creating a commission to codify, consolidate, revise or compile the Statutes of California and to report thereon to the Legislature at the forty-ninth session thereof," approved June 10, 1929, further defining the powers and duties of the California Code Commission and making an appropriation therefor.

Bill read second time, ordered engrossed, and on file for third reading.

Senate Bill No. 270—An act to amend chapter 808, Statutes of 1927, entitled "American River Flood Control District Act," as amended, by amending section 2 thereof, relating to the objects and purposes of the act and to the powers of the district, and section 17, relating to the levy and collection of assessments, and by adding a new section thereto to be numbered 18*b* making an appropriation in the sum of \$20,000 to defray the expenses of the district and providing that said appropriation shall be returned to the State, and relating to the manner of repayment and containing a provision declaring this act to be an emergency measure stating the facts constituting such emergency, and providing this act shall take effect immediately upon its passage.

Bill read second time, ordered engrossed, and on file for third reading.

Senate Bill No. 337—An act making an appropriation for surveys, plans, estimates and preliminary engineering for a bridge across the bay of San Francisco.

Bill read second time, ordered engrossed, and on file for third reading.

Senate Bill No. 396—An act to repeal chapter 17, Statutes of 1929, entitled "An act making an appropriation to meet the deficiency in the appropriation for contingent expenses of the Senate for the seventy-ninth and eightieth fiscal years," approved March 5, 1929.

Bill read second time, ordered engrossed, and on file for third reading.

Senate Bill No. 428—An act to amend section 2207L of the Political Code, relating to the Industrial Home for the Adult Blind.

Bill read second time, ordered engrossed, and on file for third reading.

Senate Bill No. 468—An act making an appropriation for the construction of jetties at the mouth of the Russian River.

Bill read second time, ordered engrossed, and on file for third reading.

Senate Bill No. 472—An act in relation to the control and eradication of bovine tuberculosis; to provide an appropriation for the purposes of this act; to prescribe penalties for violation of the provisions hereof, and to repeal certain acts therein specified.

Bill read second time, ordered engrossed, and on file for third reading.

Senate Bill No. 520—An act to amend section 5 of chapter 845, Statutes of 1929, entitled "An act to establish salesrooms and industrial workshops for the blind, providing for the management, government and administration thereof, and making an appropriation for the establishment of a revolving fund therefor," relating to the Industrial Workshop Revolving Fund.

Bill read second time, ordered engrossed, and on file for third reading.

Senate Bill No. 573—An act making an appropriation of money to be used by the Attorney General in the payment of expenses in the proceeding brought by the Attorney General in the court of claims of the United States in behalf of the Indians of the State of California, in accordance with an act of the Legislature of 1927, Statutes of 1927, chapter 643.

Bill read second time, ordered engrossed, and on file for third reading.

Senate Bill No. 574—An act to amend section 475 of the Political Code, relating to clerks, phonographic reporter, service agent and stenographers of the Attorney General's office.

Bill read second time, ordered engrossed, and on file for third reading.

Senate Bill No. 820—An act to appropriate the sum of \$173,500 out of any money in the State treasury, not otherwise appropriated, to lease the necessary facilities and service for the establishment of a telephone typewriter system of communication between cities in California and the Bureau of Criminal Identification and Investigation at Sacramento; and for the operation and control of the system under the direction of the Bureau of Criminal Identification and Investigation.

Bill read second time, ordered engrossed, and on file for third reading.

Senate Bill No. 426—An act to appropriate the sum of \$28,500 to be used in construction, renewal, and repair of works for restraining, impounding and control of debris resulting from mining operations and other causes along the Yuba River, and to provide for the manner of expending such appropriation.

Bill read second time, ordered engrossed, and on file for third reading.

Senate Constitutional Amendment No. 22—A resolution to propose to the people of the State of California an amendment of the constitution of said State by amending section 15 of article XIII thereof, relating to revenue and taxation.

COMMITTEE AMENDMENTS.

During the reading of the amendment, the following committee amendments were offered:

AMENDMENT NUMBER ONE.

On page 2, line 30, of the printed constitutional amendment, strike out the word "The", and insert in lieu thereof the following: "One half of the".

Amendment adopted.

AMENDMENT NUMBER TWO.

On page 2, line 31, of the printed constitutional amendment, strike out the period, insert a comma, and add the following: "and the remaining one-half shall be apportioned among the respective counties of this State, in the proportion that the number of motor vehicles registered within such county for the preceding calendar year bears to the total number of motor vehicles registered in the State of California under the motor vehicle act of such State for the preceding year, and such sums so paid to said counties shall be devoted exclusively to the maintenance and repair of public highways within such county."

Amendment adopted.

Senate Constitutional Amendment No. 22 read, ordered to print, engrossment, and on file.

CONSIDERATION OF DAILY FILE.

SECOND READING OF ASSEMBLY BILLS.

Assembly Bill No. 936—An act to amend sections 788 and 878 of an act entitled "An act to provide for the organization, incorporation and government of municipal corporations," approved March 13, 1883, as amended, relating to the cities of the fifth and sixth classes.

COMMITTEE AMENDMENTS.

During the second reading of the bill, the following committee amendments were offered:

AMENDMENT NUMBER ONE.

On page 2 of the printed bill, strike out lines 50 to 52, inclusive, and insert in lieu thereof the following: "Any wilful violation of the provisions of this section shall be a ground for removal from office, and shall be deemed a misdemeanor, and punished as such."

Amendment adopted.

AMENDMENT NUMBER TWO.

On page 4 of the printed bill, strike out lines 32 to 34, inclusive, and insert in lieu thereof the following: "Any wilful violation of the provisions of this section shall be a ground for removal from office, and shall be deemed a misdemeanor, and punished as such."

Amendment adopted.

Bill read second time, ordered to print, and on file for third reading.

Assembly Bill No. 406—An act to amend sections 765, 767, and 773 of, and to add a new section numbered 768 to chapter 49, Statutes of 1883, entitled "An act to provide for the organization, incorporation, and government of municipal corporations," approved March 13, 1883, relating to cities of the fifth class.

Bill read second time, and ordered on file for third reading.

Assembly Bill No. 1469—An act to amend section 1168 of the Penal Code, and to add to said code new sections 18, 18a and 1192a and to repeal present section 1192a thereof, relating to the sentencing of prisoners, terms of imprisonment, credits to prisoners and paroles of prisoners.

Bill read second time, and ordered on file for third reading.

Assembly Bill No. 21—An act to amend section 1161 of the Code of Civil Procedure, relating to unlawful detainer.

Bill read second time, and ordered on file for third reading.

Assembly Bill No. 32—An act to amend section 791 of the Civil Code, relating to the right of reentry by grantor or lessor.

Bill read second time, and ordered on file for third reading.

Assembly Bill No. 675—An act requiring licensed contractors to report the name and address of the insurance carrier carrying workmen's compensation on their employees to the Industrial Accident Commission and send a copy of such report to the insurance carrier, requiring the said insurance carrier, including the State Compensation Insurance Fund, to thereafter report to the same commission any cancellation or lapse of such policy of workmen's compensation insurance, and providing penalties for violation of the provisions thereof.

Bill read second time, and ordered on file for third reading.

Assembly Bill No. 734—An act to establish a standard for fire hose couplings and fire hydrant fittings, to provide for alteration of such existing equipment, to prevent the sale of such equipment as does not conform with such standard, and to prescribe penalties for violations of this act.

Bill read second time, and ordered on file for third reading.

Assembly Bill No. 8—An act to amend section 1946 of the Civil Code, relating to the hiring of real property.

COMMITTEE AMENDMENT.

During the second reading of the bill, the following committee amendment was offered:

AMENDMENT NUMBER ONE.

On page 1 of the printed bill, strike out lines 13 to 16, inclusive, and insert in lieu thereof the following: "term thereof."

Amendment adopted.

Bill read second time, ordered to print, and on file for third reading.

Assembly Bill No. 1662—An act to amend sections 1, 2, 3, 4 and 5 of chapter 276, Statutes of 1913, entitled "An act relating to unfair competition and discrimination, making certain unfair and discriminatory practices unlawful, defining the duties of the Attorney General in regard thereto, declaring certain contracts illegal and forbidding recov-

ery thereon, providing for actions to enjoin unfair competition and discrimination and to recover damages therefor, making the violation of the provisions of this act a misdemeanor and providing penalties," approved June 10, 1913.

COMMITTEE AMENDMENTS.

During the second reading of the bill, the following committee amendments were offered:

AMENDMENT NUMBER ONE.

On page 2, line 26, of the printed bill, after "quality", insert a comma and the following: "quantity".

Amendment adopted.

AMENDMENT NUMBER TWO.

On page 2, line 50, of the printed bill, before "violation", insert the following: "third".

Amendment adopted.

AMENDMENT NUMBER THREE.

On page 2, line 32, of the printed bill, strike out the words, "is not intended", and insert in lieu thereof the words "shall not be construed".

Amendment adopted.

Bill read second time, ordered to print, and on file for third reading.

ADJOURNMENT.

At one o'clock and fifty-five minutes p.m., on motion of Senator Breed, seconded by Senators Evans and Slater, the President declared the Senate adjourned until eleven o'clock a.m., Monday, April 27, 1931.

HAROLD J. POWERS, Minute Clerk.

IN SENATE.

SENATE CHAMBER,
SACRAMENTO, Monday, April 27, 1931.

The Senate met at eleven o'clock a.m.

Lieutenant Governor Frank F. Merriam, President of the Senate, in the chair.

Secretary Joseph A. Beek at the desk.

ROLL CALL.

The roll was called, and the following answered to their names:

Senators Allen, Baker, Breed, Bush, Carter, Cassidy, Christian, Cleveland, Clock, Crittenden, Deuel, Duval, Edwards, Evans, Fellom, Harper, Hays, Ingels, Inman, Jones, Maloney, McCormack, McKinley, Mixer, Moran, Nelson, Pedrotti, Rich, Riley, Rochester, Schottky, Sharkey, Slater, Swing, Treacy, Tubbs, Waggy, Williams, and Young—39.

Quorum present.

PRAYER.

Prayer was offered by the Chaplain, Rev. Sherman L. Divine.

READING OF THE JOURNAL.

During the reading of the Journal of Friday, April 24, 1931, the further reading was dispensed with on motion of Senator Slater.

PRIVILEGE OF FLOOR OF SENATE EXTENDED.

On request of Senator Young, the privilege of the floor of the Senate Chamber for this day was unanimously extended to Miss Rose Matlen of Los Angeles.

On request of Senator McKinley, the privilege of the floor of the Senate Chamber for this day was unanimously extended to Mrs. Allen Bixby of Pasadena.

On request of Senator Baker, the privilege of the floor of the Senate Chamber for this day was unanimously extended to Willard Smith, supervisor, Orange, California; A. W. Ruffin, attorney, Santa Ana, California, and Paul Bailey, former State Engineer, of Santa Ana.

On request of Senator Tubbs, the privilege of the floor of the Senate Chamber for this day was unanimously extended to Mrs. H. F. Hexner and William Harold Hexner of Albany, California.

On request of Senator Riley, the privilege of the floor of the Senate Chamber for this day was unanimously extended to Judge Pat R. Parker of Mono County.

RESOLUTION OF RESPECT.

The following resolution was offered:

By Senators Maloney, Rochester and Tubbs:

WHEREAS, On Friday, April 24th, there occurred in San Francisco the death of Mrs. Mary Viola Tingley Lawrence, and

WHEREAS, Mrs. Lawrence was a pioneer California authoress, a daughter of the late Honorable George B. Tingley, and the widow of the late Honorable James H. Lawrence; be it

Resolved, That the Senate of the State of California do express its sympathy to the members of Mrs. Lawrence's family and that this message be printed in the Senate Journal and copies be sent to members of Mrs. Lawrence's family.

Resolution read, and on motion of Senator Tubbs unanimously adopted.

REPORTS OF STANDING COMMITTEES.

The following reports of standing committees were received and read:

ON ENGROSSMENT, ENROLLMENT AND PRINTING.

SENATE CHAMBER, SACRAMENTO, April 27, 1931.

MR. PRESIDENT: Your Committee on Engrossment, Enrollment and Printing has examined Senate Bill No. 8—An act to amend section 67a of the Code of Civil Procedure, relating to the superior court in counties of the first class, increasing the number of judges thereof;

Also: Senate Bill No. 41—An act appropriating money to pay the claim of Joseph E. Painter against the State of California;

Also: Senate Bill No. 42—An act to increase the number of judges of the superior court of the State of California, in and for the county of San Diego; to provide for the appointment of one additional judge and the manner of payment of his compensation;

Also: Senate Bill No. 51—An act relating to and providing for the construction of flood control works on the Santa Ana River system and for the prevention of floods and conserving of the flood waters of said river and its tributaries and making an appropriation therefor;

Also: Senate Bill No. 91—An act to amend section 763 of the Code of Civil Procedure, relating to partition;

Also: Senate Bill No. 107—An act providing for the erection and maintenance of a monument to the memory of Chief Solano, to be erected in Solano county, and making an appropriation therefor;

Also: Senate Bill No. 128—An act to pay the claim of the Frederick W. Snook Company against the State of California;

And reports that the same have been correctly engrossed.

RILEY, Chairman.

Also:

MR. PRESIDENT: Your Committee on Engrossment, Enrollment and Printing has examined Senate Bill No. 139—An act to repeal section 633c of the Political Code, relating to insurance adjusters;

Also: Senate Bill No. 140—An act to amend section 4102 of the School Code, relating to an appropriation for vocational rehabilitation;

Also: Senate Bill No. 215—An act to amend section 963 of the Code of Civil Procedure, relating to appeals from the superior court;

Also: Senate Bill No. 259—An act to amend the title and sections 2, 3, 4, and 6 of an act entitled "An act creating a commission to codify, consolidate, revise or compile the Statutes of California and to report thereon to the Legislature at the forty-ninth session thereof," approved June 10, 1929, further defining the powers and duties of the California Code Commission and making an appropriation therefor;

Also: Senate Bill No. 270—An act to amend chapter 808, Statutes of 1927, entitled American River Flood Control District Act, as amended, by amending section 2 thereof, relating to the objects and purposes of the act and to the powers of the district, and section 17, relating to the levy and collection of assessments, and by adding a new section thereto to be numbered 186 making an appropriation in the sum of \$20,000 to defray the expenses of the district and providing that said appropriation shall be returned to the State, and relating to the manner or repayment and containing a provision declaring this act to be an emergency measure stating the facts constituting such emergency, and providing this act shall take effect immediately upon its passage;

Also: Senate Bill No. 285—An act making an appropriation to pay the claim of John H. Hellard against the State of California;
And reports that the same have been correctly engrossed.

RILEY, Chairman.

Also:

MR. PRESIDENT: Your Committee on Engrossment, Enrollment and Printing has examined Senate Bill No. 337—An act making an appropriation for surveys, plans, estimates and preliminary engineering for a bridge across the bay of San Francisco;

Also: Senate Bill No. 351—An act making an appropriation to pay the claim of Robert W. Blanton against the State of California;

Also: Senate Bill No. 396—An act to repeal chapter 17, Statutes of 1929, entitled "An act making an appropriation to meet the deficiency in the appropriation for contingent expenses of the Senate for the seventy-ninth and eightieth fiscal years," approved March 5, 1929;

Also: Senate Bill No. 426—An act to appropriate the sum of \$28,500 to be used in construction, renewal, and repair of works for restraining, impounding and control of debris resulting from mining operations and other causes along the Yuba River, and to provide for the manner of expending such appropriation;

Also: Senate Bill No. 434—An act to make an appropriation to pay the claim of the Comptroller of the State Compensation Insurance Fund against the State of California;

Also: Senate Bill No. 461—An act to provide for the investigation of the value of forest cover in the conservation of water in the prevention of erosion on watershed areas and to make an appropriation therefor;

And reports that the same have been correctly engrossed.

RILEY, Chairman.

Also:

MR. PRESIDENT: Your Committee on Engrossment, Enrollment and Printing has examined Senate Bill No. 468—An act making an appropriation for the construction of jetties at the mouth of the Russian River;

Also: Senate Bill No. 472—An act in relation to the control and eradication of bovine tuberculosis; to provide an appropriation for the purposes of this act; to prescribe penalties for violation of the provisions hereof, and to repeal certain acts therein specified;

Also: Senate Bill No. 520—An act to amend section 5 of chapter 845, Statutes of 1929, entitled "An act to establish salesrooms and industrial workshops for the blind, providing for the management, government and administration thereof, and making an appropriation for the establishment of a revolving fund therefor," relating to the Industrial Workshop Revolving Fund;

Also: Senate Bill No. 542—An act to amend the title and sections 1, 3, 4, 5 and 7a of chapter 551, Statutes of 1919, as amended, entitled "An act to conserve the fish supply in California by empowering the Fish and Game Commission to regulate and control the handling of fish and other fishery products for the purpose of preventing deterioration or waste; to establish grades to which the fish or other fishery products offered for delivery to canners or preservers or to the fresh fish market must conform; to make regulations to insure the proper handling and delivery of fish or fishery products to canners, preservers or fresh fish dealers; to regulate and control the use of fish or other fishery products for reduction purposes, and to provide penalties for any violation of any of the provisions of this act," approved May 25, 1919, relating to the canning of sardines;

Also: Senate Bill No. 563—An act to promote the development of the California dried fruit industry and to prevent deception in the packing and sale of dried fruit by providing for the establishment and definition of standards for dried fruit, by authorizing the Director of Agriculture to provide for the certification of dried

fruits, establishing a Dried Fruit Certification Fund and revolving fund, and making an appropriation to carry out the provisions hereof;
And reports that the same have been correctly engrossed.

RILEY, Chairman.

Also:

MR. PRESIDENT: Your Committee on Engrossment, Enrollment and Printing has examined Senate Bill No. 573—An act making appropriation of money to be used by the Attorney General in the payment of expenses in the proceeding brought by the Attorney General in the Court of Claims of the United States in behalf of the Indians of the State of California, in accordance with an act of the Legislature of 1927, Statutes of 1927, chapter 643;

Also: Senate Bill No. 574—An act to amend section 475 of the Political Code, relating to clerks, phonographic reporter, service agent and stenographers of the Attorney General's office;

Also: Senate Bill No. 677—An act making an appropriation to pay the claim of B. F. Schlessinger against the State of California;

Also: Senate Bill No. 683—An act to establish a retirement system to provide for the retirement of employees of the State of California, and make an appropriation therefor;

Also: Senate Bill No. 684—An act to add a new section to the Penal Code to be numbered 537b $\frac{1}{2}$, relating to the defrauding of owners of automobiles;

Also: Senate Bill No. 694—An act making an appropriation to pay the claim of Fanny Lem against the State of California;

And reports that the same have been correctly engrossed.

RILEY, Chairman.

Also:

MR. PRESIDENT: Your Committee on Engrossment, Enrollment and Printing has examined Senate Bill No. 695—An act making an appropriation to pay the claim of Grace Takata against the State of California;

Also: Senate Bill No. 696—An act making an appropriation to pay the claim of Shizue Morey against the State of California;

Also: Senate Bill No. 697—An act making an appropriation to pay the claim of Clara Char against the State of California;

Also: Senate Bill No. 820—An act to appropriate the sum of \$173,500 out of any money in the State treasury, not otherwise appropriated, to lease the necessary facilities and service for the establishment of a telephone typewriter system of communication between cities in California and the Bureau of Criminal Identification and Investigation at Sacramento; and for the operation and control of the system under the direction of the Bureau of Criminal Identification and Investigation;

Also: Senate Bill No. 824—An act providing for the exhibit of the products and resources of the State of California at the Chicago World's Fair Centennial Celebration to be held at Chicago, Illinois, in 1933, creating the California World's Fair Centennial Celebration Commission and defining its powers and duties, and making an appropriation therefor;

Also: Senate Bill No. 917—An act to amend section 3 of chapter 197, Statutes of 1909, entitled "An act to amend 'An act to regulate the vocation of fishing and to provide therefrom revenue for the propagation, restoration and conservation of fish in the waters of the State of California,'" relating to regulations of the Fish and Game Commission;

And reports that the same have been correctly engrossed.

RILEY, Chairman.

Also:

MR. PRESIDENT: Your Committee on Engrossment, Enrollment and Printing has examined Senate Joint Resolution No. 14—Relative to memorializing and petitioning Congress to enact legislation to eliminate the restrictions which now attach to the taxation of national banking associations, and creating a committee to further such purpose;

Also: Senate Constitutional Amendment No. 22—A resolution to propose to the people of the State of California an amendment of the constitution of said State by amending section 15 of article XIII thereof, relating to revenue and taxation;

Also: Senate Concurrent Resolution No. 31—Relating to the Marshall monument at Coloma, El Dorado County;

And reports that the same have been correctly engrossed.

RILEY, Chairman.

Also:

MR. PRESIDENT: Your Committee on Engrossment, Enrollment and Printing has examined Senate Bill No. 175—An act to define medical and hospital service companies and agents; to provide for the regulation, supervision and licensing thereof; to create a fund therefor; to create the office of Commissioner of Medical and Hospital Service Companies; to provide for the enforcement of said act and penalties for

the violation thereof; and to make an appropriation—and reports that the same has been correctly re-engrossed.

RILEY, Chairman.

Also:

MR. PRESIDENT: Your Committee on Engrossment, Enrollment and Printing has examined Senate Bill No. 355—An act to validate bonds of school districts, high school districts and junior college districts of every kind and class, and providing for the levy of a tax to pay the same, and declaring the urgency of said measure, the act to take effect immediately:

Also: Senate Concurrent Resolution No. 29—Approving an amendment to the charter of the city of San Diego, a municipal corporation in the county of San Diego, State of California, voted for and ratified by the electors of said city of San Diego at a special municipal election held therein on the twenty-fourth day of March, 1931;

Also: Senate Concurrent Resolution No. 34—Relative to approving the charter of the city of San Diego, which was submitted to the qualified voters of said city and voted for and ratified by them at the general municipal election held on the seventh day of April, 1931;

And reports that the same have been correctly enrolled and presented to the Governor on the twenty-fourth day of April, at three o'clock and thirty minutes p.m.

RILEY, Chairman.

COMMUNICATIONS.

The following communications were received, read, and ordered printed in the Journal:

STATE OF CALIFORNIA, GOVERNOR'S OFFICE,

SACRAMENTO, April 21, 1931.

Hon. Frank F. Merriam,

President of the Senate,

State Capitol Building, Sacramento, California.

DEAR MR. MERRIAM: Attached hereto is a copy of a letter dated April 14th addressed to the Hon. James Rolph, Jr., from Mr. George Otis Smith, chairman of the Federal Power Commission, advising that the California Oregon Power Company has made application for preliminary permit for a proposed power dam in Siskiyou County and a power house at the so-called Iron Gate site at the mouth of Brush Creek on the Klamath River near Hornbrook. I respectfully request that this matter be called to the members of the Senate to the end that any objections apparent may be set forth in the proper resolution to be transmitted to the Federal Power Commission at Washington. The number of this Power Permit is EP 1161—California: The California Oregon Power Company. I am sending a similar communication to the Speaker of the Assembly.

With kindest regards to you and all the members of the Senate,

Very sincerely yours,

EP-1161-California

JAMES ROLPH, JR., Governor.

[COPY]

THE CALIFORNIA OREGON POWER COMPANY, April 14, 1931.

Hon. James Rolph, Jr.,

Governor of California,

Sacramento, California.

DEAR GOVERNOR ROLPH: The California Oregon Power Company has made application for a preliminary permit for a proposed power development, in Siskiyou County, California, consisting of a dam about 160 feet in height, and power house at the so-called Iron Gate site, on Klamath River, above the mouth of Brush Creek, in Sec. 9, T. 47 N., R. 5 W., near Hornbrook. The power capacity of the site is estimated as about 14,000 horsepower. The installed capacity will probably be in the neighborhood of 40,000 horsepower.

Any objections to or comments on this application should be filed with the commission on or before May 31, 1931.

Very truly yours,
(Signed)

GEORGE OTIS SMITH, Chairman.

The preceding communications were referred to Committee on Federal Relations.

CONSIDERATION OF DAILY FILE.

SECOND READING OF SENATE BILLS.

Senate Bill No. 177—An act to add a new section, to be numbered section 11b, to an act entitled "An act regulating private employment agencies, providing for a license for the operation thereof and a fee

therefor, providing forms of receipts and registers to be used and kept, prohibiting any charge for registering or filing application for help or employment, prohibiting the dividing of fees, providing for the refunding of fees and expenses in the event of failure to procure employment, and granting the Commissioner of the Bureau of Labor Statistics the power to prescribe rules and regulations to carry out the purpose and intent of this act," approved June 3, 1913, as amended, requiring licensed employment agencies to print or publish the maximum fees which they charge for positions on all their advertising matter, including introduction cards, bulletins, blotters, throw-aways, newspaper and other advertising.

Bill read second time, ordered engrossed, and on file for third reading.

Senate Bill No. 384—An act to repeal articles I, II, III, IV, V and IX, embracing respectively, sections 2.670 to 2.674, both inclusive, of the School Code; sections 2.680 to 2.684, both inclusive, sections 2.690 to 2.693, both inclusive, sections 2.700 to 2.710, both inclusive, sections 2.720 to 2.728, both inclusive, section 2.760, all of chapter XI of part I of division II of the School Code; to repeal article II, embracing sections 2.1130 and 2.1131, both inclusive, of chapter V of part II of division II of the School Code; to repeal sections 2, 3, and 4 of chapter 433 of the Statutes of 1929, entitled "An act relating to the formation, suspension and support of junior college districts and the powers of governing boards thereof," approved May 23, 1929; to repeal article II, embracing sections 3.370 to 3.374, both inclusive, of chapter VI of part III of division III of the School Code; to repeal article VIII, embracing sections 2.750 to 2.753, both inclusive, of chapter XI of part I of division II of the School Code; to add new articles to chapter XI of part I of division II of the School Code to be known as articles I, II, and IX, embracing respectively sections 2.670 to 2.677, both inclusive; sections 2.680 to 2.689, both inclusive; section 2.760; to add a new article to chapter V of part II of division II of the School Code to be known as article II, embracing sections 2.1130 and 2.1131; to add new sections to the School Code to be numbered 4.943 and 4.944; and to amend sections 2.740, 2.741, 2.742, 2.1121, 2.1140, 2.1150, 2.1160, 2.1170, 4.941 and 4.942, all relating to the formation, suspension, reestablishment, lapsation, government and support of junior college districts.

COMMITTEE AMENDMENTS.

During the second reading of the bill, the following committee amendments were offered:

AMENDMENT NUMBER ONE.

In line 8 of the title of the printed bill, strike out the following: "and 2.1131", and insert in lieu thereof the following: "2.1133, both inclusive".

Amendment adopted.

AMENDMENT NUMBER TWO.

In line 13 of the title of the printed bill, after the semicolon, insert the following: "to repeal chapter 194 of the statutes of 1929, entitled 'An act relating to the governing boards of union, joint union, county and joint county junior college districts,' approved April 30, 1929;"

Amendment adopted.

AMENDMENT NUMBER THREE.

In line 14 of the title of the printed bill, strike out the number "3.734", and insert in lieu thereof the following: "3.375".

Amendment adopted.

AMENDMENT NUMBER FOUR.

On page 6, line 4, of the printed bill, strike out the following: "and 2.1131", and insert in lieu thereof the following: "to 2.1133, both inclusive".

Amendment adopted.

AMENDMENT NUMBER FIVE.

On page 7, line 39, of the printed bill, following said line 39, insert the following: "SEC. 26. Chapter 194 of the statutes of 1929, entitled 'An act relating to the governing boards of union, joint union, county and joint county junior college districts,' approved April 30, 1929, is hereby repealed."

SEC. 27. Article II, embracing sections 3.370 to 3.375, both inclusive, of chapter VI of part III of division III of the School Code is hereby repealed."

Amendment adopted.

Bill read second time, ordered to print, engrossment, and on file for third reading.

Senate Bill No. 895—An act authorizing the Governor of the State of California to select and engage the services of an educational research foundation or other organization engaged or organized to engage in the work of making critical surveys in the field of education to make a survey of the present system, plan of organization, and conduct of public education of higher than high school grade in the State of California and to report in writing the results of its survey with its recommendations, providing for the compensation of such foundation or other organization, making an appropriation therefor and for the payment of expenses incidental to carrying out the provisions of this act, and authorizing the Governor to accept gifts of money, property or services in furtherance of the work to be carried out as in this act provided.

COMMITTEE AMENDMENTS.

During the second reading of the bill, the following committee amendments were offered:

AMENDMENT NUMBER ONE.

On page 1, line 3, of the printed bill, strike out the word "an", and insert in lieu thereof the following: "the Carnegie Foundation or a similar".

Amendment adopted.

AMENDMENT NUMBER TWO.

On page 1, line 4, of the printed bill, strike out the second word "of", and strike out all of line 5.

Amendment adopted.

AMENDMENT NUMBER THREE.

On page 2, line 19, of the printed bill, strike out the word "fifty", and insert in lieu thereof the word "twenty-five".

Amendment adopted.

Bill read second time, ordered to print, engrossment, and on file for third reading.

Senate Bill No. 950—An act to amend article IX of chapter I of part III of division IV of the School Code, embracing sections 4.380 to 4.384,

inclusive, and to repeal chapter 709, Statutes of 1929, all relating to financial reports of school districts.

Bill read second time, ordered engrossed, and on file for third reading.

Senate Bill No. 832—An act to amend sections 4.871, 4.872, 4.873, 4.874, 4.875, 4.890, 4.891, 4.892, 4.893, 4.894, 4.895 and 4.896, of the School Code and to repeal sections 4.876, 4.897, 4.899, 4.900, 4.921, 4.925, 4.926 and 4.927 thereof, relating to the apportionment of State and county funds to high school districts.

COMMITTEE AMENDMENTS.

During the second reading of the bill, the following committee amendments were offered:

AMENDMENT NUMBER ONE.

On page 1, line 7, of the printed bill, strike out the words "eight-year", and insert in lieu thereof the words "six-year".

Amendment adopted.

AMENDMENT NUMBER TWO.

On page 1, line 8, of the printed bill, strike out the word "seven", and insert in lieu thereof the word "nine".

Amendment adopted.

AMENDMENT NUMBER THREE.

On page 4, line 4, of the printed bill, strike out the words "eight-year", and insert in lieu thereof the words "six-year".

Amendment adopted.

AMENDMENT NUMBER FOUR.

On page 4, line 5, of the printed bill, strike out the word "seven", and insert in lieu thereof the word "nine".

Amendment adopted.

Bill read second time, ordered to print, engrossment, and on file for third reading.

Senate Bill No. 622—An act to amend the title and sections 2 and 4 of an act entitled "An act to create a flood control district to be called 'Los Angeles County Flood Control District'; to provide for the control and conservation of flood and storm waters, and for the protection of harbors, waterways, public highways and property in said district from damage from such waters, and for the construction of works and the acquisition of property therefor; to authorize the incurring of indebtedness, and the voting, issuing and selling of bonds, and the levying and collecting of taxes by said district; to provide for the government and control of said district, and to define the powers and duties of the officers thereof," approved June 12, 1915, as amended, relating to the objects and purposes of said act and the powers of the board of supervisors thereunder.

COMMITTEE AMENDMENTS.

During the second reading of the bill, the following committee amendments were offered:

AMENDMENT NUMBER ONE.

On page 2, line 5, of the printed bill, strike out "including sewage effluent", and all of line 6 and in line 7, strike out "district, municipality or other corporate body".

Amendment adopted.

AMENDMENT NUMBER TWO.

On page 3, line 36, of the printed bill, strike out "including sewage effluent".

Amendment adopted.

Bill read second time, ordered to print, engrossment, and on file for third reading.

REPORT.

The following report was received, and ordered printed in the Journal:

SACRAMENTO, CALIFORNIA, April 23, 1931.

To the Honorable Frank F. Merriam,

President of the California State Senate,

Capitol Building, Sacramento, California.

MR. PRESIDENT: As the delegate appointed by the Legislature and the State of California on the "Oil States Advisory Committee," I herewith submit partial report as follows:

Concurrent Resolution No. 14 adopted in Assembly March 4, 1931, relating to the appointment of a representative from this State to a committee composed of representatives from the states of Oklahoma, Texas, Kansas, and New Mexico for the purpose of sponsoring legislation to conserve natural resources.

Resolved by the Assembly of the State of California, the Senate concurring. That the Governor appoint a delegate to represent the Legislature and the State of California upon the "Oil States Advisory Committee," and that said delegate shall have authority and it shall be his duty to confer and negotiate with the duly appointed members of said committee, representing the states above named, respecting the conservation of oil and gas and other natural resources and to aid said committee in rendering and sponsoring such legislation as may be desirable or necessary to effectuate such conservation; and, be it further

Resolved, That it shall be the duty of said committee to report to the present session of the Legislature, from time to time, as to the proceedings and conclusion of said committee.

In accordance with the above resolution and having received appointment as said delegate by the Hon. James Rolph, Jr., Governor of the State of California, I proceeded to attend the conference of the delegates of the above named states, which was held at Texarkana, Texas, on March 9, 1931, at which conference the following delegates were in attendance: Cicero I. Murray, representing the state of Oklahoma, Mark D. Mitchell, representing the state of Kansas, Carl M. Cox, representing the state of Wyoming, W. H. Cooley, representing the State of California, W. Scott Heywood, representing the state of Louisiana, T. H. Barton, representing the state of Arkansas, and Robert R. Penn, representing the state of Texas. The conference opened its session in the Grimm Hotel on the morning of March 9, 1931, at which place and time the following resolution was adopted:

WHEREAS, At a conference called by Governor W. H. Murray of Oklahoma and participated in by Governor R. S. Sterling of Texas and representatives of governors of New Mexico and Kansas, held at Fort Worth, Texas, February 28 and March 4, 1931, an agreement was entered into creating an "Oil States Advisory Committee" to study the present distressed condition of the petroleum industry and to make recommendations for uniform legislation looking to the relief of said industry and the conservation of oil and gas, and also providing for invitations to be issued to the governors of other oil-producing states to appoint representatives on said committee; and

WHEREAS, The first session is being held this March 9, 1931, at Texarkana, Texas, with representatives attending from the states of Oklahoma, California, Texas, Arkansas, Louisiana, Kansas, and Wyoming, at which meeting there has been a full discussion of the entire oil situation throughout the Nation;

Now, therefore, said committee hereby adopts the following resolution:

WHEREAS, The oil industry in the United States and over the entire world, is suffering from a general condition of overproduction and slack demand, resulting in depressed prices for crude oil and its products and great distress among all engaged in the industry, including particularly the producers of crude oil as well as those engaged in the refining and marketing business, as well as unemployment and threatened great waste of crude oil reserves by the forced abandonment of approximately 300,000 small wells in the oil producing areas of the United States alone, forever precluding the recovery of many millions of barrels of oil and thereby wasting a great irreplaceable natural resource; and

WHEREAS, This condition is the result of extreme and uncontrolled competition within the oil industry, resulting in the overdrilling of many areas and a mad race for production on every hand which has built up present potential production of oil far in excess of the ability of the market to absorb same at prices profitable to the

producers of such crude oil; such conditions calling for steps by the various legal authorities of the states and of the United States which will permit the oil industry to put its house in order and control its production to fit the market demand; and

WHEREAS, If present conditions continue unchecked and unabated, they will result not only in the abandonment of hundreds of thousands of small oil wells, but in the elimination of virtually, if not entirely, the army of small or independent producers in this country, with the survival of only a few of the great major companies, thereby resulting in a condition of monopolistic control of the entire industry, rather than in a desired state of reasonable competition, all of which must be avoided by such control and regulation of the business of producing and handling crude oil and its products as will result in continuing in the business independent and major producers and handlers alike; and

WHEREAS, Within the last few years, systems of proration of oil production have grown up within the states of Texas, Oklahoma, Kansas, New Mexico, and California, in the efforts to hold production of petroleum within the demand, but said proration efforts have failed to result in fair prices for crude oil, said prices having fallen steadily within the last year to such point that a great majority of the oil operators of the United States are now faced with ruin and financial extinction; and

WHEREAS, Concurrently with the development of the proration system, there have been vast increases, within the last five years, in the imports of crude oil and gasoline into the United States, thereby nullifying the curtailment efforts that have been put forth, depressing the market and adding to the distress of domestic producers; now, therefore, be it

Resolved by said "Oil States Advisory Committee," That it hereby recommends the following steps to the governors of the various oil producing states and to the legislatures thereof:

First: That this committee be continued in existence for the purpose of correlating the activities of the various conservation bodies of the oil producing states, in an advisory capacity, and also to make recommendations as to the amounts of oil which should be produced within the United States and as to the prices which should obtain therefor, so as to assure to all producers a fair and reasonable return on their necessary investments in handling their business of mining for and producing oil; and also to hold conferences and agree with the major purchasers of crude oil as to quantities of production wanted, and prices to be paid therefor, with due consideration to the various grades of oil in the various fields and the geographical locations and conditions of gathering, transporting and marketing such crude oils; and to handle all other matters treated herein.

Second: That said committee also be empowered to confer with and treat with the major importers of crude oil as to imports of crude oil and petroleum products, limiting the same to reasonable amounts with due regard to proration measures in force and to the situation of demand and supply within the United States so that such imports may not result in the pulling down or destroying of the crude oil price structures in the United States.

Third: That said committee further shall discuss, confer and agree with the various holders of crude oil in storage within the United States as to fair and reasonable schedules of withdrawals from storage of such crude oil so that withdrawals may be accomplished in a rational manner without interference with the market for fair amounts of crude oil currently being produced.

Fourth: That in all such negotiations and in the dealings of the various state and national authorities with the oil business it be immediately and widely recognized that a fair price for crude oil is essential to its conservation, so as to prevent wastes of oil from diverting it to uses below its intrinsic value, to prevent the too rapid exhaustion of underground supplies of crude oil and of the gas energy which is necessary to bring it into the wells and to the surface, to prevent the abandonment of countless wells which otherwise would produce large quantities of crude oil that could never be recovered if those wells should be abandoned.

Fifth: That said committee be empowered to proceed with proper negotiations with the Federal Oil Conservation Board and any and all other agencies concerned therewith to secure a recognition of the fact that it is necessary not only to conserve crude oil, but to procure fair prices therefor, in order to prevent abandonment of wells physical and economic waste and other conditions resulting from the present distressed situation; in other words that intelligent and fair control of the production of such a natural resource as oil and gas is necessary not only to the producers thereof, but to the public as well, by preventing the creation and growth of monopoly with the resultant dangers of high and unfair prices for petroleum products in the not far distant future.

Sixth: That pending the working out of such improvements and betterments as are contemplated in this resolution, all of the oil producing states continue in force the present systems of oil proration, without any abatements or lessening of restrictions, maintaining the principle of preventing waste by not allowing the production of crude oil to exceed the market demands therefor.

Seventh: That each of the major oil producing states, Texas, California, Oklahoma, New Mexico and Kansas, immediately take steps through their legislatures to

create oil and gas conservation commissions, or other proper authorities, to be appointed by the governors of those states, for as long terms as possible, for the sole business of enforcing the laws of the various states as to conservation of oil and gas, adopting and enforcing rules for the reasonable carrying out of such laws by said commissions; thereby removing from undue political influence the activities of such commissions and eliminating from the oil and gas conservation programs of the various states the dangers of considerations of vote-getting.

Eighth: That all of the oil producing states shall as rapidly as possible enact uniform laws for the conservation of these resources, similar to the laws now in force in Texas and Oklahoma, which laws are generally regarded as sufficient to handle the situation, provided systems of administration are provided which will insure full, fair and fearless enforcement of the aforesaid laws. By this it is not meant that all of the oil states must be immediately subjected to proration, but they should have their legal systems provided for in case they should have flush fields brought in within their borders of major proportions.

Ninth: That the recommendations of the "Oil States Advisory Committee," as hereinabove provided for, shall so far as possible be given due consideration by the various state conservation agencies, said committee serving to contact these agencies, for the purpose of providing fair allotments of production allowables, as between the various states, with due regard for the various conditions affecting production in those states.

Tenth: That when allocations shall have been made to the various states by said "Oil States Advisory Committee," as hereinabove provided, the conservation authorities of said states, each and severally, shall proceed to allocate and distribute, as between the various fields of said states, the market available for the crude oil produced, with due regard for ratable takings as between all producers in a given field and with due regard for preventing any unfair or unreasonable discrimination between various fields.

Eleventh: That in all of such allocations, as between producers and as between fields, due regard shall be given to the necessities of the so-called marginal or small producing wells. These wells which are in danger of abandonment, if production or price is curtailed too far, striving in all reasonable manners to preserve, and continue the life of all such small wells and fields so that they may produce the amounts of oil consistent with preventing waste therein.

Twelfth: That proration be immediately extended by the conservation authorities of Texas to the new East Texas fields, which are now threatening to destroy the entire crude oil markets, providing for those fields fair and reasonable markets and prices consistent with the production of the rest of the country; and that in all new areas of flush production, in whatever state, proration measures be fairly applied from the beginning of the development of said fields.

Thirteenth: That measures be taken in all of the oil producing states to prevent the over-drilling and wasteful production of oil and gas in those areas of any production which may be developed, holding the amount of drilling to such number of wells as may reasonably seem likely to produce said oil most economically and efficiently and also to save and preserve the gas energy of said fields; and further to encourage the idea of operators who own tracts of land too small to support wells individually, entering into partnerships creating blocks of sufficient size that they may reasonably and economically support a well or wells, thereby reducing and preventing both physical and economic wastes due to too close drilling; and that we further go on record, as favoring wherever possible and feasible, the principle of unit operations as providing the fairest and most economical possible way of producing oil and as not only effecting great savings in operations but far greater recoveries of oil and as well as rates of withdrawal that will prevent flooding the markets with new flush oil supplies that cannot be readily absorbed.

Fourteenth: That in all of the foregoing measures, it be borne in mind that it is necessary not only to prorate and curtail production of oil within the United States but to prorate and curtail the imports of foreign crude oil and petroleum products with due consideration for the preservation of the American markets; and furthermore that to prevent such importations as may hereafter arise from other countries like Russia and Roumania, effective measures should be provided by the Congress of the United States to prevent dumping of oil and oil products on the United States market.

Fifteenth: That if the plan of agreements herein suggested for the immediate and fair curtailment of oil imports shall fail of its purpose, then we recommend that the legislatures of the various oil states enact legislation which will have the effect of preventing importers from bringing in foreign oil to the hurt and injury of the United States producers.

Sixteenth: That this committee fully recognizes that for the benefit of the consuming public, fair and reasonable prices to the public must be maintained on gasoline and other petroleum products, and that to this end published recommendations be made from time to time by this committee as to constitute fair and reasonable prices for gasoline and other petroleum products with relation to the prevailing prices for crude oil.

Seventeenth: That this committee recommends discouragement of any increases in the gasoline taxes imposed by the various states, which taxes in all cases are paid

by the consuming public as part of the price of gasoline at the filling station, and that all of the states, by proper legislation, increase the efficiency of the collection of those taxes as now imposed, so as to prevent evasions by unscrupulous concerns.

Eighteenth: That this committee recommends that the oil industry of the United States, through the means herein suggested and through other means which may become apparent from time to time, set unto itself the goal of so conducting its business as to control and prevent the too rapid and reckless production of oil and to assure fair prices to producers at all times, for in any conservation of oil and gas, the factor of price is not less important than that of curtailment; it being the feeling of this committee that if the oil industry will avoid a long period of distress and ruin to many thousands of operators, both large and small, all branches of the industry must cooperate through every means available not only to assure fair prices and reasonable supplies of oil and its products, but to prevent unreasonable and monopolistic prices in the future.

Nineteenth: That this committee urges and requests those purchasing companies which have recently reduced prices of crude oil to restore its prices to February levels, pending the working out by the various states of such measures as are recommended herein, looking to immediate betterment of prices thereafter.

Twentieth: This committee finally recommends, in order to make permanent the foregoing program dealing with the oil industry in general, that the oil-producing states here represented and which may hereafter join in this committee, enter into an interstate compact, the terms of which shall be agreed upon by this committee at some future meeting, such interstate compact to be only obligatory upon those states giving legislative sanction thereto, and also subject to the consent of the Congress of the United States.

(Signed)

CICERO I. MURRAY, Chairman, Oklahoma City, Oklahoma.
W. H. COOLEY, Bakersfield, California.
MARK D. MITCHELL, Independence, Kansas.
CARL M. COX, Cheyenne, Wyoming.
W. SCOTT HEYWOOD, Jennings, Louisiana.
T. H. BARTON, El Dorado, Arkansas.
ROBERT R. PENN, Dallas, Texas.

Immediately following the conference held at Texarkana on March 9, 1931, the committee members received an invitation through the Hon. Ross Sterling, governor of the state of Texas, to be present at a public hearing to be held by the railroad commission of the state of Texas, at which hearing the central proration committee of the state of Texas were to appear and apply for a proration order to curtail and prorate the new flush producing area of east Texas, a field conservatively estimated to comprise 100,000 acres of proven oil land with a maximum estimate of recovery of some two billion barrels of high gravity refining grade oil. The hearing progressed for seven days, at the end of which time the commission issued a proration order which was immediately enjoined in the district court. The operators, land owners, and royalty owners contesting the proration order and thereby placing in jeopardy the whole price structure within the state. Recently, however, report has reached me that a compromise was effected and the field was placed under the proration order limiting the daily output to 130,000 barrels.

The committee next proceeded to Washington, D. C., where on April 9, it appeared before the Federal Oil Conservation Board at a public hearing and submitted the following plan to the said board and received immediately, at the conclusion of the public hearing, the approval of said Federal Oil Conservation Board and a declaration of its intention to cooperate as fully as possible to carry out the plan herewith attached and which is as follows: Refer to report marked addendum "A".

I also take pleasure in accompanying this report with a transcript of the proceedings had before the Federal Oil Conservation Board at which the Oil States Advisory Committee plan was fully discussed and acted upon. The Oil States Advisory Committee, after the hearing at Washington, proceeded to St. Louis, Missouri, upon invitation of the American Petroleum Institute, where it met in joint session and submitted the following report which was accepted by that body in preference to a similar report made by that body's own economic committee and also the economic committee acting separately for and in behalf of the Federal Oil Conservation Board. The three separate reports as presented to the American Petroleum Institute are also herewith attached. I might state that the states of Ohio, Colorado and Kansas sent delegates to the Washington conference, making in all, ten states represented by delegates on the Oil States Advisory Committee. I might also state that a compact between the principal oil producing states is a possible means for accomplishing the following necessary object for effective conservation program:

One: Uniformity of conservation laws of the major producing states. Ratification of the compact would be an enactment by every state of certain uniform principles, leaving details to be filled in by legislation to accord with varying local conditions. The objective would be to balance the conservation efforts of the various adhering states so that a voluntary restriction of production in one would not be offset by increased production in another. Such a balance would be effected liaison provided by the compact between the various state enforcing bodies.

Two: By the creation or recognition of an individual body in each state with provisions for liaison between them so that periodical conferences between them would be required and the general orders of each body effecting production would be effective only after service on the others. A balance between conservation measures taken in each state would thus be maintained. A permanent Advisory Interstate Commission or committee composed of one member from each state commission would provide the necessary liaison.

Three: Establishment of a few major principles as the basic uniform law and these states should be directed toward: *a.* Necessity of preservation of gas content of all pools. *b.* Necessity for the most economic production of oil by first giving the uniform body power to equitably restrict production in times of overproduction. *c.* Giving the enforcement body power to refuse licenses to wasteful production operations. and *d.* Preserving the producing life of fields of stabilized or settled production.

Four: Permitting under proper unit development and operation of single oil pools. Protection of small operators through spreading the burden of conservation effects over several states instead of one, relieving the small producing well and the field with settled production from undue danger of permanent injury on account of curtailment.

The following elements may be considered for inclusion in a compact:

First, a clause whose subdivisions constitute a short uniform statute which will become on ratification of the compact, the municipal law of each state and will form the basis of the powers conferred by the compact on the agencies which are to enforce it.

The following draft of proposed state statute authorizing negotiations of Interstate Oil Conservation compact may be properly considered at this time. Copy of form is herewith attached. The compact could be entered into with or without the approval of the United States government.

All of the above is respectfully submitted for your consideration.

(Signed)

W. H. COOLEY, Appointed Delegate.

DRAFT OF PROPOSED STATE STATUTE AUTHORIZING NEGOTIATION OF INTERSTATE
OIL CONSERVATION COMPACT.

An act providing for the appointment of a representative on behalf of the State of California to negotiate a compact between the said state and the states of Oklahoma, Colorado, Texas, Kansas, Ohio, Wyoming, New Mexico, Louisiana and Arkansas, or any of them and to cooperate with the United States of America, respecting production and conservation of petroleum and natural gas within said states and making an appropriation therefor.

SECTION 1. The governor of the State of California shall appoint a delegate and/or committeeman who shall serve and receive proper compensation therefor, as a representative of the State of California, and shall be duly authorized to represent the State of California in a joint committee to be composed of representatives of the states of Texas, Colorado, Oklahoma, Kansas, Ohio, Wyoming, New Mexico, Louisiana and Arkansas; and a representative of the United States of America, such committee to be constituted for the purpose of negotiating and entering into a compact between the said states, with the consent of the congress of the United States, which shall provide for the coordination of the efforts of each of said states toward the wise use of the oil and gas resources within its territory; provide for the creation of an advisory or coordinating commission composed of representatives of the conservation agencies of the several compacting states, and for the adoption of general uniform conservation principles in said states, reserving to this state the power to enact such legislation as may be deemed proper in accordance therewith; said compact to provide for the cooperation of said advisory or coordinating commission with the United States of America; *provided, however,* that any compact or agreement so entered into by said states shall not be binding or obligatory upon this state unless and until the same shall have been ratified and approved by the Legislature of this state and by the congress of the United States; *provided further, however,* that there is hereby conferred upon the delegate and/or committeeman from this state, in view of the present emergency which threatens the welfare of the oil and gas resources of this state, the authority to promulgate temporary rules and regulations not in conflict with any existing law of this state or of the United States, in conformity with said state compact, if signed by the delegate or committeeman of this state, which rules and regulations when approved by the governor shall have the force of law until repealed or modified by the Legislature.

SEC. 2. The governor of this state shall notify the respective governors of the states of Texas, Oklahoma, Kansas, Wyoming, Ohio, New Mexico, Colorado, Louisiana and Arkansas, of the appointment of the delegate and/or committeeman of this state as soon as said delegate and/or committeeman shall have been appointed and qualified.

SEC. 3. The delegate and/or committeeman of this state shall have authority to make or cause to be made any investigation which said representative of this state may require respecting the production and conservation of oil and gas within this and the other states and of the present and future needs of this state with reference

thereto, in order that he may properly perform his duties as the representative of the State of California upon said joint committee.

SEC. 4. For the purpose of carrying out the provisions of this act, including the payment of an equitable portion of the cost and expenses of said joint committee there is hereby appropriated out of any moneys in the state treasury not otherwise appropriated the sum of ten thousand dollars or so much thereof as may be necessary for the purpose herein provided. Said appropriation may be used within or without the State of California. Said delegate and/or committeeman may employ such clerical or technical assistants as may be deemed necessary to accomplish the purpose of this act.

SEC. 5. That it is necessary for the public peace and safety that the provisions of this act shall become effective at the earliest possible time, and therefore an emergency is hereby declared to exist, and this act shall take effect and be in full force and effect from and after its passage and approval.

SEC. 6. All acts or parts of acts in conflict with the provisions of this act are hereby repealed.

CONSIDERATION OF DAILY FILE.

THIRD READING OF SENATE BILLS.

Senate Bill No. 122—An act to add a new section to be numbered 426b to the Code of Civil Procedure, relating to the pleadings in divorce actions based on extreme cruelty and adultery.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Senate Bill No. 122 passed by the following vote:

AYES—Senators Allen, Baker, Breed, Bush, Cleveland, Clock, Duval, Edwards, Evans, Fellom, Harper, Hays, Ingels, Maloney, McCormack, McKinley, Mixer, Moran, Nelson, Pedrotti, Rich, Riley, Slater, Swing, Tubbs, Waggy, and Williams—27.

NOES—Senator Schottky—1.

Title read and approved.

Bill ordered transmitted to the Assembly.

Senate Bill No. 931—An act to repeal chapter 399 of the Statutes of 1911, relating to certain defenses in actions at common law against employers.

Bill read third time.

MOTION TO REFER TO SPECIAL COMMITTEE OF ONE.

During third reading of the bill, Senator Moran moved to refer Senate Bill No. 931 to Senator Rich, as a Special Committee of One, to amend as follows:

AMENDMENT NUMBER ONE.

Strike out all of the title of the printed bill, and insert in lieu thereof the following:

"An act to amend section 1 of chapter 399 of the statutes of 1911, relating to certain defenses in actions at common law against employers."

AMENDMENT NUMBER TWO.

On page 4 of the printed bill, strike out all of lines 21, 22 and 23, and insert in lieu thereof the following:

"SECTION 1. Section 1 of chapter 399 of the statutes of 1911 is hereby amended to read as follows:

Section 1. In any action to recover damages for a personal injury sustained within this state by an employee while engaged in the line of his duty or the course of his employment as such, or for death resulting from personal injury so sustained, it shall not be a defense:

(1) That the employee either expressly or impliedly assumed the risk of the hazard complained of, or

(2) That the injury or death was caused in whole or in part by the want of ordinary or reasonable care of a fellow servant."

Motion carried.

REPORT OF SPECIAL COMMITTEE OF ONE.

SENATE CHAMBER, SACRAMENTO, April 27, 1931.

MR. PRESIDENT: Your Special Committee of One, to which was referred Senate Bill No. 931, with instructions to amend, respectfully reports the same back, amended as per instructions.

RICH, Committee.

Report read, and on motion of Senator Moran adopted.

Bill ordered to print, and re-engrossment.

Senate Bill No. 887—An act to amend section 4271 and to repeal section 4267a of the Political Code, relating to compensation of county and township officers in counties of the forty-second class.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Senate Bill No. 887 passed by the following vote:

AYES—Senators Allen, Baker, Breed, Bush, Carter, Cassidy, Christian, Cleveland, Clock, Crittenden, Duval, Edwards, Fellom, Harper, Hays, Ingels, Jones, Maloney, McCormack, McKinley, Mixer, Moran, Nelson, Rich, Riley, Schottky, Sharkey, Slater, Swing, Tubbs, Wagy, Williams, and Young—33.

NOES—None.

Title read and approved.

Bill ordered transmitted to the Assembly.

Senate Bill No. 679—An act to provide for the sanitary inspection of slaughterhouses, the inspection of animals or meats intended for human consumption, to provide rules and regulations therefor, to provide penalties for the violation hereof and to repeal the California Meat Inspection Law, approved June 3, 1921.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Senate Bill No. 679 passed by the following vote:

AYES—Senators Allen, Baker, Breed, Bush, Carter, Cassidy, Christian, Cleveland, Clock, Crittenden, Duval, Edwards, Evans, Fellom, Harper, Hays, Ingels, Inman, Jones, Maloney, McCormack, McKinley, Mixer, Nelson, Rich, Riley, Slater, Swing, Treacy, Tubbs, Wagy, Williams, and Young—33.

NOES—None.

Title read and approved.

Bill ordered transmitted to the Assembly.

Senate Bill No. 946—An act to amend section 141 $\frac{3}{4}$ of the California Vehicle Act, approved May 30, 1923, relating to liability of an owner or driver or person responsible for the operation of a vehicle, for the injury or death of a guest.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Senate Bill No. 946 passed by the following vote:

AYES—Senators Allen, Baker, Breed, Bush, Carter, Cassidy, Christian, Cleveland, Clock, Edwards, Evans, Fellom, Harper, Hays, Ingels, Inman, Jones, Maloney, McCormack, McKinley, Mixer, Moran, Nelson, Rochester, Schottky, Sharkey, Slater, Swing, Treacy, Tubbs, and Wagy—31.

NOES—None.

Title read and approved.

Bill ordered transmitted to the Assembly.

Senate Bill No. 942—An act relating to citrus fruit fairs and expositions and providing that such fairs and expositions shall be entitled to receive and participate in the benefits and aid provided for agricultural fairs in and by the act entitled "An act to form agricultural districts, to provide for the formation, organization and powers, of agricultural associations therein and for the management and control of the same by the State, and repealing all acts and portions of acts in conflict with this act," approved April 17, 1909.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Senate Bill No. 942 passed by the following vote:

AYES—Senators Allen, Baker, Breed, Bush, Carter, Christian, Cleveland, Clock, Crittenden, Duval, Edwards, Evans, Fellom, Harper, Hays, Inman, Jones, Maloney, McCormack, Mixer, Moran, Nelson, Rich, Rochester, Schottky, Slater, Swing, Treacy, Tubbs, and Williams—30.

NOES—None.

Title read and approved.

Bill ordered transmitted to the Assembly.

SENATE CONSTITUTIONAL AMENDMENT No. 6.

A resolution to propose to the people of the State of California an amendment to the constitution of said State by amending section 1 $\frac{1}{2}$ of article XIII, relating to exemptions of property on account of military service.

Resolved by the Senate, the Assembly concurring. That the Legislature of the State of California, at its forty-ninth regular session commencing on the fifth day of January, 1931, two-thirds of all the members elected to each of the two houses of said Legislature voting in favor thereof, hereby proposes to the people of the State of California that section 1 $\frac{1}{2}$ of article XIII of the constitution of this State be amended to read as follows:

Sec. 1 $\frac{1}{2}$. The property to the amount of \$1,000 of every resident of this State who has served in the Army, Navy, Marine Corps or Revenue Marine Service of the United States in time of war, and received an honorable discharge therefrom, or who after such service of the United States in time of war has continued in such service, or who has been released from active duty because of disability resulting from such service in time of peace or under other honorable conditions, or lacking such amount of property in his own name so much of the property of the wife of any such person as shall be necessary to equal said amount; and the property to the amount of \$1,000 of the widow resident in this State, or if there be no such widow, of the widowed mother resident in this State, of every person who has so served and has died either during his term of service, or after receiving an honorable discharge from said service, or who has been released from active duty because of disability resulting from such service in time of peace or under other honorable conditions, and the property to the amount of \$1,000 of pensioned widows, fathers, and mothers, resident in this State, of soldiers, sailors and marines who served in the Army, Navy or Marine Corps or Revenue Marine Service of the United States shall be exempt from taxation; *provided*, this exemption shall not apply to any person named herein owning property of the value of \$5,000 or more, or where the wife of such soldier or sailor owns property of the value of \$5,000 or more. No exemption shall be made under the provisions of this act of the property of a person who is not legal resident of the State; *provided, however*, all real property owned by the Ladies of the Grand Army of the Republic and all property owned by the California Soldiers Widows Home Association shall be exempt from taxation.

Amendment read.

The question being on the adoption of the amendment.

The roll was called, and Senate Constitutional Amendment No. 6 adopted by the following vote:

AYES—Senators Allen, Baker, Bush, Carter, Clock, Crittenden, Duval, Edwards, Evans, Fellom, Harper, Hays, Ingels, Inman, Jones, Maloney, McCormack, McKinley, Mixer, Moran, Nelson, Pedrotti, Riley, Rochester, Sharkey, Slater, Swing, Treacy, Tubbs, Waggy, Williams, and Young—32.

NOES—Senator Cleveland—1.

Senate Constitutional Amendment No. 6 ordered transmitted to the Assembly.

SENATE CONSTITUTIONAL AMENDMENT No. 22.

A resolution to propose to the people of the State of California an amendment of the constitution of said State by amending section 15 of article XIII thereof, relating to revenue and taxation.

Resolved by the Senate, the Assembly concurring. That the Legislature of the State of California at its regular session commencing on the fifth day of January, 1931, two-thirds of all the members elected to each of the two houses of said Legislature voting in favor thereof, hereby proposes to the people of the State of California that section 15 of article XIII of the constitution of the State of California be amended to read as follows:

Sec. 15. Taxes levied, assessed and collected as hereinafter provided upon companies owning, operating or managing any automobile, truck or auto truck, jitney bus, stage or auto stage used in the business of transportation of persons or property as a common carrier for compensation over any public highway in this State between fixed termini or over a regular route, other than buses used exclusively for the transportation of pupils to or from any public school, when owned or operated by the school or school district, shall be entirely and exclusively for State purposes, and shall be levied, assessed and collected in the manner hereinafter provided. The word "companies," as used in this section, shall include persons, partnerships, joint stock associations, companies and corporations.

(a) All such companies engaged in the business of transportation of persons, or persons and baggage, or persons and express, or persons, baggage and express where the same is transported on the same automobile, jitney bus, stage or auto stage transporting said persons shall annually pay to the State a tax upon their franchises, cars, equipment, and other property, or any part thereof, used exclusively in the operation of their business in this State, equal to four and one-quarter per cent of the gross receipts from operations of such companies, and each thereof, within this State.

All such companies operating trucks or auto trucks engaged in the business of transporting property shall annually pay to the State a tax upon their franchises, trucks or auto trucks, equipment, and other property, or any part thereof, used exclusively in the operation of their business in this State, equal to five per cent of the gross receipts from operations of such companies, and each thereof, within this State.

When such companies are operating partly within and partly without this State, the gross receipts within this State shall be deemed to be all receipts on business beginning and ending within this State, and a proportion, based upon the proportion of the mileage within this State to the entire mileage over which such business is done, of receipts on all business passing through, into, or out of this State.

Such taxes shall be in lieu of all other taxes and licenses, State, county and municipal, upon the property above enumerated of such companies; *provided*, that nothing herein shall be construed to release any such company from the payment of any amount to be paid or required by law to be paid for any special privilege or franchise heretofore granted by any of the municipal authorities of this State.

One-half of the revenues from the taxes provided for in this section shall be deposited in the general fund, and the remaining one-half shall be apportioned among the respective counties of this State, in the proportion that the number of motor vehicles registered within such county for the preceding calendar year bears to the total number of motor vehicles registered in the State of California under the Motor Vehicle Act of such State for the preceding year, and such sums so paid to said repair of public highways within such county. In the event that all other State revenues are at any time deemed insufficient to meet the annual expenditures of the State, there may be levied in the manner to be provided by law, a tax, for State purposes, on all the property in the State, including the classes of property enumerated in this section, sufficient to meet the deficiency. All property enumerated in this section shall be subject to taxation, in the manner provided by law, to pay the principal and interest of any bonded indebtedness created and outstanding by any city, city and county, county, town, township, or district on the first day of October, 1925. The taxes so paid for principal and interest on such bonded indebtedness shall be deducted from the total amount paid in taxes hereunder.

(b) All the provisions of this section shall be self-executing, and the Legislature shall pass all laws necessary to carry this section into effect, and shall provide for the valuation and assessment of the property enumerated in this section, and shall prescribe the duties of the State Board of Equalization and any other officers in connection with the administration thereof.

The rates of taxation fixed in this section shall remain in force until changed by the Legislature, two-thirds of all the members elected to each of the two houses voting in favor thereof. The taxes herein provided for shall become a lien on the first Monday in March of each year after the adoption of this section and shall become due and payable on the first Monday in July thereafter. The gross receipts herein mentioned shall be computed for the year ending the thirty-first day of December prior to the levy of such taxes and the value of any property mentioned herein shall be fixed as of the first Monday in March. Nothing herein contained shall affect any tax levied or assessed prior to the adoption of this section.

(c) No injunction shall ever issue in any suit, action or proceeding in any court against this State or against any officer thereof to prevent or enjoin the collection of any tax levied under the provisions of this section; but after payment action may be maintained to recover any tax illegally collected in such a manner and at such time as may now or hereafter be provided by law.

Amendment read.

The question being on the adoption of the amendment.

The roll was called, and Senate Constitutional Amendment No. 22 adopted by the following vote:

AYES—Senators Allen, Baker, Breed, Bush, Cassidy, Christian, Cleveland, Clock, Crittenden, Deuel, Edwards, Evans, Harper, Hays, Ingels, Inman, Jones, Maloney, McCormack, McKinley, Mixter, Moran, Nelson, Pedrotti, Riley, Rochester, Schottky, Sharkey, Slater, Tubbs, Williams, and Young—32.

NOES—Senators Fellom, Treacy, and Wagye—3.

Senate Constitutional Amendment No. 22 ordered transmitted to the Assembly.

SENATE CONSTITUTIONAL AMENDMENT No. 23.

A resolution to propose to the people of the State of California an amendment to the constitution of said State by adding a new section to be numbered 14a to article XIII thereof, relating to revenue and taxation.

Resolved by the Senate, the Assembly concurring. That the Legislature of the State of California at its regular session commencing on the fifth day of January, 1931, two-thirds of all the members elected to each of the two houses of said Legislature voting in favor thereof, hereby proposes to the people of the State of California that a new section numbered 14a be added to article XIII of the constitution of the State of California, to read as follows:

Sec. 14a. The Legislature, two-thirds of all the members elected to each of the two houses voting in favor thereof, in fixing the rates of taxation pursuant to the provisions of section 14 of this article may classify and reclassify, divide and subdivide the several groups of utilities, or companies or any company within any such group mentioned therein, and fix such rates as it may determine for the respective classes, subclasses, divisions or subdivisions so established by it from time to time.

The question being on the adoption of the amendment.

The roll was called, and Senate Constitutional Amendment No. 23 adopted by the following vote:

AYES—Senators Allen, Baker, Breed, Bush, Carter, Cassidy, Cleveland, Clock, Deuel, Duval, Edwards, Fellom, Harper, Hays, Ingels, Jones, Maloney, McCormack, McKinley, Mixter, Moran, Nelson, Rich, Riley, Schottky, Sharkey, Slater, Treacy, Tubbs, Wagye, Williams, and Young—33.

NOES—None.

Senate Constitutional Amendment No. 23 ordered transmitted to the Assembly.

Senate Bill No. 484—An act relating to the maintenance of professorships of nursing education at the University of California at Berkeley and Los Angeles, defining the powers and duties of the State Director of Finance in relation thereto, and making an appropriation therefor.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Senate Bill No. 484 passed by the following vote:

AYES—Senators Allen, Baker, Breed, Bush, Carter, Cassidy, Cleveland, Clock, Deuel, Duval, Edwards, Fellom, Harper, Hays, Inman, Jones, Maloney, McCormack, McKinley, Mixter, Moran, Nelson, Pedrotti, Rich, Riley, Schottky, Sharkey, Slater, Treacy, Tubbs, Wagye, Williams, and Young—33.

NOES—None.

Title read and approved.

Bill ordered transmitted to the Assembly.

Senate Bill No. 9—An act declaring the bridge across the Yuba River at the city of Marysville and the bridge across the Feather River between the city of Marysville and the city of Yuba City to be State highways and parts of the State highway system.

Bill read third time.

MOTION TO REFER TO SPECIAL COMMITTEE OF ONE.

During third reading of the bill, Senator Rich moved to refer Senate Bill No. 9 to Senator Ingels, as a Special Committee of One, to amend as follows:

AMENDMENT NUMBER ONE.

On page 1 of the printed bill, strike out the period at the end of line 11, and in lieu thereof insert a semicolon and add the following: "*provided, however*, in the case of said bridge and highway thereon across the Feather river, the state hereby assumes only such obligation of maintenance as may be now imposed upon the counties of Yuba and Sutter under any existing contract with any railroad company for the maintenance thereof, and the department of public works, acting by and through the California highway commission, may by resolution of said commission at such time as it may deem it to be necessary and proper, relinquish the state's interest, created hereby, to the counties of Yuba and Sutter and thereupon the state's control and jurisdiction of said bridge and highway thereon shall entirely revert in said counties."

Motion carried.

REPORT OF SPECIAL COMMITTEE OF ONE.

SENATE CHAMBER, SACRAMENTO, April 27, 1931.

MR. PRESIDENT: Your Special Committee of One, to which was referred Senate Bill No. 9, with instructions to amend, respectfully reports the same back, amended as per instructions.

INGELS, Committee.

Report read, and on motion of Senator Rich adopted.

Bill ordered to print, and re-engrossment.

Senate Bill No. 459—An act to amend section 667 of the Penal Code, relating to punishment for second offenses.

Bill read third time.

MOTION TO REFER TO SPECIAL COMMITTEE OF ONE.

During third reading of the bill, Senator Mixer moved to refer Senate Bill No. 459 to Senator Harper, as a Special Committee of One, to amend as follows:

AMENDMENT NUMBER ONE.

On page 1, line 14, of the printed bill, strike out the word "larceny", and insert in lieu thereof the word "theft".

Motion carried.

REPORT OF SPECIAL COMMITTEE OF ONE.

SENATE CHAMBER, SACRAMENTO, April 27, 1931.

MR. PRESIDENT: Your Special Committee of One, to which was referred Senate Bill No. 459, with instructions to amend, respectfully reports the same back, amended as per instructions.

HARPER, Committee."

Report read, and on motion of Senator Mixer adopted.

Bill ordered to print, and re-engrossment.

Senate Bill No. 917—An act to amend section 3 of chapter 197, Statutes of 1909, entitled "An act to amend 'An act to regulate the vocation of fishing and to provide therefrom revenue for the propagation, restoration

and conservation of the fish in the waters of the State of California,' '' relating to regulations of the Fish and Game Commission.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Senate Bill No. 917 passed by the following vote:

AYES—Senators Allen, Baker, Breed, Bush, Carter, Cassidy, Christian, Cleveland, Clock, Crittenden, Deuel, Duval, Edwards, Evans, Harper, Hays, Maloney, McCormack, Mixter, Moran, Nelson, Pedrotti, Rich, Riley, Schottky, Slater, Treacy, Tubbs, Wagy, and Young—30.

NOES—None.

Title read and approved.

Bill ordered transmitted to the Assembly.

Senate Bill No. 686—An act to amend section 30 of and to add a new section to be numbered 15e to the California Irrigation District Act, relating to the powers and duties of the board of directors.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Senate Bill No. 686 passed by the following vote:

AYES—Senators Allen, Baker, Breed, Bush, Cassidy, Christian, Cleveland, Clock, Crittenden, Deuel, Duval, Edwards, Evans, Harper, Hays, Ingels, Inman, Maloney, McCormack, McKinley, Mixter, Moran, Nelson, Pedrotti, Rich, Riley, Schottky, Sharkey, Slater, Swing, Treacy, Tubbs, and Wagy—33.

NOES—None.

Title read and approved.

Bill ordered transmitted to the Assembly.

Senate Bill No. 17—An act appropriating money for the control and conservation of flood waters in the Los Angeles County Flood Control District.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Senate Bill No. 17 passed by the following vote:

AYES—Senators Allen, Baker, Breed, Bush, Carter, Cassidy, Christian, Cleveland, Clock, Crittenden, Deuel, Duval, Edwards, Evans, Fellom, Harper, Ingels, Inman, Maloney, McKinley, Mixter, Moran, Nelson, Pedrotti, Rich, Schottky, Slater, Swing, Treacy, Tubbs, and Wagy—31.

NOES—Senator Riley—1.

Title read and approved.

Bill ordered transmitted to the Assembly.

Senate Bill No. 51—An act relating to and providing for the construction of flood control works on the Santa Ana River system and for the prevention of floods and conserving of the flood waters of said river and its tributaries and making an appropriation therefor.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Senate Bill No. 51 passed by the following vote:

AYES—Senators Allen, Baker, Breed, Bush, Carter, Cassidy, Christian, Cleveland, Crittenden, Deuel, Duval, Edwards, Evans, Fellom, Harper, Ingels, Inman, Jones,

Maloney, McKinley, Mixer, Moran, Nelson, Rich, Riley, Schottky, Sharkey, Slater, Swing, Treacy, Tubbs, Wagy, and Young—33.

NOES—None.

Title read and approved.

Bill ordered transmitted to the Assembly.

Senate Bill No. 694—An act making an appropriation to pay the claim of Fanny Lem against the State of California.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Senate Bill No. 694 passed by the following vote:

AYES—Senators Allen, Baker, Breed, Carter, Cassidy, Christian, Cleveland, Clock, Crittenden, Duval, Evans, Fellom, Harper, Inman, Jones, Maloney, McCormack, McKinley, Mixer, Moran, Nelson, Pedrotti, Rich, Riley, Schottky, Sharkey, Slater, Swing, Treacy, Tubbs, Wagy, and Young—32.

NOES—None.

Title read and approved.

Bill ordered transmitted to the Assembly.

Senate Bill No. 695—An act making an appropriation to pay the claim of Grace Takata against the State of California.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Senate Bill No. 695 passed by the following vote:

AYES—Senators Allen, Baker, Breed, Carter, Cassidy, Christian, Clock, Crittenden, Duval, Edwards, Evans, Fellom, Harper, Hays, Inman, Maloney, McKinley, Mixer, Moran, Nelson, Rich, Riley, Schottky, Sharkey, Slater, Swing, Treacy, Tubbs, Wagy, and Williams—30.

NOES—None.

Title read and approved.

Bill ordered transmitted to the Assembly.

Senate Bill No. 696—An act making an appropriation to pay the claim of Shizue Morey against the State of California.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Senate Bill No. 696 passed by the following vote:

AYES—Senators Allen, Breed, Bush, Carter, Cassidy, Crittenden, Evans, Fellom, Harper, Hays, Inman, Jones, Maloney, McKinley, Mixer, Nelson, Rich, Riley, Schottky, Sharkey, Slater, Swing, Treacy, Tubbs, Wagy, and Williams—26.

NOES—None.

Title read and approved.

Bill ordered transmitted to the Assembly.

Senate Bill No. 697—An act making an appropriation to pay the claim of Clara Char against the State of California.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Senate Bill No. 697 passed by the following vote:

AYES—Senators Allen, Breed, Cassidy, Crittenden, Evans, Fellom, Harper, Hays, Inman, Jones, Maloney, McKinley, Mixer, Nelson, Rich, Riley, Schottky, Sharkey, Slater, Swing, Treacy, Tubbs, Waggy, and Williams—24.

NOES—None.

Title read and approved.

Bill ordered transmitted to the Assembly.

Senate Bill No. 824—An act appropriating money to pay the expenses of maintaining an exhibit of State products at the International Fair and Exhibit to be held in Chicago, Illinois, in 1933, and to provide commissioners thereof.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Senate Bill No. 824 passed by the following vote:

AYES—Senators Allen, Breed, Cassidy, Cleveland, Crittenden, Evans, Fellom, Hays, Jones, Maloney, McKinley, Mixer, Nelson, Rich, Riley, Rochester, Schottky, Sharkey, Slater, Swing, Treacy, Tubbs, Waggy, and Williams—24.

NOES—None.

Title read and approved.

Bill ordered transmitted to the Assembly.

SENATE CONCURRENT RESOLUTION No. 31.

Relating to the Marshall monument at Coloma, El Dorado County.

WHEREAS, It is an established historical fact that the first piece of gold picked up by James W. Marshall at Sutter's Mill, Coloma, was a "flake"; and

WHEREAS, This "flake" with the letter and records proving its authenticity is in the Smithsonian Institute at Washington, D. C.; and

WHEREAS, It appears on the Marshall monument at Coloma, El Dorado County, that the first piece of gold picked up by James W. Marshall was a "nugget"; now, therefore, be it

Resolved by the Senate, the Assembly concurring. That it is the intention of the Legislature to have this error corrected, and to that end the Chief of the Division of Parks in the Department of Natural Resources is hereby directed to have the necessary change made so that the inscription on the monument will conform with the historical facts by changing the word "nugget" to "flake."

Resolution read.

The question being on the adoption of the resolution.

The roll was called, and Senate Concurrent Resolution No. 31 adopted by the following vote:

AYES—Senators Allen, Breed, Carter, Cassidy, Christian, Cleveland, Crittenden, Ducl, Evans, Fellom, Harper, Hays, Inman, Jones, Maloney, McKinley, Mixer, Nelson, Pedrotti, Rich, Riley, Rochester, Schottky, Sharkey, Slater, Swing, Treacy, Tubbs, Waggy, and Williams—30.

NOES—None.

Senate Concurrent Resolution No. 31 ordered transmitted to the Assembly.

RECESS.

On motion of Senator Breed, at twelve o'clock and thirty minutes p.m., the President of the Senate declared recess until two o'clock p.m.

RECONVENED.

At two o'clock p.m., the Senate reconvened.

Lieutenant Governor Frank F. Merriam, President of the Senate, in the chair.

Minute Clerk Harold J. Powers at the desk.

REPORTS OF STANDING COMMITTEES—(RESUMED).

The following reports of standing committees were received and read:

ON COUNTY GOVERNMENT.

SENATE CHAMBER, SACRAMENTO, April 27, 1931.

MR. PRESIDENT: Your Committee on County Government, to which was referred Senate Bill No. 801—An act to add section 19 π 53 to the Juvenile Court Law, relating to probation officers in counties of the fifty-third class;

Also: Senate Bill No. 802—An act to amend section 2322 π 53 of the Political Code, relating to the office of agricultural commissioner in counties of the fifty-third class;

Also: Senate Bill No. 803—An act to amend section 16 π 53 of the Weights and Measures Act, relating to sealers of weights and measures in counties of the fifty-third class;

Also: Senate Bill No. 805—An act to add a new section to be numbered 9a53 to the act entitled "An act to provide for the establishment and maintenance of county free libraries in the State of California, and repealing 'An act entitled "An act to provide county library systems," approved April 12, 1909, and all acts and parts of acts in conflict with this act," approved February 25, 1911, as amended, relating to libraries in counties of the fifty-third class;

Has had the same under consideration, and respectfully reports the same back with amendments, and recommends that the amendments be adopted, and that they do pass as amended.

Committee membership—9; committee vote: Ayes—7; absent—2.

WAGY, Chairman.
CASSIDY.
NELSON.
RICH.
RILEY.
SCHOTTKY.
SWING.

Senate Bills Nos. 801, 802, 803 and 805 ordered on file for second reading.

ON ENGROSSMENT, ENROLLMENT AND PRINTING.

SENATE CHAMBER, SACRAMENTO, April 27, 1931.

MR. PRESIDENT: Your Committee on Engrossment, Enrollment and Printing has examined Senate Bill No. 349—An act to repeal section 4.52 of the School Code and to repeal section 1 of chapter 433, Statutes of 1929, entitled "An act relating to the formation, suspension and support of junior college districts and the powers of governing boards thereof," approved May 23, 1929, and to add a new section to the School Code to be numbered 4.52, all relating to the State Junior College Fund and making an appropriation therefor;

Also: Senate Bill No. 428—An act to amend section 22071 of the Political Code, relating to the Industrial Home for the Adult Blind;

Also: Senate Bill No. 549—An act to add two new sections to be numbered 2a and 13a to chapter 267, Statutes of 1923, entitled "An act to regulate and license the business of producing, refining or distributing gasoline, distillate and other motor vehicle fuels, providing for the collection and disposition of license taxes, prescribing penalties for violation of the provisions of said act, and repealing all acts and parts of acts inconsistent herewith," approved May 30, 1923, as amended, relating to the license taxes of unauthorized distributors and revolving funds for the State Board of Equalization and the Department of Public Works, Division of Highways;

And reports that the same have been correctly engrossed.

CASSIDY, Vice Chairman.

Also:

MR. PRESIDENT: Your Committee on Engrossment, Enrollment and Printing has examined Senate Bill No. 919—An act to amend section 4233 and to repeal section 4233a of the Political Code, relating to the salaries, fees and expenses of officers in counties of the fourth class—and reports that the same has been correctly re-engrossed.

CASSIDY, Vice Chairman.

REQUEST FOR PERMISSION TO INTRODUCE A BILL.

The following request for permission to introduce a bill was presented:

By Senator Sharkey:

SENATE CHAMBER, SACRAMENTO, April 27, 1931.

MR. PRESIDENT: In accordance with the provisions of section 2, article IV of the constitution, I request permission to introduce a bill, the title of which is set forth below:

An act adding section 987a to the Penal Code, relating to the Penal Code, by a superior court to defend persons charged with crime who desire but who are unable to employ counsel.

Request referred to Committee on Rules.

CONSIDERATION OF DAILY FILE.

SECOND READING OF ASSEMBLY BILLS.

Assembly Bill No. 713—An act to add a new section to the Civil Code to be numbered 2016, defining the liability of the master to his servant when requiring such servant to wear a uniform or special dress in performing the duties of the employment.

Bill read second time, and ordered on file for third reading.

Assembly Bill No. 454—An act to amend section 1160 of the Political Code, relating to the opening and closing of the polls.

Bill read second time, and ordered on file for third reading.

Assembly Bill No. 455—An act to amend section 14 of the Direct Primary Law, relating to the opening and closing of the polls at primary elections.

Bill read second time, and ordered on file for third reading.

Assembly Bill No. 456—An act to amend section 1264 of the Political Code, relating to elections.

Bill read second time, and ordered on file for third reading.

Assembly Bill No. 270—An act to amend sections 1, 4 and 6 of an act entitled "An act to permit the consolidation of elections and to provide a procedure therefor," approved June 11, 1913, as amended, relating to consolidation of elections.

Bill read second time, and ordered on file for third reading.

Assembly Bill No. 682—An act to amend section 12 of an act entitled "An act to accept from the Veterans' Home Association the conveyance of, and to vest the title in the State of California to, the tract of land in Napa County known as the Veterans' Home, with the improvements and furnishings thereon, to make the same a State Home for United States Soldiers, Sailors and Marines, and to provide for the government thereof by the State," approved March 11, 1897, as amended.

COMMITTEE AMENDMENT.

During the second reading of the bill, the following committee amendment was offered:

AMENDMENT NUMBER ONE.

On page 1, line 13, of the printed bill, as amended, strike out the word "three", and insert in lieu thereof the word "six".

Amendment adopted.

Bill read second time, ordered to print, and on file for third reading.

Assembly Bill No. 817—An act to amend section 2 of, and to add section 7a to, the Veterans' Farm and Home Purchase Act, approved May 30, 1921, as amended, relating to farm and home aid for veterans and their widows.

COMMITTEE AMENDMENT.

During the second reading of the bill, the following committee amendment was offered:

AMENDMENT NUMBER ONE.

On page 2, lines 26 and 27, of the printed bill, following "7a." strike out the following: "If a veteran dies after submitting his selection, as provided in section 6, his widow may," and insert in lieu thereof the following: "If a veteran dies after filing his application for farm or home, as provided in section 5, and his application setting forth his eligibility and his qualifications is subsequently approved, his widow may,".

Amendment adopted.

Bill read second time, ordered to print, and on file for third reading.

Assembly Bill No. 121—An act to amend sections 1 and 2 of an act entitled "An act fixing the price, terms and conditions of sale at which jute goods shall be sold by the State, and providing for prosecution of and punishment of offenses under the same," approved May 19, 1927, relating to the sale of jute goods and providing that this act shall take effect immediately.

Bill read second time, and ordered on file for third reading.

Assembly Bill No. 804—An act to add a new section to the School Code, to be numbered 2.657, relating to the annexation of elementary school districts to county high school districts.

COMMITTEE AMENDMENTS.

During the second reading of the bill, the following committee amendments were offered:

AMENDMENT NUMBER ONE.

In line 2 of the title of the printed bill, strike out the comma, and insert in lieu thereof the following: "and to repeal section 2.630 thereof, both".

Amendment adopted.

AMENDMENT NUMBER TWO.

In line 3 of the title of the printed bill, strike out the word "county".

Amendment adopted.

AMENDMENT NUMBER THREE.

On page 1, line 9, of the printed bill, after said line 9, insert the following: "SEC. 2. Section 2.630 of the School Code is hereby repealed."

Amendment adopted.

Bill read second time, ordered to print, and on file for third reading.

Assembly Bill No. 1239—An act to amend chapters III and VII, part III, division V of the School Code, by adding to chapter III a new article to be numbered IV, and by adding to chapter VII a new article to be numbered Va, relating to the employment and dismissal of temporary employees requiring certification qualifications.

Bill read second time, and ordered on file for third reading.

Assembly Bill No. 366—An act to repeal article I, embracing sections 5.500 to 5.502, both inclusive, of chapter III of part III of division V

of the School Code; to repeal article II, embracing sections 5.650 and 5.651, and article III, embracing sections 5.660 to 5.670, both inclusive, of chapter VII of part III of division V of the School Code; to repeal article VI, embracing sections 5.700 and 5.701, of chapter VII of part III of division V of the School Code; to add a new article to chapter III of part III of division V thereof, to be known as article I embracing sections 5.500 to 5.504, both inclusive, and to add a new article to chapter VII of part III of division V thereof, to be known as article II, embracing sections 5.650 to 5.667, both inclusive; to add thereto a new section to be numbered 5.407; and to amend sections 5.520 and 5.681 thereof, all relating to the classification and dismissal of persons employed by school districts in positions requiring certification qualifications.

Bill read second time, and ordered on file for third reading.

Assembly Bill No. 966—An act to amend section 4099a of the Political Code, relating to accounts of orphans and half-orphans.

Bill read second time, and ordered on file for third reading.

Assembly Bill No. 510—An act to revise chapter 529, Statutes of 1929, entitled "An act to provide for needy blind persons, not inmates of any institution supported in whole or in part by the State or any of its political subdivisions, making appropriation therefor and prescribing penalties for the violation of the provisions of the act," approved May 28, 1929.

COMMITTEE AMENDMENTS.

During the second reading of the bill, the following committee amendments were offered:

AMENDMENT NUMBER ONE.

On page 2, line 9, of the printed bill, after "continued", insert the following: "while the applicant is receiving aid hereunder,".

Amendment adopted.

AMENDMENT NUMBER TWO.

On page 2, line 17, of the printed bill, strike out "whose blindness originated", and insert in lieu thereof "who became blind".

Amendment adopted.

AMENDMENT NUMBER THREE.

On page 2, line 22, of the printed bill, strike out "six months", and insert in lieu thereof "one year."

Amendment adopted.

AMENDMENT NUMBER FOUR.

On page 2, line 31, of the printed bill, after "have", insert the following: "residing within the state".

Amendment adopted.

AMENDMENT NUMBER FIVE.

On page 2, line 40, of the printed bill, after "pay", insert the following: "; provided, that the receipt of aid by the applicant hereunder shall not be contingent upon such recovery by said legal officer."

Amendment adopted.

AMENDMENT NUMBER SIX.

On page 3, line 21, of the printed bill, after "department", insert the words: "of social welfare".

Amendment adopted.

AMENDMENT NUMBER SEVEN.

On page 5, line 2, of the printed bill, strike out "six months'", and insert in lieu thereof the words "one year of".

Amendment adopted.

AMENDMENT NUMBER EIGHT.

On page 5, line 6, of the printed bill, strike out "ninety days", and insert in lieu thereof "one year".

Amendment adopted.

AMENDMENT NUMBER NINE.

On page 5, line 26, of the printed bill, strike out "Said", and insert in lieu thereof the word "The".

Amendment adopted.

AMENDMENT NUMBER TEN.

On page 5, line 28, of the printed bill, strike out "the", and insert in lieu thereof the word "this".

Amendment adopted.

AMENDMENT NUMBER ELEVEN.

On page 5, line 49, of the printed bill, strike out "to", and insert in lieu thereof the word "by".

Amendment adopted.

Bill read second time, ordered to print, and on file for third reading.

Assembly Bill No. 242—An act to amend sections 2187, 2240 and 2255 of the Political Code, relating to county settlements with the State for maintenance of inmates in institutions and of pupils at the California School for the Deaf and the California School for the Blind.

COMMITTEE AMENDMENTS.

During the second reading of the bill, the following committee amendments were offered:

AMENDMENT NUMBER ONE.

On page 2, line 29, of the printed bill, following the comma, insert: "or for necessary dental work, eye care, operations and hospitalization of such child while at the school,".

Amendment adopted.

AMENDMENT NUMBER TWO.

On page 2, line 33, of the printed bill, following the word "transportation", insert: "necessary dental work, eye care, surgical operations and hospitalization".

Amendment adopted.

AMENDMENT NUMBER THREE.

On page 2, line 34, of the printed bill, following the period, insert: "The application for such certificate may be made to the court by the principal of the school and if it appears at the hearing that the parent has sufficient pecuniary ability to provide suitable clothing, transportation, dental work, eye care, operations and hospitalization or if there are sufficient funds in the estate of the minor to provide the same, then the court shall order the principal to provide the same on behalf of the parent or guardian. If the state is not reimbursed for such expenditures the principal may sue the parent or guardian, in the name of the state, to recover any moneys paid out."

Amendment adopted.

AMENDMENT NUMBER FOUR.

On page 2, line 36, of the printed bill, following the comma, insert: "but not to exceed the sum of seventy-five dollars per annum,".

Amendment adopted.

AMENDMENT NUMBER FIVE.

On page 2, line 40, of the printed bill, following the comma, insert: "necessary dental work, eye care, surgical operations and hospitalization".

Amendment adopted.

AMENDMENT NUMBER SIX.

On page 3, line 1, of the printed bill, following the word "code", insert the following: "and the amount of such settlement shall be credited by the state controller to the then current appropriation for the support and maintenance of said school".

Amendment adopted.

AMENDMENT NUMBER SEVEN.

On page 3, line 8, of the printed bill, following the comma, insert: "or for necessary dental work, eye care, operations and hospitalization of such child while at the school,".

Amendment adopted.

AMENDMENT NUMBER EIGHT.

On page 3, line 12, of the printed bill, following the word "transportation", insert the following: ", dental work, eye care, operations and hospitalization".

Amendment adopted.

AMENDMENT NUMBER NINE.

On page 3, line 12, following the period, insert: "The application for such certificate may be made to the court by the principal of the school and if it appears at the hearing that the parent has sufficient pecuniary ability to provide suitable clothing, transportation, dental work, eye care, operations and hospitalization or if there are sufficient funds in the estate of the minor to provide the same, then the court shall order the principal to provide the same on behalf of the parent or guardian. If the state is not reimbursed for such expenditures, the principal may sue the parent or guardian, in the name of the state, to recover any moneys paid out."

Amendment adopted.

AMENDMENT NUMBER TEN.

On page 3, line 15, of the printed bill, following the word "provided", insert: "but not to exceed the sum of seventy-five dollars per annum".

Amendment adopted.

AMENDMENT NUMBER ELEVEN.

On page 3, line 19, of the printed bill, following the word "transportation", insert the following: ", dental work, eye care, operations and hospitalization".

Amendment adopted.

AMENDMENT NUMBER TWELVE.

On page 3, line 32, of the printed bill, following the word "code", insert: "and the amount of such settlement shall be credited by the state controller to the then current appropriation for the support and maintenance of said school".

Amendment adopted.

Bill read second time, ordered to print, and on file for third reading.

Assembly Bill No. 285—An act to amend section 2322 π 51 of the Political Code, relating to the salary of the agricultural commissioner in counties of the fifty-first class.

Bill read second time, and ordered on file for third reading.

Assembly Bill No. 1798—An act to amend section 16 π 51 of the Weights and Measures Act, relating to sealers of weights and measures in counties of the fifty-first class.

Bill read second time, and ordered on file for third reading.

Assembly Bill No. 284—An act to amend section 19x51 of the Juvenile Court Law, as amended, relating to probation officers in counties of the fifty-first class.

Bill read second time, and ordered on file for third reading.

Assembly Bill No. 1578—An act to amend section 2322x47 of the Political Code, relating to the office of agricultural commissioner in counties of the forty-seventh class.

Bill read second time, and ordered on file for third reading.

Assembly Bill No. 1579—An act to add section 19x47 to the Juvenile Court Law, relating to probation officers in counties of the forty-seventh class.

Bill read second time, and ordered on file for third reading.

Assembly Bill No. 1577—An act to amend section 4275 of the Political Code, relating to compensation of county and township officers in counties of the forty-sixth class.

Bill read second time, and ordered on file for third reading.

Assembly Bill No. 1592—An act to amend section 19x46 of the Juvenile Court Law, relating to probation officers in counties of the forty-sixth class.

Bill read second time, and ordered on file for third reading.

Assembly Bill No. 1593—An act to amend section 2322x46 of the Political Code, relating to the office of agricultural commissioner in counties of the forty-sixth class.

Bill read second time, and ordered on file for third reading.

Assembly Bill No. 1581—An act to amend section 16x52 of the Weights and Measures Act, relating to sealers of weights and measures in counties of the fifty-second class.

Bill read second time, and ordered on file for third reading.

Assembly Bill No. 1582—An act to amend section 2322x52 of the Political Code, relating to the office of agricultural commissioner in counties of the fifty-second class.

Bill read second time, and ordered on file for third reading.

Assembly Bill No. 402—An act to add section 9a5 to an act entitled "An act to provide for the establishment and maintenance of county free libraries in the State of California, and repealing 'An act entitled "An act to provide county library systems," approved April 12, 1909, and all acts and parts of acts in conflict with this act,' " approved February 25, 1911, as amended, relating to libraries in counties of the fifth class.

Bill read second time, and ordered on file for third reading.

Assembly Bill No. 403—An act to amend section 16x5 of the Weights and Measures Act, relating to sealers of weights and measures in counties of the fifth class.

Bill read second time, and ordered on file for third reading.

Assembly Bill No. 405—An act to amend section 19*r*5 of the Juvenile Court Law, relating to probation officers in counties of the fifth class.

Bill read second time, and ordered on file for third reading.

Assembly Bill No. 726—An act to amend sections 4236*b*, 4236*d*, 4236*g*, 4236*h*, 4236*l*, of the Political Code, relating to county and township officers in counties of the seventh class, the assistants, deputies, and other employees of said officers, and provided for the compensation of said officers and said assistants, deputies, and other employees.

Bill read second time, and ordered on file for third reading.

Assembly Bill No. 1292—An act to amend section 4041.13 of the Political Code, relating to powers of boards.

Bill read second time, and ordered on file for third reading.

Assembly Bill No. 1595—An act to amend sections 16*r*46 and 16*r*47 of the Weights and Measures Act, relating to sealers of weights and measures in counties of the forty-sixth and forty-seventh classes.

Bill read second time, and ordered on file for third reading.

Assembly Bill No. 1642—An act to amend section 4258 of the Political Code, relating to compensation of county and township officers in counties of the twenty-ninth class.

Bill read second time, and ordered on file for third reading.

Assembly Bill No. 1646—An act to amend section 2322*r*29 of the Political Code, relating to the office of agricultural commissioner in counties of the twenty-ninth class.

Bill read second time, and ordered on file for third reading.

Assembly Bill No. 1643—An act to add section 9*a*29 to the act entitled "An act to provide for the establishment and maintenance of county free libraries in the State of California, and repealing 'An act entitled 'An act to provide county library systems,' approved April 12, 1909, and all acts and parts of acts in conflict with this act,' " approved February 25, 1911, as amended, relating to librarians in counties of the twenty-ninth class.

Bill read second time, and ordered on file for third reading.

Assembly Bill No. 1640—An act to amend section 19*r*48 of the Juvenile Court Law, relating to probation officers in counties of the forty-eighth class.

Bill read second time, and ordered on file for third reading.

Assembly Bill No. 1647—An act to amend section 19*r*29 of the Juvenile Court Law, relating to probation officers in counties of the twenty-ninth class.

Bill read second time, and ordered on file for third reading.

Assembly Bill No. 1645—An act to amend section 16*r*29 of the Weights and Measures Act, relating to sealers of weights and measures in counties of the twenty-ninth class.

Bill read second time, and ordered on file for third reading.

Assembly Bill No. 298—An act to amend section 4266 and to repeal section 4264a of the Political Code, relating to the salaries of county officers of counties of the thirty-seventh class.

COMMITTEE AMENDMENT.

During the second reading of the bill, the following committee amendment was offered:

AMENDMENT NUMBER ONE.

On page 4 of the printed bill, strike out lines 48 to 50, inclusive, and in line 51 strike out "month.", and insert in lieu thereof the following: "per month."

Amendment adopted.

Bill read second time, ordered to print, and on file for third reading.

Assembly Bill No. 1636—An act to amend section 4277 and to repeal section 4281a of the Political Code, relating to compensation of county and township officers and jurors in counties of the forty-eighth class.

COMMITTEE AMENDMENT.

During the second reading of the bill, the following committee amendment was offered:

AMENDMENT NUMBER ONE.

On page* 4 of the printed bill, strike out lines 9 to 26, inclusive.

Amendment adopted.

Bill read second time, ordered to print, and on file for third reading.

Assembly Bill No. 404—An act to amend section 2322r5 of the Political Code, relating to the office of agricultural commissioner in counties of the fifth class.

COMMITTEE AMENDMENTS.

During the second reading of the bill, the following committee amendments were offered:

AMENDMENT NUMBER ONE.

On page 1 of the printed bill, after line 15, insert as a new paragraph, the following:

"(b) One deputy county agricultural commissioner at a compensation of two thousand one hundred sixty dollars per annum."

Amendment adopted.

AMENDMENT NUMBER TWO.

On page 1, line 16, of the printed bill, strike out "(b)", and insert in lieu thereof the following: "(c)".

Amendment adopted.

AMENDMENT NUMBER THREE.

On page 1 of the printed bill, strike out lines 20 and 21, and insert in lieu thereof the following:

"(d) One inspector at a monthly salary of".

Amendment adopted.

AMENDMENT NUMBER FOUR.

On page 1, line 27, of the printed bill, after "dollars.", insert the following: "The commissioner is also authorized and empowered to appoint fifteen additional inspectors at a compensation of one dollar each per annum."

Amendment adopted.

Bill read second time, ordered to print, and on file for third reading.

Assembly Bill No. 617—An act to amend section 4232a of the Political Code, relating to fees of grand jurors and trial jurors in counties of the third class.

COMMITTEE AMENDMENT.

During second reading of the bill, the following committee amendment was offered:

AMENDMENT NUMBER ONE.

On page 1, line 7, of the printed bill, strike out "of", and insert in lieu thereof: "or".

Amendment adopted.

Bill read second time, ordered to print, and on file for third reading.

Assembly Bill No. 1633—An act to amend section 1 of an act entitled "An act to form agricultural districts, to provide for the formation, organization and powers, of agricultural associations therein and for the management and control of the same by the State, and repealing all acts and portions of acts in conflict with this act," approved April 17, 1909, relating to county agricultural districts.

Bill read second time, and ordered on file for third reading.

Assembly Bill No. 1638—An act to amend section 16x48 of the Weights and Measures Act, relating to sealers of weights and measures in counties of the forty-eighth class.

Bill read second time, and ordered on file for third reading.

Assembly Bill No. 1639—An act to amend section 2322x48 of the Political Code, relating to the office of agricultural commissioner in counties of the forty-eighth class.

Bill read second time, and ordered on file for third reading.

Assembly Bill No. 1648—An act to amend section 19x17 of the Juvenile Court Law, relating to probation officers in counties of the seventeenth class.

Bill read second time, and ordered on file for third reading.

Assembly Bill No. 1650—An act to amend section 16x17 of the Weights and Measures Act, relating to sealers of weights and measures in counties of the seventeenth class.

Bill read second time, and ordered on file for third reading.

Assembly Bill No. 1651—An act to amend section 2322x17 of the Political Code, relating to the office of agricultural commissioner in counties of the seventeenth class.

Bill read second time, and ordered on file for third reading.

Assembly Bill No. 1583—An act to amend section 4281 of the Political Code, relating to compensation of county and township officers in counties of the fifty-second class.

Bill read second time, and ordered on file for third reading.

Assembly Bill No. 1584—An act to add section 19x52 to the Juvenile Court Law, relating to probation officers in counties of the fifty-second class.

Bill read second time, and ordered on file for third reading.

Assembly Bill No. 1588—An act to amend section 2322x45 of the Political Code, relating to the office of agricultural commissioner in counties of the forty-fifth class.

Bill read second time, and ordered on file for third reading.

Assembly Bill No. 1589—An act to amend section 4274 of the Political Code, relating to compensation of county and township officers in counties of the forty-fifth class.

Bill read second time, and ordered on file for third reading.

Assembly Bill No. 1590—An act to amend section 19x45 of the Juvenile Court Law, relating to probation officers in counties of the forty-fifth class.

Bill read second time, and ordered on file for third reading.

Assembly Bill No. 1591—An act to amend section 16x45 of the Weights and Measures Act, relating to sealers of weights and measures in counties of the forty-fifth class.

Bill read second time, and ordered on file for third reading.

Assembly Bill No. 1793—An act to amend section 16x22 of the Weights and Measures Act, relating to sealers of weights and measures in counties of the twenty-second class.

Bill read second time, and ordered on file for third reading.

Assembly Bill No. 1814—An act to amend section 2322x22 of the Political Code, relating to the office of agricultural commissioner in counties of the twenty-second class.

Bill read second time, and ordered on file for third reading.

Assembly Bill No. 1380—An act to amend section 42x47 of the Political Code, relating to the salaries, fees, and expenses of officers and their deputies and assistants in counties of the eighteenth class.

Bill read second time, and ordered on file for third reading.

Assembly Bill No. 1641—An act to amend section 19x37 of the Juvenile Court Law, relating to probation officers in counties of the thirty-seventh class.

Bill read second time, and ordered on file for third reading.

Assembly Bill No. 1632—An act to add a new section to be numbered 9a37 to the act entitled "An act to provide for the establishment and maintenance of county free libraries in the State of California, and repealing 'An act entitled "An act to provide county library systems," approved April 12, 1909, and all acts and parts of acts in conflict with this act,' " approved February 25, 1911, as amended, relating to libraries in counties of the thirty-seventh class.

Bill read second time, and ordered on file for third reading.

Assembly Bill No. 1634—An act to amend section 16x37 of the Weights and Measures Act, relating to sealers of weights and measures in counties of the thirty-seventh class.

Bill read second time, and ordered on file for third reading.

MESSAGE FROM THE ASSEMBLY.

The following message from the Assembly was received and read:

ASSEMBLY CHAMBER, SACRAMENTO, April 23, 1931.

MR. PRESIDENT: I am directed to inform your honorable body that the Assembly on this day respectfully refused to concur in Senate amendments to Assembly Bill No. 568—An act to amend section 1723 of the Code of Civil Procedure, relating to the termination of certain interests in property—and requests that your honorable body recede therefrom.

ARTHUR A. OHNIMUS, Chief Clerk.
By C. W. BOOTH, Assistant Clerk.

The question being: Shall the Senate recede from Senate amendments to Assembly Bill No. 568?

The roll was called, and the Senate refused to recede from Senate amendments to Assembly Bill No. 568 by the following vote:

AYES—None.

NOES—Senators Baker, Breed, Bush, Carter, Cassidy, Christian, Duval, Edwards, Evans, Fellom, Hays, Maloney, Mixter, Moran, Nelson, Pedrotti, Rich, Schottky, Slater, Treacy, Tubbs, Wagy, Williams, and Young—24.

APPOINTMENT OF COMMITTEE ON FREE CONFERENCE.

The President announced the appointment of Senators Christian, Pedrotti and Schottky, as a Committee on Free Conference, to meet with a like Committee from the Assembly to consider Senate amendments to Assembly Bill No. 568.

CONSIDERATION OF DAILY FILE.

THIRD READING OF SENATE BILLS—(RESUMED).

Senate Bill No. 337—An act making an appropriation for surveys, plans, estimates and preliminary engineering for a bridge across the bay of San Francisco.

Bill read third time.

MOTION TO REFER TO SPECIAL COMMITTEE OF ONE.

During third reading of the bill, Senator Fellom moved to refer Senate Bill No. 337 to Senator Treacy, as a Special Committee of One, to amend as follows:

AMENDMENT NUMBER ONE.

In the title of the printed bill, as amended March 12, 1931, strike out all of lines 2 and 3, and insert in lieu thereof the following: "preliminary engineering and other preliminary expenses for a bridge across the bay of San Francisco from the city of San Francisco to the county of Alameda."

AMENDMENT NUMBER TWO.

On page 1 of the printed bill, as amended March 12, 1931, strike out lines 5 and 6, and insert in lieu thereof the following: "preliminary engineering and other preliminary expenses for the construction of a bridge across the bay of San Francisco from the city of San Francisco to the county of Alameda under the direction and control of the".

Motion carried.

REPORT OF SPECIAL COMMITTEE OF ONE.

SENATE CHAMBER, SACRAMENTO, April 27, 1931.

MR. PRESIDENT: Your Special Committee of One, to which was referred Senate Bill No. 337, with instructions to amend, respectfully reports the same back, amended as per instructions.

TREACY, Committee.

Report read, and on motion of Senator Fellom adopted.

Bill ordered to print, and re-engrossment.

Senate Bill No. 128—An act to pay the claim of the Frederick W. Snook Company against the State of California.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Senate Bill No. 128 passed by the following vote:

AYES—Senators Baker, Breed, Bush, Carter, Cassidy, Christian, Duval, Edwards, Evans, Fellom, Harper, Hays, Maloney, Mixter, Moran, Nelson, Pedrotti, Rich, Schottky, Slater, Treacy, Tubbs, Wagy, Williams, and Young—25.

NOES—None.

Title read and approved.

Bill ordered transmitted to the Assembly.

Senate Bill No. 41—An act appropriating money to pay the claim of Joseph E. Painter against the State of California.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Senate Bill No. 41 passed by the following vote:

AYES—Senators Baker, Breed, Bush, Carter, Cassidy, Christian, Duval, Edwards, Evans, Fellom, Harper, Hays, Maloney, McCormack, Mixter, Moran, Nelson, Pedrotti, Rich, Rochester, Schottky, Slater, Treacy, Tubbs, Wagy, Williams, and Young—27.

NOES—None.

Title read and approved.

Bill ordered transmitted to the Assembly.

Senate Bill No. 677—An act making an appropriation to pay the claim of B. F. Schlessinger against the State of California.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Senate Bill No. 667 passed by the following vote:

AYES—Senators Baker, Breed, Bush, Carter, Cassidy, Christian, Crittenden, Duval, Edwards, Evans, Fellom, Harper, Hays, Maloney, McCormack, McKinley, Mixter, Moran, Nelson, Pedrotti, Rich, Rochester, Schottky, Slater, Treacy, Tubbs, Wagy, Williams, and Young—29.

NOES—None.

Title read and approved.

Bill ordered transmitted to the Assembly.

Senate Bill No. 285—An act making an appropriation to pay the claim of John H. Hellard against the State of California.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Senate Bill No. 285 passed by the following vote:

AYES—Senators Baker, Breed, Bush, Cassidy, Christian, Crittenden, Deuel, Edwards, Fellom, Harper, Hays, Maloney, McCormack, Mixter, Moran, Nelson, Rich, Rochester, Schottky, Slater, Treacy, Tubbs, Wagy, Williams, and Young—25.

NOES—None.

Title read and approved.

Bill ordered transmitted to the Assembly.

Senate Bill No. 351—An act making an appropriation to pay the claim of Robert W. Blanton against the State of California.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Senate Bill No. 351 passed by the following vote:

AYES—Senators Baker, Breed, Bush, Cassidy, Christian, Deuel, Edwards, Evans, Fellom, Harper, Hays, Maloney, McCormack, Mixer, Moran, Nelson, Rich, Rochester, Schottky, Slater, Treacy, Tubbs, Wagy, Williams, and Young—25.

NOES—None.

Title read and approved.

Bill ordered transmitted to the Assembly.

Senate Bill No. 140—An act to amend section 4.102 of the School Code, relating to an appropriation for vocational rehabilitation.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Senate Bill No. 140 passed by the following vote:

AYES—Senators Baker, Breed, Bush, Cassidy, Christian, Clock, Deuel, Edwards, Fellom, Harper, Hays, Maloney, McCormack, Mixer, Moran, Nelson, Rich, Rochester, Schottky, Slater, Treacy, Tubbs, Wagy, Williams, and Young—25.

NOES—None.

Title read and approved.

Bill ordered transmitted to the Assembly.

Senate Bill No. 259—An act to amend the title and sections 2, 3, 4, and 6 of an act entitled "An act creating a commission to codify, consolidate, revise or compile the Statutes of California and to report thereon to the Legislature at the forty-ninth session thereof," approved June 10, 1929, further defining the powers and duties of the California Code Commission and making an appropriation therefor.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Senate Bill No. 259 passed by the following vote:

AYES—Senators Baker, Breed, Bush, Christian, Clock, Deuel, Edwards, Fellom, Harper, Hays, Inman, Maloney, McCormack, Mixer, Moran, Nelson, Rich, Rochester, Schottky, Slater, Treacy, Tubbs, Wagy, Williams, and Young—25.

NOES—None.

Title read and approved.

Bill ordered transmitted to the Assembly.

Senate Bill No. 270—An act to amend chapter 808, Statutes of 1927, entitled American River Flood Control District Act, as amended, by amending section 2 thereof, relating to the objects and purposes of the act and to the powers of the district, and section 17, relating to the levy and collection of assessments, and by adding a new section thereto to be numbered 18b making an appropriation in the sum of \$20,000 to defray the expenses of the district and providing that said appropriation shall be returned to the State, and relating to the manner of repayment and containing a provision declaring this act to be an emergency measure, stating the facts constituting such emergency, and providing this act shall take effect immediately upon its passage.

Bill read third time.

MOTION TO REFER TO SPECIAL COMMITTEE OF ONE.

During third reading of the bill, Senator Inman moved to refer Senate Bill No. 270 to Senator Jones, as a Special Committee of One, to amend as follows:

AMENDMENT NUMBER ONE.

On page 1, line 1, of the printed bill, as amended in Senate April 21, 1931, strike out the words "said act", and insert in lieu thereof the following: "chapter SOS, Statutes 1927, entitled 'American river flood control district', as amended".

AMENDMENT NUMBER TWO.

On page 1, line 4, of the printed bill, as amended in Senate April 21, 1931, strike out the word "directors", and insert in lieu thereof the word "trustees".

AMENDMENT NUMBER THREE.

On page 3, line 12, of the printed bill, as amended in Senate April 21, 1931, strike out the word "of", and insert in lieu thereof the word "or".

AMENDMENT NUMBER FOUR.

On page 3, line 49, of the printed bill, as amended in Senate April 21, 1931, after the word "for", strike out the word "the".

AMENDMENT NUMBER FIVE.

On page 4, line 6, of the printed bill, as amended in Senate April 21, 1931, after the word "county", insert a comma.

AMENDMENT NUMBER SIX.

On page 5, line 4, of the printed bill, as amended in Senate April 21, 1931, after the period following the word "officials", insert a new paragraph as follows:

"In case the board of trustees shall so elect to avail itself of the assessment made by the assessor of the county of Sacramento, as hereinbefore provided, it shall, on or before the first week day in September, or if such week day falls upon a holiday, then upon the first business day thereafter, fix the rate of tax for each zone, and designate the number of cents upon each one hundred dollars using as a basis the value of property as it is assessed by the county assessor and returned to the board of trustees of the district by the county auditor as hereinabove provided, which rate of taxation shall be sufficient to raise the amount previously fixed by the board as hereinabove prescribed. Such acts by the board of trustees of the district shall constitute a valid assessment of the property and a valid levy of the tax so fixed. The board of trustees must immediately thereafter transmit to the county auditor a statement of the rate of taxes so fixed by said board for each zone into which the district may be divided and the county auditor shall enter such rate upon the county tax roll. Such taxes so levied shall be collected at the same time and in the same manner as county taxes and when collected the net amount ascertained as hereinafter provided shall be paid to the treasurer of the district under the general requirements and penalties provided by law for the settlement of other taxes.

Whenever any land situate in said district has been sold for taxes and has been redeemed the money paid for such redemption shall be apportioned and paid by the county treasurer to the said district in the proportion which the tax due to said district bears to the total tax for which such property was sold.

All taxes levied under the provisions of this act shall be a lien upon the property on which they are levied and unless the board of trustees has by resolution otherwise provided the enforcement of the collection of such taxes shall be had in the same manner and by the same means as provided by law for the enforcement of the liens for state and county taxes, all provisions of law relating to the enforcement of the latter being hereby made a part of this act.

The amount of compensation to be charged by and paid to the county for the performance of service, as in this section provided, for and on behalf of such district, shall be fixed by agreement between the board of supervisors of the county of Sacramento, and the board of trustees of the district; *provided, however*, that such compensation shall in no event exceed one-half of one per cent of all moneys collected for such district as in this act provided. The amount so collected by such county shall be placed to the credit of the county salary fund.

Wherever in this act the word 'tax' is used, referring to the tax levied by the board of trustees of the district, the same shall be deemed and construed to be and to mean a special assessment."

AMENDMENT NUMBER SEVEN.

On page 5, line 5, of the printed bill, as amended in Senate April 21, 1931, strike out the following: "the act entitled 'American river flood control act' as amended", and insert in lieu thereof the following: "said act".

Motion carried.

REPORT OF SPECIAL COMMITTEE OF ONE.

SENATE CHAMBER, SACRAMENTO, April 27, 1931.

MR. PRESIDENT: Your Special Committee of One, to which was referred Senate Bill No. 270, with instructions to amend, respectfully reports the same back, amended as per instructions.

JONES, Committee.

Report read, and on motion of Senator Inman adopted.

Bill ordered to print, and re-engrossment.

Senate Bill No. 396—An act to repeal chapter 17, Statutes of 1929, entitled "An act making an appropriation to meet the deficiency in the appropriation for contingent expenses of the Senate for the seventy-ninth and eightieth fiscal years," approved March 5, 1929.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Senate Bill No. 396 passed by the following vote:

AYES—Senators Baker, Breed, Bush, Cassidy, Clock, Denel, Duval, Edwards, Harper, Hays, Ingels, Inman, Maloney, McCormack, Mixer, Moran, Nelson, Rich, Rochester, Schottky, Slater, Treacy, Tubbs, Waggy, Williams, and Young—26.

NOES—None.

Title read and approved.

Bill ordered transmitted to the Assembly.

Senate Bill No. 468—An act making an appropriation for the construction of jetties at the mouth of the Russian River.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Senate Bill No. 468 passed by the following vote:

AYES—Senators Allen, Baker, Breed, Bush, Christian, Cleveland, Clock, Denel, Duval, Edwards, Harper, Ingels, Inman, Maloney, McCormack, Mixer, Moran, Nelson, Rich, Rochester, Schottky, Slater, Treacy, Tubbs, Waggy, Williams, and Young—27.

NOES—None.

Title read and approved.

Bill ordered transmitted to the Assembly.

Senate Bill No. 472—An act in relation to the control and eradication of bovine tuberculosis; to provide an appropriation for the purposes of this act; to prescribe penalties for violation of the provisions hereof, and to repeal certain acts therein specified.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Senate Bill No. 472 passed by the following vote:

AYES—Senators Allen, Baker, Breed, Bush, Christian, Cleveland, Clock, Denel, Duval, Edwards, Harper, Hays, Ingels, Inman, Jones, Maloney, McCormack, Mixer, Moran, Rich, Rochester, Schottky, Slater, Treacy, Tubbs, Waggy, Williams, and Young—28.

NOES—None.

Title read and approved.

Bill ordered transmitted to the Assembly.

Senate Bill No. 573—An act making an appropriation of money to be used by the Attorney General in the payment of expenses in the pro-

ceeding brought by the Attorney General in the Court of Claims of the United States in behalf of the Indians of the State of California, in accordance with an act of the Legislature of 1927, Statutes of 1927, chapter 643.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Senate Bill No. 573 passed by the following vote:

AYES—Senators Allen, Baker, Breed, Bush, Christian, Cleveland, Clock, Deuel, Duval, Edwards, Harper, Hays, Ingels, Inman, Maloney, McCormack, Mixer, Rich, Rochester, Schottky, Slater, Treacy, Tubbs, Waggy, Williams, and Young—26.

NOES—None.

Title read and approved.

Bill ordered transmitted to the Assembly.

Senate Bill No. 574—An act to amend section 475 of the Political Code, relating to clerks, phonographic reporter, service agent and stenographers of the Attorney General's office.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Senate Bill No. 574 passed by the following vote:

AYES—Senators Allen, Baker, Breed, Bush, Christian, Cleveland, Clock, Deuel, Edwards, Evans, Harper, Hays, Ingels, Inman, Maloney, McCormack, McKinley, Mixer, Moran, Rich, Rochester, Schottky, Slater, Treacy, Tubbs, and Waggy—26.

NOES—None.

Title read and approved.

Bill ordered transmitted to the Assembly.

Senate Bill No. 820—An act to appropriate the sum of \$173,500 out of any money in the State treasury, not otherwise appropriated, to lease the necessary facilities and service for the establishment of a telephone typewriter system of communication between cities in California and the Bureau of Criminal Identification and Investigation at Sacramento; and for the operation and control of the system under the direction of the Bureau of Criminal Identification and Investigation.

Bill read third time.

URGENCY CLAUSE.

SEC. 2. Inasmuch as this act provides an appropriation for the usual current expenses of the State, it is hereby declared an emergency measure and shall, under the provisions of section 1, article IV of the constitution, take effect immediately.

Urgency clause read.

The question being on the adoption of the urgency clause.

The roll was called, and the urgency clause adopted by the following vote:

AYES—Senators Allen, Baker, Breed, Bush, Carter, Cassidy, Christian, Cleveland, Clock, Crittenden, Deuel, Duval, Edwards, Evans, Harper, Hays, Ingels, Inman, Jones, Maloney, McCormack, McKinley, Mixer, Moran, Rich, Rochester, Schottky, Sharkey, Slater, Treacy, Tubbs, and Waggy—32.

NOES—None.

The question being on the passage of the bill.

The roll was called, and Senate Bill No. 820 passed by the following vote:

AYES—Senators Allen, Baker, Breed, Bush, Carter, Cassidy, Christian, Cleveland, Clock, Crittenden, Deuel, Edwards, Evans, Harper, Hays, Ingels, Inman, Jones,

Maloney, McCormack, McKinley, Mixer, Moran, Rich, Rochester, Schottky, Sharkey, Slater, Treacy, Tubbs, and Wagy—31.

NOES—None.

Title read and approved.

Bill ordered transmitted to the Assembly.

Senate Bill No. 426—An act to appropriate the sum of \$28,500 to be used in construction, renewal, and repair of works for restraining, impounding and control of debris resulting from mining operations and other causes along the Yuba River, and to provide for the manner of expending such appropriation.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Senate Bill No. 426 passed by the following vote:

AYES—Senators Allen, Baker, Breed, Bush, Carter, Cassidy, Christian, Cleveland, Clock, Crittenden, Deuel, Duval, Edwards, Evans, Harper, Hays, Ingels, Inman, Jones, Maloney, McCormack, McKinley, Mixer, Moran, Rich, Rochester, Sharkey, Slater, Treacy, and Tubbs—30.

NOES—None.

Title read and approved.

Bill ordered transmitted to the Assembly.

MOTION TO RECONSIDER.

Pursuant to his motion given on a previous legislative day, Senator Inman moved to reconsider the vote by which Senate Constitutional Amendment No. 20 was refused adoption.

POSTPONEMENT OF RECONSIDERATION.

On motion of Senator Inman, the further consideration of the motion to reconsider the vote whereby Senate Constitutional Amendment No. 20 was refused adoption, was continued until the next legislative day.

MOTION TO RECONSIDER.

Pursuant to his notice given on a previous day, Senator Harper moved to reconsider the vote whereby Senate Bill No. 503—An act to amend an act entitled "An act to provide for the organization, incorporation, and government of municipal corporations," approved March 13, 1883, as amended, by amending sections 806 and 882 thereof, relating to the jurisdiction of courts, in municipal corporations of fifth and sixth classes—was passed.

The question being on the motion to reconsider.

The roll was called, and the motion to reconsider the vote whereby Senate Bill No. 503 was passed, carried by the following vote:

AYES—Senators Allen, Baker, Breed, Bush, Carter, Cassidy, Christian, Cleveland, Clock, Crittenden, Deuel, Duval, Harper, Hays, Inman, Jones, Maloney, McCormack, McKinley, Mixer, Moran, Rich, Riley, Rochester, Schottky, Sharkey, Slater, Treacy, Tubbs, and Wagy—29.

NOES—None.

Bill read third time previously.

The question being on the passage of the bill.

The roll was called, and Senate Bill No. 503 passed by the following vote:

AYES—Senators Allen, Baker, Breed, Bush, Carter, Cassidy, Christian, Cleveland, Clock, Crittenden, Edwards, Evans, Fellom, Harper, Hays, Inman, Maloney, McCor-

mack, McKinley, Mixer, Moran, Nelson, Pedrotti, Rich, Riley, Rochester, Schottky, Sharkey, Slater, Treacy, Tubbs, and Wagy—32.

NOES—None.

Title read and approved.

Bill ordered transmitted to the Assembly.

REPORTS OF STANDING COMMITTEES—(RESUMED).

The following report of standing committee was received and read:

ON RULES.

SENATE CHAMBER, SACRAMENTO, April 27, 1931.

MR. PRESIDENT: Your Committee on Rules, to which was referred the request of Senator Sharkey to introduce a bill entitled: An act adding section 987a to the Penal Code, relating to the Penal Code, by a superior court to defend persons charged with crime who desire but who are unable to employ counsel, has had the same under consideration, and respectfully reports the same back, and recommends that said request be granted.

Committee membership—5; committee vote: Ayes—5.

BREED, Chairman.

The question being on the adoption of the report.

The roll was called in accordance with the provisions of section 2 of article IV of the constitution, and the report adopted by the following vote:

AYES—Senators Allen, Baker, Breed, Bush, Carter, Cassidy, Christian, Cleveland, Clock, Crittenden, Duval, Edwards, Evans, Fellom, Harper, Hays, Inman, Jones, Maloney, McCormack, Mixer, Moran, Nelson, Pedrotti, Riley, Rochester, Schottky, Sharkey, Slater, Swing, Treacy, Tubbs, and Wagy—33.

NOES—None.

INTRODUCTION, FIRST READING AND REFERENCE OF BILLS.

The following bill was introduced:

By Senator Sharkey: Senate Bill No. 957—An act adding section 987a to the Penal Code, relating to the compensation of counsel assigned by a superior court to defend persons charged with crime who desire but who are unable to employ counsel.

Bill read first time, and referred to Committee on Judiciary.

CONSIDERATION OF DAILY FILE.

THIRD READING OF ASSEMBLY BILLS.

Assembly Bill No. 1286—An act to amend section 16r16 of the Weights and Measures Act, relating to sealers of weights and measures in counties of the sixteenth class.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Assembly Bill No. 1286 passed by the following vote:

AYES—Senators Allen, Baker, Breed, Bush, Carter, Cassidy, Christian, Cleveland, Clock, Crittenden, Duval, Edwards, Evans, Fellom, Harper, Hays, Inman, Jones, Maloney, McCormack, Mixer, Moran, Nelson, Pedrotti, Rich, Riley, Sharkey, Slater, Swing, Treacy, Tubbs, and Wagy—33.

NOES—None.

Title read and approved.

Bill ordered transmitted to the Assembly.

Assembly Bill No. 201—An act to amend section 19r16 of the Juvenile Court Law, relating to salaries and expenses of probation officers and their assistants.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Assembly Bill No. 201 passed by the following vote:

AYES—Senators Allen, Baker, Breed, Bush, Carter, Christian, Cleveland, Clock, Crittenden, Deuel, Duval, Edwards, Evans, Fellom, Harper, Hays, Inman, Jones, Maloney, McCormack, McKinley, Mixter, Moran, Nelson, Pedrotti, Rich, Riley, Rochester, Schottky, Sharkey, Slater, Swing, Treacy, and Tubbs—34.

NOES—None.

Title read and approved.

Bill ordered transmitted to the Assembly.

Assembly Bill No. 1713—An act to amend section 19.39 of the Juvenile Court Law, relating to probation officers in counties of the thirty-ninth class.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Assembly Bill No. 1713 passed by the following vote:

AYES—Senators Allen, Baker, Breed, Bush, Christian, Cleveland, Clock, Crittenden, Deuel, Duval, Edwards, Evans, Fellom, Harper, Hays, Inman, Jones, Maloney, McCormack, McKinley, Mixter, Moran, Pedrotti, Riley, Rochester, Schottky, Sharkey, Slater, Swing, Treacy, Tubbs, and Williams—32.

NOES—None.

Title read and approved.

Bill ordered transmitted to the Assembly.

ASSISTANT SECRETARY FRANCIS E. DALIN AT THE DESK.

Assembly Bill No. 1714—An act to amend section 23.22.39 of the Political Code, relating to the office of agricultural commissioner in counties of the thirty-ninth class.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Assembly Bill No. 1714 passed by the following vote:

AYES—Senators Allen, Baker, Bush, Cassidy, Christian, Cleveland, Clock, Deuel, Duval, Edwards, Evans, Fellom, Harper, Hays, Inman, Jones, Maloney, McCormack, McKinley, Mixter, Rich, Riley, Rochester, Schottky, Sharkey, Slater, Swing, Treacy, Tubbs, and Williams—30.

NOES—None.

Title read and approved.

Bill ordered transmitted to the Assembly.

Assembly Bill No. 1716—An act to amend section 16.39 of the Weights and Measures Act, relating to sealers of weights and measures in counties of the thirty-ninth class.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Assembly Bill No. 1716 passed by the following vote:

AYES—Senators Allen, Baker, Bush, Cassidy, Christian, Cleveland, Clock, Crittenden, Deuel, Edwards, Evans, Fellom, Harper, Hays, Ingels, Inman, Jones, Maloney, McCormack, McKinley, Mixter, Pedrotti, Rich, Riley, Rochester, Schottky, Sharkey, Slater, Swing, Treacy, and Tubbs—31.

NOES—None.

Title read and approved.

Bill ordered transmitted to the Assembly.

Assembly Bill No. 1718—An act to amend section 19x49 of the Juvenile Court Law, relating to probation officers in counties of the forty-ninth class.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Assembly Bill No. 1718 passed by the following vote:

AYES—Senators Baker, Bush, Cassidy, Christian, Cleveland, Clock, Crittenden, Deuel, Duval, Edwards, Fellom, Harper, Hays, Ingels, Jones, Maloney, McCormack, McKinley, Mixer, Pedrotti, Rich, Riley, Rochester, Schottky, Sharkey, Slater, Swing, Treacy, and Tubbs—29.

NOES—None.

Title read and approved.

Bill ordered transmitted to the Assembly.

Assembly Bill No. 1709—An act to amend section 2322x43 of the Political Code, relating to the office of agricultural commissioner in counties of the forty-third class.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Assembly Bill No. 1709 passed by the following vote:

AYES—Senators Allen, Baker, Bush, Cassidy, Christian, Cleveland, Clock, Crittenden, Deuel, Duval, Edwards, Fellom, Harper, Hays, Ingels, Jones, Maloney, McKinley, Mixer, Pedrotti, Rich, Riley, Rochester, Schottky, Sharkey, Slater, Swing, Treacy, and Tubbs—29.

NOES—None.

Title read and approved.

Bill ordered transmitted to the Assembly.

Assembly Bill No. 1710—An act to amend section 16x43 of the Weights and Measures Act, relating to sealers of weights and measures in counties of the forty-third class.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Assembly Bill No. 1710 passed by the following vote:

AYES—Senators Allen, Baker, Bush, Carter, Cassidy, Christian, Cleveland, Clock, Crittenden, Deuel, Duval, Edwards, Fellom, Harper, Hays, Ingels, Inman, Jones, Maloney, McCormack, McKinley, Mixer, Pedrotti, Rich, Riley, Rochester, Schottky, Sharkey, Slater, Swing, Treacy, Tubbs, and Wagy—33.

NOES—None.

Title read and approved.

Bill ordered transmitted to the Assembly.

Assembly Bill No. 1711—An act to amend section 16x49 of the Weights and Measures Act, relating to sealers of weights and measures in counties of the forty-ninth class.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Assembly Bill No. 1711 passed by the following vote:

AYES—Senators Allen, Baker, Breed, Bush, Carter, Cassidy, Christian, Cleveland, Clock, Crittenden, Deuel, Duval, Edwards, Fellom, Harper, Hays, Ingels, Inman,

Jones, Maloney, McCormack, McKinley, Mixter, Pedrotti, Rich, Riley, Rochester, Schottky, Sharkey, Slater, Swing, Treacy, Tubbs, and Wagy—34.
NOES—None.

Title read and approved.

Bill ordered transmitted to the Assembly.

Assembly Bill No. 1712—An act to amend section 2322x49 of the Political Code, relating to the office of agricultural commissioner in counties of the forty-ninth class.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Assembly Bill No. 1712 passed by the following vote:

AYES—Senators Allen, Baker, Breed, Bush, Carter, Cassidy, Christian, Cleveland, Clock, Crittenden, Deuel, Duval, Edwards, Evans, Fellom, Harper, Hays, Ingels, Inman, Jones, Maloney, McCormack, McKinley, Mixter, Pedrotti, Rich, Rochester, Schottky, Slater, Swing, Treacy, Tubbs, and Wagy—33.
NOES—None.

Title read and approved.

Bill ordered transmitted to the Assembly.

Assembly Bill No. 208—An act to amend section 4285 of the Political Code, relating to the salaries, fees and expenses of officers in counties of the fifty-sixth class.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Assembly Bill No. 208 passed by the following vote:

AYES—Senators Allen, Baker, Breed, Bush, Carter, Cassidy, Christian, Cleveland, Crittenden, Deuel, Edwards, Evans, Fellom, Harper, Hays, Ingels, Inman, Jones, Maloney, McCormack, McKinley, Mixter, Pedrotti, Rich, Riley, Rochester, Schottky, Slater, Swing, Treacy, Tubbs, and Wagy—32.
NOES—None.

Title read and approved.

Bill ordered transmitted to the Assembly.

Assembly Bill No. 210—An act to amend section 4278 of the Political Code, relating to officers in counties of the forty-ninth class and the salaries, fees and expenses thereof.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Assembly Bill No. 210 passed by the following vote:

AYES—Senators Allen, Baker, Bush, Carter, Cassidy, Christian, Cleveland, Crittenden, Deuel, Edwards, Evans, Fellom, Harper, Hays, Ingels, Inman, Jones, Maloney, McCormack, McKinley, Mixter, Pedrotti, Rich, Riley, Rochester, Schottky, Sharkey, Slater, Swing, Treacy, Tubbs, Wagy, and Williams—33.
NOES—None.

Title read and approved.

Bill ordered transmitted to the Assembly.

Assembly Bill No. 413—An act to amend sections 4268 and 4268a and to repeal section 4273a of the Political Code, relating to fees and salaries of officers in counties of the thirty-ninth class.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Assembly Bill No. 413 passed by the following vote:

AYES—Senators Allen, Baker, Breed, Bush, Carter, Cassidy, Christian, Cleveland, Crittenden, Deuel, Duval, Edwards, Evans, Fellom, Harper, Hays, Ingels, Jones, Maloney, McCormack, McKinley, Mixer, Pedrotti, Rich, Riley, Rochester, Schottky, Sharkey, Slater, Swing, Treacy, Tubbs, Wag, and Williams—34.

NOES—Senator Clock—1.

Title read and approved.

Bill ordered transmitted to the Assembly.

Assembly Bill No. 1296—An act to amend section 19x43 of the Juvenile Court Law, relating to salary of the probation officer in counties of the forty-third class.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Assembly Bill No. 1296 passed by the following vote:

AYES—Senators Allen, Baker, Breed, Bush, Carter, Cassidy, Christian, Cleveland, Clock, Crittenden, Deuel, Edwards, Evans, Fellom, Harper, Hays, Ingels, Jones, Maloney, McCormack, McKinley, Mixer, Pedrotti, Riley, Rochester, Schottky, Sharkey, Slater, Swing, Treacy, Tubbs, Wag, and Williams—33.

NOES—None.

Title read and approved.

Bill ordered transmitted to the Assembly.

Assembly Bill No. 1297—An act to amend section 4272 of the Political Code, relating to the salaries, fees and expenses of officers, and the fees and mileage of jurors in counties of the forty-third class.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Assembly Bill No. 1297 passed by the following vote:

AYES—Senators Allen, Baker, Breed, Bush, Carter, Cassidy, Christian, Cleveland, Crittenden, Deuel, Edwards, Evans, Fellom, Harper, Hays, Ingels, Inman, Jones, Maloney, McCormack, McKinley, Mixer, Pedrotti, Riley, Rochester, Schottky, Sharkey, Slater, Swing, Treacy, Tubbs, and Williams—32.

NOES—None.

Title read and approved.

Bill ordered transmitted to the Assembly.

Assembly Bill No. 1701—An act to add a new section to be numbered 9a43, to the act entitled "An act to provide for the establishment and maintenance of county free libraries in the State of California, and repealing 'An act entitled "An act to provide county library systems," approved April 12, 1909, and all acts and parts of acts in conflict with this act," approved February 25, 1911, as amended, relating to libraries in counties of the forty-third class.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Assembly Bill No. 1701 passed by the following vote:

AYES—Senators Allen, Baker, Breed, Bush, Carter, Cassidy, Christian, Cleveland, Crittenden, Deuel, Duval, Edwards, Evans, Fellom, Harper, Hays, Ingels, Inman,

Maloney, McCormack, McKinley, Mixer, Pedrotti, Riley, Rochester, Schottky, Sharkey, Slater, Swing, Treacy, Tubbs, Wag, and Williams—33.

NOES—None.

Title read and approved.

Bill ordered transmitted to the Assembly.

Assembly Bill No. 1891—An act creating a game refuge and fowl sanctuary to be known as the San Leandro Bay Game Refuge and Sanctuary, providing for the conservation and protection of all birds within such district, and providing penalties for violation of the act.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Assembly Bill No. 1891 passed by the following vote:

AYES—Senators Allen, Baker, Breed, Bush, Carter, Cassidy, Christian, Cleveland, Clock, Crittenden, Duval, Edwards, Evans, Fellom, Harper, Hays, Ingels, Inman, Jones, Maloney, McCormack, McKinley, Mixer, Pedrotti, Riley, Rochester, Schottky, Slater, Swing, Treacy, Tubbs, Wag, and Williams—33.

NOES—None.

Title read and approved.

Bill ordered transmitted to the Assembly.

Assembly Bill No. 120—An act to amend section 718 of the Civil Code, relating to the leasing of municipal property.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Assembly Bill No. 120 passed by the following vote:

AYES—Senators Allen, Baker, Breed, Bush, Cassidy, Cleveland, Clock, Crittenden, Deuel, Duval, Edwards, Evans, Fellom, Harper, Hays, Ingels, Inman, Jones, Maloney, McCormack, McKinley, Mixer, Pedrotti, Rich, Riley, Rochester, Schottky, Slater, Swing, Treacy, Tubbs, Wag, and Williams—33.

NOES—None.

Title read and approved.

Bill ordered transmitted to the Assembly.

CONSIDERATION OF DAILY FILE.

THIRD READING OF SENATE BILLS—(RESUMED).

Senate Bill No. 563—An act to promote the development of the California dried fruit industry and to prevent deception in the packing and sale of dried fruit by providing for the establishment and definition of standards for dried fruit by authorizing the Director of Agriculture to provide for the certification of dried fruits, establishing a Dried Fruit Certification Fund and revolving fund, and making an appropriation to carry out the provisions hereof.

Bill read third time.

MOTION TO REFER TO SPECIAL COMMITTEE OF ONE.

During third reading of the bill, Senator Jones moved to refer Senate Bill No. 563 to Senator Inman, as a Special Committee of One, to amend as follows:

AMENDMENT NUMBER ONE.

In the title of the printed bill, strike out the comma in line 6, and the balance of said line and all of lines 7 and 8, and insert in lieu thereof a period.

Motion carried.

REPORT OF SPECIAL COMMITTEE OF ONE.

SENATE CHAMBER, SACRAMENTO, April 27, 1931.

MR. PRESIDENT: Your Special Committee of One, to which was referred Senate Bill No. 563, with instructions to amend, respectfully reports the same back, amended as per instructions.

INMAN, Committee.

Report read, and on motion of Senator Jones adopted.
Bill ordered to print, and re-engrossment.

CONSIDERATION OF DAILY FILE.

THIRD READING OF ASSEMBLY BILLS—(RESUMED).

Assembly Bill No. 507—An act to amend the act known as "Palo Verde Irrigation District Act," approved June 21, 1923, as amended, by amending section 28 thereof, relating to levy of taxes.

Bill read third time.

MOTION TO REFER TO SPECIAL COMMITTEE OF ONE.

During third reading of the bill, Senator Edwards moved to refer Assembly Bill No. 507 to Senator McKinley, as a Special Committee of One, to amend as follows:

AMENDMENT NUMBER ONE.

On page 3 of the printed bill, strike out all of line 29, and insert in lieu thereof the following: "Notwithstanding any other provision of this act, it shall be mandatory for the board of trustees to make the".

Motion carried.

REPORT OF SPECIAL COMMITTEE OF ONE.

SENATE CHAMBER, SACRAMENTO, April 27, 1931.

MR. PRESIDENT: Your Special Committee of One, to which was referred Assembly Bill No. 507, with instructions to amend, respectfully reports the same back, amended as per instructions.

McKINLEY, Committee.

Report read, and on motion of Senator Edwards adopted.
Bill ordered to print.

REPORTS OF STANDING COMMITTEES—(RESUMED).

The following report of standing committee was received and read:

ON CONTINGENT EXPENSES.

SENATE CHAMBER, SACRAMENTO, April 27, 1931.

MR. PRESIDENT: Your Committee on Contingent Expenses, to which was referred the following resolution by Senator Ingels:

WHEREAS, The Senate desks are inadequately equipped with locks; and

WHEREAS, Many of the members have been inconvenienced by reason of the failure to properly lock their desks; therefore, be it

Resolved, That the Secretary of the Senate be and he is hereby instructed and directed to secure suitable locks and to have Mr. Frank N. Killam, Superintendent of the Capitol Building and Grounds, install same on the desks of the Senate; Has had the same under consideration, and respectfully reports the same back, and recommends that it be adopted.

(Signed out)

INGELS, Chairman.
MALONEY.

CONSIDERATION OF SENATE RESOLUTION.

Senator Ingels asked for, and was granted, unanimous consent for the consideration of the following Senate Resolution for purpose of adoption:

By Senator Ingels:

WHEREAS, The Senate desks are inadequately equipped with locks; and

WHEREAS, Many of the members have been inconvenienced by reason of the failure to properly lock their desks; therefore, be it

Resolved, That the Secretary of the Senate be and he is hereby instructed and directed to secure suitable locks and to have Mr. Frank N. Killam, Superintendent of the Capitol Building and Grounds, install same on the desks of the Senate.

Resolution read.

The question being on the adoption of the resolution.

The roll was called, and the resolution adopted by the following vote:

AYES—Senators Allen, Baker, Breed, Bush, Cassidy, Christian, Cleveland, Crittenden, Deuel, Duval, Edwards, Evans, Fellom, Harper, Hays, Ingels, Inman, Jones, McCormack, McKinley, Mixter, Moran, Pedrotti, Riley, Rochester, Schottky, Slater, Treacy, Tubbs, Waggy, and Young—31.

NOES—None.

RESOLUTIONS.

The following resolutions were offered:

By Senator Swing:

Resolved, That the following named person be stricken from the list of Senate attaches, and his name be stricken from the pay roll of the Senate, to take effect on completion of the work April 25, 1931:

M. G. Nicoll, Assistant Sergeant-at-Arms-----\$5 00 per day

Resolution read, and on motion of Senator Swing adopted.

By Senator Swing:

Resolved, That the following named person be placed on the list of Senate attaches, and his name be added to the pay roll of the Senate, to take effect April 27, 1931:

Glen Summers, Assistant Sergeant-at-Arms-----\$5 00 per day

Resolution read.

The question being on the adoption of the resolution.

The roll was called, and the resolution adopted by the following vote:

AYES—Senators Allen, Baker, Breed, Bush, Cassidy, Christian, Cleveland, Clock, Crittenden, Deuel, Duval, Edwards, Evans, Fellom, Harper, Hays, Ingels, Inman, Jones, McCormack, McKinley, Mixter, Moran, Pedrotti, Riley, Rochester, Schottky, Slater, Treacy, Tubbs, Waggy, Williams, and Young—32.

NOES—None.

ADJOURNMENT.

At four o'clock and eight minutes p.m., on motion of Senator Breed, the President declared the Senate adjourned until eleven o'clock a.m., Tuesday, April 28, 1931.

HAROLD J. POWERS, Minute Clerk.

IN SENATE.

SENATE CHAMBER,
SACRAMENTO, Tuesday, April 28, 1931.

The Senate met at eleven o'clock a.m.

Lieutenant Governor Frank F. Merriam, President of the Senate, in the chair.

Secretary Joseph A. Beek at the desk.

ROLL CALL.

The roll was called, and the following answered to their names:

Senators Allen, Baker, Breed, Bush, Carter, Cassidy, Christian, Clock, Crittenden, Deuel, Duval, Edwards, Evans, Fellom, Harper, Hays, Ingels, Inman, Jones, Maloney, McCormack, McKinley, Mixter, Moran, Nelson, Pedrotti, Rich, Riley, Rochester, Schottky, Sharkey, Slater, Swing, Treacy, Tubbs, Waggy, Williams, and Young—38.

Quorum present.

PRAYER.

Prayer was offered by the Chaplain, Rev. Sherman L. Divine.

READING OF THE JOURNAL.

During the reading of the Journal of Monday, April 27, 1931, the further reading was dispensed with on motion of Senator Slater.

PRIVILEGE OF FLOOR OF SENATE EXTENDED.

On request of Senator Maloney, the privilege of the floor of the Senate Chamber for this day was unanimously extended to Dr. Charles H. Strub, president of the San Francisco baseball club.

On request of Senator Sharkey, the privilege of the floor of the Senate Chamber for this day was unanimously extended to Mrs. R. S. Michaels, Miss Rae Davis, Miss Bernice Venegas and Miss Jane Buchanan of Martinez.

On request of Senator Clock, the privilege of the floor of the Senate Chamber for this day was unanimously extended to Hon. Joseph A. Vickers of Los Angeles.

On request of Senator Baker, the privilege of the floor of the Senate Chamber for this day was unanimously extended to Hon. Ralph L. Hughes and Paul Boda of Salinas, Carmel Martin, and Major A. A. Carruthers of Monterey.

On request of Senator Crittenden, the privilege of the floor of the Senate Chamber for this day was unanimously extended to Stockton High School pupils as follows: Calinor Corpening, Madaline Walker, Jack Brewster, Marian Nakashima, Helen Okomoto, John Goodriem, Parker Wood, John Jones, Alice Klump, Naomi Tate, Ed Trombetta, Andrew Davidson and Miss Rinset.

On request of Senator Crittenden, the privilege of the floor of the Senate Chamber for this day was unanimously extended to Lodi Academy and Normal School, H. L. Wallace and Olive Westphal, teachers, and government class students as follows: Dorothy Hesseltine, Evangeline Voth, Helen Warren, Esther Heiser, Lillian Adams, Virginia Scholhaur, Lola Lukens, Helen Morton, Celestine Grove, Marguerite Soth, Edna Meier, Dorothy Schideman, Ione Gautereau, Wilma Sublett, Delta McCulloch, Vernice McCulloch, Caroline Huebach, Francis Meyer, Marian Specht, Roberta Knowlton, Fern Schideman, Ellaline Risewig, Mildred Judge, Robert Nixon, Wilford Hansen, William Pflugrad, William Richli, Vergil Sanders, Herbert Miles, George Michealson, Marvin Sanford, Elmer Meier, Merle Allen, Carl Soth, Ross Preston, John Rogers, Laurence Rogers, Homer Wallace and Donald Christensen.

MESSAGES FROM THE ASSEMBLY.

The following messages from the Assembly were received and read:

ASSEMBLY CHAMBER, SACRAMENTO, April 27, 1931.

MR. PRESIDENT: I am directed to inform your honorable body that the Assembly on this day appointed as a Committee on Free Conference on Assembly Bill No. 568—An act to amend section 1723 of the Code of Civil Procedure, relating to the termination of certain interests in property—the following Assemblymen: Hoffman, Cobb and Houser, to meet with a like committee from your honorable body.

ARTHUR A. OHNIMUS, Chief Clerk.
By C. W. BOOTH, Assistant Clerk.

Also:

ASSEMBLY CHAMBER, SACRAMENTO, April 27, 1931.

MR. PRESIDENT: I am directed to inform your honorable body that the Assembly on this day passed Senate Bill No. 392—An act appropriating money to pay the claim of J. A. Beek against the State of California.

ARTHUR A. OHNIMUS, Chief Clerk.
By A. W. ENGELKE, Assistant Clerk.

Senate Bill No. 392 ordered to enrollment.

Also:

ASSEMBLY CHAMBER, SACRAMENTO, April 28, 1931.

MR. PRESIDENT: I am directed to inform your honorable body that the Assembly on this day concurred in Senate amendments to Assembly Bill No. 203—An act to amend section 4245 and to repeal section 4245a of the Political Code, relating to salaries and fees of officers in counties of the sixteenth class;

Also: Assembly Bill No. 201—An act to amend section 19r16 of the Juvenile Court Law, relating to salaries and expenses of probation officers and their assistants;

Also: Assembly Bill No. 1286—An act to amend section 16r16 of the Weights and Measures Act, relating to sealers of weights and measures in counties of the sixteenth class.

ARTHUR A. OHNIMUS, Chief Clerk.
By FRED J. DESCH, Assistant Clerk.

Also:

ASSEMBLY CHAMBER, SACRAMENTO, April 28, 1931.

MR. PRESIDENT: I am directed to inform your honorable body that the Assembly on April 27, 1931, passed Assembly Bill No. 1732—An act to amend section 594c of the Political Code, relating to the sale and issuance of securities of companies organized for the purpose of transacting an insurance business.

ARTHUR A. OHNIMUS, Chief Clerk.
By FRED J. DESCH, Assistant Clerk.

Assembly Bill No. 1732 read first time, and referred to Committee on Insurance.

Also:

ASSEMBLY CHAMBER, SACRAMENTO, April 27, 1931.

MR. PRESIDENT: I am directed to inform your honorable body that the Assembly on this day passed Assembly Bill No. 1653—An act to amend section 19u4, of the Juvenile Court Law, relating to probation officers in counties of the fourth class;

Also: Assembly Bill No. 1654—An act to amend section 2322x4 of the Political Code, relating to the office of agricultural commissioner in counties of the fourth class;

Also: Assembly Bill No. 1806—An act to amend section 19x27 of the Juvenile Court Law, relating to probation officers in counties of the twenty-seventh class;

Also: Assembly Bill No. 691—An act to add a new section to the Political Code to be known as section 395b, relating to the retirement of corporations from the title insurance business.

ARTHUR A. OHNIMUS, Chief Clerk.
By A. W. ENGELKE, Assistant Clerk.

Assembly Bills Nos. 1653, 1654 and 1806 read first time, and referred to Committee on County Government.

Assembly Bill No. 691 read first time, and referred to Committee on Insurance.

Also:

ASSEMBLY CHAMBER, SACRAMENTO, April 27, 1931.

MR. PRESIDENT: I am directed to inform your honorable body that the Assembly on this day passed Assembly Bill No. 1327—An act to provide for the sanitary inspection of slaughterhouses, the inspection of animals or meats intended for human consumption, to provide rules and regulations therefor, to provide penalties for the violation hereof and repeal the California Meat Inspection Law, approved June 3, 1921;

Also: Assembly Bill No. 1301—An act to amend section 718 of the Civil Code, relating to the leasing of municipal property;

Also: Assembly Bill No. 1914—An act to amend section 6 of an act entitled "An act concerning the water front of the City and County of San Francisco," approved March 16, 1878, as amended, relating to the powers of the Board of State Harbor Commissioners;

Also: Assembly Bill No. 401—An act to amend section 4307 of the Political Code of the State of California, relating to county charges;

Also: Assembly Bill No. 367—An act to amend section 4250 of the Political Code, relating to the compensation of county and township officers in counties of the twenty-first class;

Also: Assembly Bill No. 1562—An act to amend section 9a4 of an act entitled "An act to provide for the establishment and maintenance of county free libraries in the State of California, and repealing 'An act entitled "An act to provide county library systems," approved April 12, 1909, and all acts and parts of acts in conflict with this act,'" approved February 25, 1911, as amended, relating to libraries in counties of the fourth class.

ARTHUR A. OHNIMUS, Chief Clerk.
By A. W. ENGELKE, Assistant Clerk.

Assembly Bill No. 1327 read first time, and referred to Committee on Public Health and Quarantine.

Assembly Bill No. 1301 read first time, and referred to Committee on Judiciary.

Assembly Bill No. 1914 read first time, and referred to Committee on Commerce and Navigation.

Assembly Bill No. 401 read first time, and referred to Committee on Judiciary.

Assembly Bills Nos. 367 and 1562 read first time, and referred to Committee on County Government.

Also:

ASSEMBLY CHAMBER, SACRAMENTO, April 27, 1931.

MR. PRESIDENT: I am directed to inform your honorable body that the Assembly on this day adopted Assembly Concurrent Resolution No. 28—Relative to adjournment.

ARTHUR A. OHNIMUS, Chief Clerk.
By C. W. BOOTH, Assistant Clerk.

Assembly Concurrent Resolution No. 28 read, and referred to Committee on Rules.

Also:

ASSEMBLY CHAMBER, SACRAMENTO, April 27, 1931.

MR. PRESIDENT: I am directed to inform your honorable body that the Assembly on this day adopted Assembly Joint Resolution No. 22—Relative to memorializing and petitioning the President of the United States and Congress to take steps to prevent the importation into the United States of products produced by Russian convict labor;

Also: Assembly Joint Resolution No. 24—Relative to acceptance of Greek flag presented to the State of California;

Also: Assembly Joint Resolution No. 25—Relative to requesting the Secretary of the Navy to name the dirigible to be stationed at the Sunnyvale air base, "Palo Alto."

ARTHUR A. OHNIMUS, Chief Clerk.
By A. W. ENGELKE, Assistant Clerk.

Assembly Joint Resolutions Nos. 22, 24 and 25 read, and referred to Committee on Federal Relations.

Also:

ASSEMBLY CHAMBER, SACRAMENTO, April 27, 1931.

MR. PRESIDENT: I am directed to inform your honorable body that the Assembly on this day adopted Assembly Constitutional Amendment No. 27—Proposed amendment to article IX of the constitution, relative to taxation.

ARTHUR A. OHNIMUS, Chief Clerk.
By A. W. ENGELKE, Assistant Clerk.

Assembly Constitutional Amendment No. 27 read, and referred to Committee on Constitutional Amendments.

Also:

ASSEMBLY CHAMBER, SACRAMENTO, April 27, 1931.

MR. PRESIDENT: I am directed to inform your honorable body that the Assembly on this day appointed as a Committee on Free Conference on Assembly Bill No. 58—An act providing for cooperative construction or improvement of highways by the State and a county or counties, and repealing an act entitled "An act providing for

the construction and maintenance by the State of State aid highways in counties and towns," approved June 5, 1913, and all other acts or parts of acts in conflict herewith—the following Assemblymen: Biggar, Fisher, Robert F., and Brock, to meet with a like committee from your honorable body.

ARTHUR A. OHNIMUS, Chief Clerk.
By C. W. BOOTH, Assistant Clerk.

ASSISTANT SECRETARY FRANCIS E. DALIN AT THE DESK.

MOTION BY SENATOR JONES.

Senator Jones moved that the resolution introduced by himself on April 14th, calling upon the Division of Motor Vehicles in the future to refrain from issuing license plates with distinguishing colors or symbols, which resolution was referred to the Committee on Motor Vehicles, be withdrawn from said Committee on Motor Vehicles, and placed on the file of the Senate.

AYES AND NOES DEMANDED.

A roll call was demanded by Senators Jones, Riley and Baker on Senator Jones' motion that his resolution introduced on April 14th, calling upon the Division of Motor Vehicles in the future to refrain from issuing license plates with distinguishing colors or symbols, be withdrawn from Committee on Motor Vehicles, and placed on file.

The roll was called, and Senator Jones' motion lost by the following vote:

AYES—Senators Allen, Breed, Christian, Crittenden, Hays, Inman, Jones, Moran, Slater, and Williams—10.

NOES—Senators Baker, Bush, Carter, Clock, Duval, Duval, Edwards, Evans, Fellom, Harper, Ingels, Maloney, McCormack, McKinley, Mixer, Nelson, Pedrotti, Rich, Riley, Rochester, Schottky, Sharkey, Swing, Treacy, and Waggy—25.

CONSIDERATION OF DAILY FILE.

THIRD READING OF SENATE BILLS.

Senate Bill No. 283—An act to amend section 44 of the California Vehicle Act, relating to the registration of vehicles.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Senate Bill No. 283 passed by the following vote:

AYES—Senators Allen, Baker, Breed, Bush, Carter, Cassidy, Clock, Crittenden, Duval, Edwards, Evans, Fellom, Harper, Hays, Ingels, Inman, Jones, McCormack, McKinley, Mixer, Moran, Nelson, Pedrotti, Rich, Rochester, Schottky, Sharkey, Slater, Swing, Treacy, Waggy, and Williams—32.

NOES—Senators Maloney, Riley, and Young—3.

Title read and approved.

Bill ordered transmitted to the Assembly.

Senate Bill No. 279—An act to amend section 718 of the Civil Code, relating to leasing property by municipalities.

On motion of Senator Edwards, Senate Bill No. 279 was ordered re-referred to Committee on Commerce and Navigation.

Senate Bill No. 10—An act to amend section 736b and repeal section 736c of the Political Code, relating to salaries of judges of the superior court and to make an appropriation to cover increases in the payments by the State therefor.

On motion of Senator Riley, Senate Bill No. 10 was ordered re-referred to Committee on Finance.

Senate Bill No. 919—An act to amend section 4233 and to repeal section 4233a of the Political Code, relating to the salaries, fees and expenses of officers in counties of the fourth class.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Senate Bill No. 919 passed by the following vote:

AYES—Senators Allen, Baker, Breed, Bush, Carter, Christian, Crittenden, Duval, Edwards, Evans, Fellom, Harper, Inman, Jones, Maloney, McCormack, McKinley, Mixer, Moran, Nelson, Pedrotti, Rich, Riley, Rochester, Schottky, Sharkey, Slater, Treacy, Wagy, Williams, and Young—31.

NOES—None.

Title read and approved.

Bill ordered transmitted to the Assembly.

Senate Bill No. 616—An act to amend section 270 of the Penal Code, relative to omitting to provide child with necessities.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Senate Bill No. 616 passed by the following vote:

AYES—Senators Allen, Baker, Breed, Bush, Carter, Cassidy, Christian, Clock, Crittenden, Deuel, Duval, Edwards, Evans, Fellom, Harper, Hays, Ingels, Jones, Maloney, McKinley, Mixer, Moran, Nelson, Pedrotti, Riley, Rochester, Schottky, Sharkey, Slater, Treacy, Wagy, Williams, and Young—33.

NOES—None.

Title read and approved.

Bill ordered transmitted to the Assembly.

Senate Bill No. 542—An act to amend the title and sections 1, 3, 5 and 7a of chapter 551, Statutes of 1919, as amended, entitled "An act to conserve the fish supply in California by empowering the Fish and Game Commission to regulate and control the handling of fish and other fishery products for the purpose of preventing deterioration or waste; to establish grades to which the fish or other fishery products offered for delivery to canners or preservers or to the fresh fish markets must conform; to make regulations to insure the proper handling and delivery of fish or fishery products to canners, preservers or fresh fish dealers; to regulate and control the use of fish or other fishery products for reduction purposes, and to provide penalties for any violation of any of the provisions of this act," approved May 25, 1919, relating to the canning of sardines.

Bill read third time.

MOTION TO RE-REFER SENATE BILL NUMBER FIVE HUNDRED FORTY-TWO.

Senator Carter moved that Senate Bill No. 542 be re-referred to Committee on Fish and Game.

AYES AND NOES DEMANDED.

A roll call was demanded by Senators Young, Allen and Riley, on Senator Carter's motion to re-refer Senate Bill No. 542 to Committee on Fish and Game.

The roll was called, and Senator Carter's motion lost by the following vote:

AYES—Senators Baker, Carter, Christian, McKinley, Moran, Rochester, and Swing—7.

NOES—Senators Allen, Breed, Bush, Cloek, Crittenden, Denel, Edwards, Evans, Fellom, Harper, Hays, Ingels, Inman, Jones, Maloney, McCormack, Mixer, Nelson, Pedrotti, Riley, Schottky, Sharkey, Slater, Treacy, Waggy, Williams, and Young—27.

MOTION TO REFER TO SPECIAL COMMITTEE OF ONE.

During third reading of the bill, Senator Carter moved to refer Senate Bill No. 542 to Senator McKinley, as a Special Committee of One, to amend as follows:

AMENDMENT NUMBER ONE.

On page 2, line 23, of the printed bill, as amended April 23d, strike out all after and including the word "The", and all thereafter down to and including "hand", in line 45 of page 2.

Motion lost.

RECESS.

On motion of Senator Breed, at twelve o'clock and thirty-seven minutes p.m., the President of the Senate declared recess until two p.m.

RECONVENED.

At two o'clock p.m., the Senate convened.

Lieutenant Governor Frank F. Merriam, President of the Senate, in the chair.

Secretary Joseph A. Beek at the desk.

REPORTS OF STANDING COMMITTEES.

The following reports of standing committees were received and read:

ON PUBLIC HEALTH AND QUARANTINE.

SENATE CHAMBER, SACRAMENTO, April 28, 1931.

MR. PRESIDENT: Your Committee on Public Health and Quarantine, to which was referred Senate Bill No. 947—An act to amend section 1510 of the Penal Code relating to the duties of the coroner—has had the same under consideration, and respectfully reports the same back with amendments, and recommends that the amendments be adopted and that it do pass as amended.

Committee membership—7; committee vote: Ayes—4; absent—3.

WILLIAMS, Chairman.

Senate Bill No. 947 ordered on file for second reading.

ON MOTOR VEHICLES.

SENATE CHAMBER, SACRAMENTO, April 28, 1931.

MR. PRESIDENT: Your Committee on Motor Vehicles, to which was referred Senate Bill No. 901—An act to amend section 451 of the California Vehicle Act, relating to chattel mortgages on motor vehicles or any other vehicle defined by said act, providing for the filing of a certified copy thereof with the Division of Motor Vehicles, registration of the holder as legal owner and the same being constructive notice of said mortgage and contents, excepting chattel mortgages from the provisions of sections 2957, 2959 and 2965 of the Civil Code—has had the same under consideration, and respectfully reports the same back with amendments, and recommends that the amendments be adopted, and that it do pass as amended.

Committee membership—17; committee vote: Ayes—14; absent—3.

BAKER, Chairman.

Senate Bill No. 901 ordered on file for second reading.

ON JUDICIARY.

SENATE CHAMBER, SACRAMENTO, April 28, 1931.

MR. PRESIDENT: Your Committee on Judiciary, to which was referred Assembly Bill No. 6—An act to amend section 720 of and to add a new section to be numbered 723 to the Code of Civil Procedure, relating to proceedings supplemental to execution, and to the qualifications and powers of referees in such proceedings—has had the same under consideration, and respectfully reports the same back with amend-

ments, and recommends that the amendments be adopted, and that it do pass as amended.

Committee membership—17; committee vote: Ayes—15; absent—2.

CHRISTIAN, Chairman.

Assembly Bill No. 6 ordered on file for second reading.

Also:

MR. PRESIDENT: Your Committee on Judiciary, to which was referred Assembly Bill No. 587—An act to add a new section to the Civil Code to be numbered 3342, relating to liability of the State to persons aggrieved by reason of acts of officers under unconstitutional statutes, authorizing the bringing of suits and making judgments recovered legal debts of the State;

Also: Assembly Bill No. 458—An act to amend section 3051a of the Civil Code, relating to the amount recoverable on personal property liens;

Also: Assembly Bill No. 1000—An act substituting for the existing title I of part IV of division I of the Civil Code of the State of California a new title I of said part IV consisting of 16 chapters which shall supersede said existing title I and sections numbered consecutively 1227 to 1235, both numbers included, of the Code of Civil Procedure of California, all relating to corporations;

Also: Assembly Bill No. 27—An act to amend section 1859 of the Civil Code, relating to the liability of innkeepers, hotel keepers, furnished apartment house keepers, furnished bungalow court keepers and boarding house or lodging house keepers;

Also: Assembly Bill No. 1003—An act to amend section 411 of the Code of Civil Procedure, relating to service of summons;

Has had the same under consideration, and respectfully reports the same back, and recommends that they do pass.

Committee membership—17; committee vote: Ayes—15; absent—2.

CHRISTIAN, Chairman.

Assembly Bills Nos. 587, 458, 1000, 27 and 1003 ordered on file for second reading.

Also:

MR. PRESIDENT: Your Committee on Judiciary, to which was referred Assembly Bill No. 1012—An act to amend section 1 of an act entitled "An act defining credit unions, providing for their incorporation, powers, management and supervision," approved March 31, 1927, relating to contents of articles of incorporation;

Also: Assembly Bill No. 1004—An act to repeal chapter 34, Statutes of 1921, entitled "An act concerning corporations of this State and the issue to employees and to persons actively engaged in the conduct of their business of their stock," approved April 2, 1921, relating to the issue of shares of stock to employees; Has had the same under consideration, and respectfully reports the same back, and recommends that they do pass.

Committee membership—17; committee vote: Ayes—15; absent—2.

CHRISTIAN, Chairman.

Assembly Bills Nos. 1012 and 1004 ordered on file for second reading.

Also:

MR. PRESIDENT: Your Committee on Judiciary, to which was referred Senate Bill No. 478—An act to amend section 1161a of the Code of Civil Procedure, relating to recovery of possession of real property;

Also: Senate Bill No. 130—An act to amend section 1973 of the Code of Civil Procedure, and to add to said code a new section to be numbered 1973a, relating to agreements in writing;

Also: Senate Bill No. 373—An act to amend section 4 of an act entitled "An act to define collection agencies; to provide for the regulation, bonding, supervision and licensing thereof; to provide for the enforcement of said act and penalties for violation thereof," approved May 14, 1927, as amended;

Has had the same under consideration, and respectfully reports the same back, and recommends that they do pass.

Committee membership—17; committee vote: Ayes—15; absent—2.

CHRISTIAN, Chairman.

Senate Bills Nos. 478, 130 and 373 ordered on file for second reading.

Also:

MR. PRESIDENT: Your Committee on Judiciary, to which was referred Senate Bill No. 523—An act to require display of the flag of the United States and the State flag of California in all courtrooms where courts of justice are held under the laws of

California—has had the same under consideration, and respectfully reports the same back with amendments, and recommends that the amendments be adopted, and be re-referred to this committee.

Committee membership—17; committee vote: Ayes—15; absent—2.

CHRISTIAN, Chairman.

CONSIDERATION OF COMMITTEE AMENDMENTS.

Pursuant to the report of the Committee on Judiciary, the following amendments to Senate Bill No. 523 were read and adopted:

AMENDMENT NUMBER ONE.

In line 3 of the title of the printed bill, strike out the word "justice", and insert the word "record", and on the same line, after the word "California", strike out the period, and add the following: "and providing for the purchase thereof".

AMENDMENT NUMBER TWO.

On page 1, line 2, of the printed bill, strike out the word "justice", and insert the word "record".

AMENDMENT NUMBER THREE.

On page 1, line 2, of the printed bill, strike out the word "flag", and insert the word "flags".

AMENDMENT NUMBER FOUR.

On page 1, line 9, of the printed bill, after the word "act", insert the following: "and standards therefor".

AMENDMENT NUMBER FIVE.

On page 1, line 9, of the printed bill, after the word "flags", strike out the comma, and insert the following: "and standards".

AMENDMENT NUMBER SIX.

On page 1, line 12, of the printed bill, after the word "flags", insert the following: "and standards".

Bill ordered to print, and re-referred to Committee on Judiciary.

Also:

MR. PRESIDENT: Your Committee on Judiciary, to which was referred Assembly Bill No. 562—An act to amend section 710 of the Code of Civil Procedure, relating to the collection of moneys due from a judgment debtor—has had the same under consideration, and respectfully reports the same back with amendments, and recommends that the amendments be adopted, and be re-referred to this committee.

Committee membership—17; committee vote: Ayes—15; absent—2.

CHRISTIAN, Chairman.

CONSIDERATION OF COMMITTEE AMENDMENTS.

Pursuant to the report of the Committee on Judiciary, the following amendments to Assembly Bill No. 562 were read and adopted:

AMENDMENT NUMBER ONE.

On page 1, line 6, of the printed bill, as amended April 16, 1931, strike out the words "controller of the State of California, or any".

AMENDMENT NUMBER TWO.

On page 2, line 1 of the printed bill, as amended April 16, 1931, following the comma, insert the following: "or if the defendant be an elective state officer or state officer receiving a statutory salary, then with the controller of the State of California,".

Bill ordered to print, and re-referred to Committee on Judiciary.

Also:

MR. PRESIDENT: Your Committee on Judiciary, to which was referred Senate Bill No. 504—An act to amend section 394 of the Code of Civil Procedure, relating to the place of trial of actions or proceedings to which a county, city and county or city is a party:

Also: Senate Bill No. 731—An act defining cemetery and the various words and terms used in connection therewith, providing for the permanency of cemeteries by limiting their operation to corporations of unlimited existence, authorizing the operation of cemeteries for or without profit, prohibits crematories without provision for completing final interment of the cremated remains, provides for the acquisition of cemetery property, the dedication thereof to cemetery purposes, declares dedication supreme until removed by decree of court, exempts dedicated cemetery property from condemnation and from public improvement assessment.

declares liens subject to dedication, provides for the sale of dedicated cemetery property for interment purposes, authorizes its sale subject to conditions and restrictions imposed by owner, defines the property rights of plot owners and the alienable and inalienable character of burial plots, provides for joint ownership and joint ownership representation, authorizes the establishing and enforcing of rules and regulations for cemetery government, authorizes perpetual care and the establishment of irreducible perpetual care funds, provides how perpetual care shall be administered, provides how and in what securities perpetual care funds shall be invested, authorizes the sale through court proceedings of surplus road and other space in cemeteries without perpetual care for purpose of providing a perpetual care fund therefor, authorizes special care of cemetery property and the administration of funds contributed therefor, specifies upon whom the right to control the disposition of remains and the duty of interring devolves, authorizes the payment for burial plot and memorial out of estate, requires records to be made and kept of the final disposition of all remains and of all removals thereof, prohibits vandalism and prescribes punishment therefor, provides method for removal of dedication through court proceedings, confers police power upon sextons and superintendents, makes sales under misrepresentations a misdemeanor, recognizes and adopts by reference the Mausoleum Construction Act, exempts certain religious and public cemeteries from operation of act, defines scope of act, repeals the Rural Cemetery Corporation Act adopted in 1859, and all acts amendatory and supplementary thereof, repeals sections 608, 609, 610, 611, 612, 613, 614, 615, 616 and 617 of the Civil Code, repeals sections 292, 294, 296 and 297 of the Penal Code, repeals all acts and parts of acts in conflict therewith, and declares the constitutionality of the act and all parts thereof;

Has had the same under consideration, and respectfully reports the same back with amendments, and recommends that the amendments be adopted, and that they do pass as amended.

Committee membership—17; committee vote: Ayes—15; absent—2.

CHRISTIAN, Chairman.

Senate Bills Nos. 504 and 731 ordered on file for second reading.

ON AGRICULTURE AND LIVE STOCK.

SENATE CHAMBER, SACRAMENTO, April 28, 1931.

MR. PRESIDENT: Your Committee on Agriculture and Live Stock, to which was referred Assembly Bill No. 674—An act to provide for the removal or destruction of abandoned or neglected orchard trees, vines, shrubs, or parts thereof, or agricultural crops—has had the same under consideration, and respectfully reports the same back with amendments, and recommends that the amendments be adopted, and that it do pass as amended.

Committee membership—13; committee vote: Ayes—9; absent—4.

DUVAL, Chairman.

Assembly Bill No. 674 ordered on file for second reading.

Also:

MR. PRESIDENT: Your Committee on Agriculture and Live Stock, to which was referred Assembly Bill No. 1927—An act to add a new section to be numbered 6½ to an act entitled "California Canned Fruit Standardization Act," approved May 23, 1925, as amended, providing for the use of United States Department of Agriculture markings on canned products;

Also: Assembly Bill No. 1623—An act repealing chapter 677, Statutes of 1911, entitled "An act to regulate the public service of stallions and jacks in the State of California," approved May 1, 1911, as amended;

Has had the same under consideration, and respectfully reports the same back, and recommends that they do pass.

Committee membership—13; committee vote: Ayes—9; absent—4.

DUVAL, Chairman.

Assembly Bills Nos. 1927 and 1623 ordered on file for second reading.

ON FINANCE.

SENATE CHAMBER, SACRAMENTO, April 28, 1931.

MR. PRESIDENT: Your Committee on Finance, to which was referred Senate Bill No. 433—An act to make an appropriation to pay the claim of Andrew Stewart against the State of California—has had the same under consideration, and respectfully reports the same back with amendments, and recommends that the amendments be adopted, and the bill be re-referred to this committee.

Committee membership—18; committee vote: Ayes—17; absent—1.

SWING, Chairman.

CONSIDERATION OF COMMITTEE AMENDMENTS.

Pursuant to the report of the Committee on Finance, the following amendments to Senate Bill No. 433 were read and adopted:

AMENDMENT NUMBER ONE.

In lines 1 and 2 of the title of the printed bill, strike out "Andrew Stewart", and insert in lieu thereof "W. E. Martin".

AMENDMENT NUMBER TWO.

On page 1, line 1, of the printed bill, strike out "two hundred fifty dollars", and insert in lieu thereof "seventeen dollars and sixty-five cents".

AMENDMENT NUMBER THREE.

On page 1, line 2, of the printed bill, strike out "state treasury", and insert in lieu thereof "fish and game preservation fund".

Bill ordered to print, and re-referred to Committee on Finance.

ON CONSERVATION.

SENATE CHAMBER, SACRAMENTO, April 27, 1931.

MR. PRESIDENT: Your Committee on Conservation, to which was referred Assembly Bill No. 11—An act to add section 384b to the Penal Code, relating to the protection of vegetation—has had the same under consideration, and respectfully reports the same back, and recommends that it do pass.

Committee membership—7; committee vote: Ayes—7.

EVANS, Chairman.

Assembly Bill No. 11 ordered on file for second reading.

ON ENGROSSMENT, ENROLLMENT AND PRINTING.

SENATE CHAMBER, SACRAMENTO, April 28, 1931.

MR. PRESIDENT: Your Committee on Engrossment, Enrollment and Printing has examined Senate Bill No. 9—An act declaring the bridge across the Yuba River at the city of Marysville and the bridge across the Feather River between the city of Marysville and the city of Yuba City to be State highways and parts of the State highway system;

Also: Senate Bill No. 337—An act making an appropriation for surveys, plans, estimates, preliminary engineering and other preliminary expenses for a bridge across the bay of San Francisco from the city of San Francisco to the county of Alameda;

Also: Senate Bill No. 459—An act to amend section 667 of the Penal Code, relating to punishment for second offenses;

Also: Senate Bill No. 931—An act to amend section 1 of chapter 399 of the Statutes of 1911, relating to certain defenses in actions at common law against employers;

And reports that the same have been correctly re-engrossed.

RILEY, Chairman.

Also:

MR. PRESIDENT: Your Committee on Engrossment, Enrollment and Printing has examined Senate Bill No. 895—An act authorizing the Governor of the State of California to select and engage the services of an educational research foundation or other organization engaged or organized to engage in the work of making critical surveys in the field of education to make a survey of the present system, plan of organization, and conduct of public education of higher than high school grade in the State of California and to report in writing the results of its survey with its recommendations, providing for the compensation of such foundation or other organization, making an appropriation therefor and for the payment of expenses incidental to carrying out the provisions of this act, and authorizing the Governor to accept gifts of money, property or services in furtherance of the work to be carried out as in this act provided—and reports that the same has been correctly engrossed.

RILEY, Chairman.

Also:

MR. PRESIDENT: Your Committee on Engrossment, Enrollment and Printing has examined Senate Bill No. 138—An act to add a new article to chapter 3 of title I of part III of the Political Code, to be numbered article 11a, embracing sections 360 to 360g, both inclusive, and to repeal sections 363k, 363l and 363m of the Political Code and section 30 of the California Vehicle Act relating to a Department of Motor Vehicles;

Also: Senate Bill No. 177—An act to add a new section, to be numbered section 11b, to an act entitled "An act regulating private employment agencies, providing

for a license for the operation thereof and a fee therefor, providing forms of receipts and registers to be used and kept, prohibiting any charge for registering or filing application for help or employment, prohibiting the dividing of fees, providing for the refunding of fees and expenses in the event of failure to procure employment, and granting the Commissioner of the Bureau of Labor Statistics the power to prescribe rules and regulations to carry out the purpose and intent of this act," approved June 3, 1913, as amended, requiring licensed employment agencies to print or publish the maximum fees which they charge for positions on all their advertising matter, including introduction cards, bulletins, blotters, throw-aways, newspaper and other advertising;

Also: Senate Bill No. 950—An act to amend article IX of chapter I of part III of division IV of the School Code, embracing sections 4380 to 4384, inclusive, and to repeal chapter 709, Statutes of 1929, all relating to financial reports of school districts;

And reports that the same have been correctly engrossed.

RILEY, Chairman.

CONSIDERATION OF DAILY FILE.

SECOND READING OF SENATE BILLS.

Senate Bill No. 801—An act to add section 19x53 to the Juvenile Court Law, relating to probation officers in counties of the fifty-third class.

COMMITTEE AMENDMENTS.

During the second reading of the bill, the following committee amendments were offered:

AMENDMENT NUMBER ONE.

In line 1 of the title of the printed bill, strike out "19x53", and insert in lieu thereof the following: "19x54".

Amendment adopted.

AMENDMENT NUMBER TWO.

In line 2 of the title of the printed bill, strike out "fifty-third", and insert in lieu thereof the following: "fifty-fourth".

Amendment adopted.

AMENDMENT NUMBER THREE.

On page 1, line 1, of the printed bill, strike out "19x53", and insert in lieu thereof the following: "19x54".

Amendment adopted.

AMENDMENT NUMBER FOUR.

On page 1 of the printed bill, strike out lines 3 to 6, inclusive, and insert in lieu thereof the following:

"Sec. 19x54. In counties of the fifty-fourth class, there shall be one probation officer whose salary shall be thirty-five dollars per month."

Amendment adopted.

Bill read second time, ordered to print, engrossment, and on file for third reading.

Senate Bill No. 802—An act to amend section 2322x53 of the Political Code, relating to the office of agricultural commissioner in counties of the fifty-third class.

COMMITTEE AMENDMENTS.

During the second reading of the bill, the following committee amendments were offered:

AMENDMENT NUMBER ONE.

In line 1 of the title of the printed bill, strike out "2322x53", and insert in lieu thereof the following: "2322x54".

Amendment adopted.

AMENDMENT NUMBER TWO.

In line 3 of the title of the printed bill, strike out "fifty-third", and insert in lieu thereof the following: "fifty-fourth".

Amendment adopted.

AMENDMENT NUMBER THREE.

On page 1, line 1, of the printed bill, strike out "2322x53", and insert in lieu thereof the following: "2322x54".

Amendment adopted.

AMENDMENT NUMBER FOUR.

On page 1 of the printed bill, strike out lines 3 to 6, inclusive, and insert in lieu thereof the following:

"2322x54. In counties of the fifty-fourth class, the commissioner shall receive a salary of one dollar per annum."

Amendment adopted.

Bill read second time, ordered to print, engrossment, and on file for third reading.

Senate Bill No. 803—An act to amend section 16x53 of the Weights and Measures Act, relating to sealers of weights and measures in counties of the fifty-third class.

COMMITTEE AMENDMENTS.

During the second reading of the bill, the following committee amendments were offered:

AMENDMENT NUMBER ONE.

In line 1 of the title of the printed bill, strike out "16x53", and insert in lieu thereof the following: "16x54".

Amendment adopted.

AMENDMENT NUMBER TWO.

In line 3 of the title of the printed bill, strike out "fifty-third", and insert in lieu thereof the following: "fifty-fourth".

Amendment adopted.

AMENDMENT NUMBER THREE.

On page 1, line 1, of the printed bill, strike out "16x53", and insert in lieu thereof the following: "16x54".

Amendment adopted.

AMENDMENT NUMBER FOUR.

On page 1 of the printed bill, strike out lines 3 to 6, inclusive, and insert in lieu thereof the following:

"SEC. 16x54. In counties of the fifty-fourth class, deputy superintendents of weights and measures shall receive five dollars per day for each day actually employed in the county."

Amendment adopted.

Bill read second time, ordered to print, engrossment, and on file for third reading.

Senate Bill No. 805—An act to add a new section to be numbered 9a53 to the act entitled "An act to provide for the establishment and maintenance of county free libraries in the State of California, and repealing 'An act entitled 'An act to provide county library systems,' approved April 12, 1909, and all acts and parts of acts in conflict with this act,' " approved February 25, 1911, as amended, relating to libraries in counties of the fifty-third class.

COMMITTEE AMENDMENTS.

During the second reading of the bill, the following committee amendments were offered :

AMENDMENT NUMBER ONE.

In line 1 of the title of the printed bill, strike out "9a53", and insert in lieu thereof the following: "9a54".

Amendment adopted.

AMENDMENT NUMBER TWO.

In line 8 of the title of the printed bill, strike out "fifty-third", and insert in lieu thereof the following: "fifty-fourth".

Amendment adopted.

AMENDMENT NUMBER THREE.

On page 1, line 1, of the printed bill, strike out "9a53", and insert in lieu thereof the following: "9a54".

Amendment adopted.

AMENDMENT NUMBER FOUR.

On page 1 of the printed bill, strike out lines 3 to 5, inclusive, and insert in lieu thereof the following:

"Sec. 9a54. In counties of the fifty-fourth class the salary of the county librarian shall be five hundred dollars per annum."

Amendment adopted.

Bill read second time, ordered to print, engrossment, and on file for third reading.

CONSIDERATION OF SPECIAL ORDER.

The hour having arrived for the consideration of Senate Bills Nos. 362 and 363, heretofore set as a special order for two o'clock p.m., Tuesday, April 28th, the same were taken up for consideration.

Senate Bill No. 362—An act to prohibit the production of crude petroleum oil so as to constitute waste; to define waste; to provide for a determination of waste and the allocation of production to the several sources of supply and the several properties therein and to provide penalties for a violation of said law.

Bill read third time.

MOTION TO POSTPONE CONSIDERATION.

Senator Inman moved that further consideration of Senate Bill No. 362 be postponed until Thursday, April 30, 1931, and be made a special order for that date at two o'clock p.m.

AYES AND NOES DEMANDED.

A roll call was demanded by Senators Inman, Riley and Treacy, on Senator Inman's motion to postpone further consideration of Senate Bill No. 362 until Thursday, April 30, 1931, and to make it a special order for that date at two o'clock p.m.

The roll was called, and Senator Inman's motion lost by the following vote:

AYES—Senators Carter, Cassidy, Christian, Hays, Inman, Jones, McCormack, McKinley, Pedrotti, Riley, Rochester, and Schottky—12.

NOES—Senators Allen, Baker, Breed, Bush, Clock, Crittenden, Deuel, Duval, Edwards, Evans, Fellom, Harper, Maloney, Mixter, Moran, Nelson, Rich, Sharkey, Slater, Swing, Treacy, Wagly, Williams, and Young—24.

MOTION TO REFER TO SPECIAL COMMITTEE OF ONE.

During third reading of the bill, Senator Inman moved to refer Senate Bill No. 362 to Senator Jones, as a Special Committee of One, to amend as follows:

AMENDMENT NUMBER ONE.

On page 7, line 19, of the printed bill, after "exists," insert the following: "That if as or when the actual market field price of crude oil of an average Baume gravity of all producing fields in California shall have reached a price of, or greater than one dollar and fifteen cents (\$1.15) per barrel f.o.b. at well or wells, it shall be the duty of the oil and gas commission to, and shall immediately without notice, remove all restrictions and prorations on all production of crude oil in California; and, that if as or when the actual market wholesale price of gasoline f.o.b. refinery shall have attained a price of, or greater than twelve cents (12c) per gallon, exclusive of State tax, it shall be the duty of said commission to, and said commission is hereby charged with the duty of and shall then immediately, without notice, order the removal of all restrictions and prorations on all production of crude oil in California."

POINT OF ORDER.

Senator Sharkey raised the point of order that Senator Carter was talking about the bill, and not the amendment offered by Senator Inman.

DECISION ON POINT OF ORDER.

The President announced his decision and declared the point of order not well taken.

AYES AND NOES DEMANDED.

A roll call was demanded by Senators Inman, Sharkey and Riley on Senator Inman's motion to refer Senate Bill No. 362 to Senator Jones, as a Special Committee of One, for amendment.

The roll was called.

CALL OF THE SENATE.

Pending the announcement of the vote, Senator Inman moved a call of the Senate.

Motion carried.

The Secretary was directed to call the roll.

The roll was called, and the following answered to their names:

Senators Allen, Baker, Breed, Bush, Carter, Cassidy, Christian, Clock, Crittenden, Deuel, Duval, Edwards, Evans, Fellom, Harper, Hays, Ingels, Inman, Jones, Maloney, McCormack, McKinley, Mixer, Moran, Nelson, Pedrotti, Rich, Riley, Rochester, Schottky, Sharkey, Slater, Swing, Treacy, Tubbs, Waggy, Williams, and Young—38

The Secretary announced the absentees.

Time, four o'clock and fifteen minutes p.m.

The President directed the Sergeant-at-Arms to close the doors.

The Sergeant-at-Arms, having been furnished with the names of the absentees, was directed to bring them to the bar of the Senate.

PROCEEDINGS UNDER CALL OF THE SENATE.

REPORTS OF STANDING COMMITTEES—(RESUMED).

The following report of standing committee was received and read:

ON RULES.

SENATE CHAMBER, SACRAMENTO, April 28, 1931.

MR. PRESIDENT: Your Committee on Rules, to which was referred Assembly Concurrent Resolution No. 28—Relative to adjournment—has had the same under consideration, and respectfully reports the same back, and recommends that same be adopted.

Committee membership—5; committee vote: Ayes—5.

BREED, Chairman.

CONSIDERATION OF ASSEMBLY CONCURRENT RESOLUTION NUMBER
TWENTY-EIGHT.

Senator Breed asked for, and was granted, unanimous consent to suspend Senate Rule No. 29 for the consideration, at this time, of Assembly Concurrent Resolution No. 28, without reference to Finance Committee or file, for purpose of adoption.

ASSEMBLY CONCURRENT RESOLUTION No. 28.

Relative to adjournment.

Resolved by the Assembly, the Senate concurring, That the forty-ninth session of the Legislature of the State of California shall adjourn sine die at four o'clock p.m. Friday, May 15, 1931.

Resolution read.

The question being on the adoption of the resolution.

The roll was called, and Assembly Concurrent Resolution No. 28 adopted by the following vote:

AYES—Senators Allen, Breed, Cassidy, Christian, Clock, Crittenden, Deuel, Duval, Edwards, Evans, Fellom, Harper, Hays, Ingels, Jones, Maloney, McCormack, McKinley, Mixter, Moran, Nelson, Pedrotti, Rich, Riley, Rochester, Schottky, Sharkey, Slater, Swing, Treacy, Tubbs, Williams, and Young—33.

NOES—None.

Assembly Concurrent Resolution No. 28 ordered transmitted to the Assembly.

CONSIDERATION OF DAILY FILE.

THIRD READING OF SENATE BILLS—(RESUMED).

Senate Bill No. 138—An act to add a new article to chapter 3 of title I of part III of the Political Code, to be numbered article 11a, embracing sections 360 to 360g, both inclusive, and repealing sections 363k, 363l and 363m of the Political Code, relating to a Department of Motor Vehicles.

Bill read third time.

MOTION TO REFER TO SPECIAL COMMITTEE OF ONE.

During third reading of the bill, Senator Fellom moved to refer Senate Bill No. 138 to Senator Swing, as a Special Committee of One, to amend as follows:

AMENDMENT NUMBER ONE.

On page 4, line 3, of the printed bill, after "warrants", insert the following: "relating to the enforcement of the provisions of the California vehicle act."

AMENDMENT NUMBER TWO.

On page 4 of the printed bill, strike out lines 40 to 52, inclusive, and on page 5, strike out lines 1 to 6, inclusive, and insert in lieu thereof the following:

"When appointments are to be made of inspectors, captains, traffic officers, and clerks, to serve in any county of the state, the board of supervisors of such county shall be notified by the division of such contemplated appointments and thereupon the said board of supervisors shall submit to the division a list of names of proposed inspectors, captains, traffic officers, and clerks. Such persons shall be required to take an examination in accordance with the civil service act and appointments shall be made from the eligible list resulting from said examination. If any board of supervisors should fail or refuse to submit a list of names for such appointments and examination, the division shall submit a list of names to the civil service commission for examination; and appointments by the chief of the California highway patrol, subject to the approval of the director of motor vehicles shall be made from the eligible lists, resulting from said examination. Any person appointed under the provisions of this subdivision must serve a probationary period of one year and if upon the expiration thereof he retains his position, he shall acquire permanent civil service status and shall be rated as to efficiency as provided in this subdivision."

AMENDMENT NUMBER THREE.

On page 5 of the printed bill, strike out lines 11 to 14, inclusive, and insert in lieu thereof the following:

"(k) In appointing prior to December 31, 1933, members of the California highway patrol to serve in any county in which is maintained a traffic patrol at the time this amendment takes effect, the chief of the California highway patrol, subject to the approval of the director of motor vehicles, upon requisition of the board of supervisors of that county may appoint the traffic officers of such county who have held their positions as such for one year previous to the date of such appointment. Members so appointed under this subdivision holding their positions after the expiration of a probationary period of one year shall automatically acquire permanent civil service status without examination and shall be rated as to efficiency by the chief of the California highway patrol in accordance with the terms of this act."

Motion carried.

REPORT OF SPECIAL COMMITTEE OF ONE.

SENATE CHAMBER, SACRAMENTO, April 28, 1931.

MR. PRESIDENT: Your Special Committee of One, to which was referred Senate Bill No. 138, with instructions to amend, respectfully reports the same back, amended as per instructions.

SWING, Committee.

Report read, and on motion of Senator Fellom adopted.

Bill ordered to print, and re-engrossment.

RUSH ORDER TO PRINTER.

On motion of Senator Fellom, the Secretary was directed to issue a rush order for printing Senate Bill No. 138.

Senate Bill No. 42—An act to increase the number of judges of the superior court of the State of California, in and for the county of San Diego; to provide for the appointment of two additional judges and the manner of payment of their compensation.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Senate Bill No. 42 passed by the following vote:

AYES—Senators Allen, Baker, Breed, Carter, Christian, Clock, Crittenden, Deuel, Duval, Edwards, Evans, Fellom, Harper, Hays, Jones, Maloney, McCormack, McKinley, Mixter, Nelson, Pedrotti, Riley, Rochester, Schottky, Sharkey, Slater, Swing, Treacy, Tubbs, Wagy, Williams, and Young—32.

NOES—None.

Title read and approved.

Bill ordered transmitted to the Assembly.

Senate Bill No. 91—An act to amend section 763 of the Code of Civil Procedure, relating to partition.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Senate Bill No. 91 passed by the following vote:

AYES—Senators Allen, Baker, Breed, Bush, Carter, Cassidy, Christian, Clock, Crittenden, Deuel, Edwards, Evans, Fellom, Harper, Hays, Jones, Maloney, McCormack, McKinley, Mixter, Moran, Nelson, Pedrotti, Rochester, Schottky, Sharkey, Slater, Swing, Treacy, Tubbs, Wagy, Williams, and Young—33.

NOES—None.

Title read and approved.

Bill ordered transmitted to the Assembly.

Senate Bill No. 215—An act to amend section 963 of the Code of Civil Procedure, relating to appeals from the superior court.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Senate Bill No. 215 passed by the following vote:

AYES—Senators Allen, Baker, Breed, Bush, Carter, Cassidy, Christian, Clock, Crittenden, Ducl, Duval, Edwards, Evans, Fellom, Harper, Hays, Ingels, Inman, Jones, Maloney, McKinley, Mixer, Moran, Nelson, Pedrotti, Rich, Riley, Rochester, Schottky, Sharkey, Slater, Swing, Treacy, Tubbs, Wag, and Young—36.

NOES—None.

Title read and approved.

Bill ordered transmitted to the Assembly.

Senate Bill No. 684—An act to add a new section to the Penal Code to be numbered 537b $\frac{1}{2}$, relating to the defrauding of owners of automobiles.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Senate Bill No. 684 passed by the following vote:

AYES—Senators Allen, Baker, Breed, Bush, Carter, Cassidy, Christian, Clock, Crittenden, Ducl, Duval, Edwards, Evans, Fellom, Harper, Ingels, Jones, Maloney, Mixer, Moran, Pedrotti, Rich, Riley, Rochester, Sharkey, Slater, Swing, Treacy, Tubbs, Wag, and Young—31.

NOES—Senator Hays—1.

Title read and approved.

Bill ordered transmitted to the Assembly.

Senate Bill No. 549—An act to add a new section to be numbered 1a to chapter 267, Statutes of 1923, entitled "An act to regulate and license the business of producing, refining, or distributing gasoline, distillate and other motor vehicle fuels, providing for the collection and distribution of license taxes, and adopting those provisions, not inconsistent herewith, of an act entitled 'An act to regulate and license the business of producing, refining or distributing gasoline, distillate and other motor vehicle fuels, providing for the collection and disposition of license taxes, describing penalties for violation of the provisions of said act, and repealing all acts and parts of acts inconsistent herewith,' " relating to a revolving fund for the State Highway Commission.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Senate Bill No. 549 passed by the following vote:

AYES—Senators Allen, Baker, Breed, Bush, Cassidy, Christian, Clock, Crittenden, Duval, Edwards, Evans, Fellom, Harper, Ingels, Inman, Maloney, McCormack, McKinley, Mixer, Moran, Nelson, Pedrotti, Rich, Riley, Rochester, Schottky, Sharkey, Slater, Swing, Treacy, Tubbs, Wag, Williams, and Young—34.

NOES—None.

Title read and approved.

Bill ordered transmitted to the Assembly.

Senate Bill No. 139—An act to repeal section 633c of the Political Code, relating to insurance adjusters.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Senate Bill No. 139 passed by the following vote:

AYES—Senators Allen, Baker, Breed, Bush, Carter, Cassidy, Christian, Clock, Crittenden, Deuel, Duval, Edwards, Fellom, Harper, Hays, Ingels, Maloney, McCormack, McKinley, Mixer, Moran, Pedrotti, Rich, Riley, Rochester, Sharkey, Slater, Swing, Tubbs, Wagy, Williams, and Young—32.

NOES—None.

Title read and approved.

Bill ordered transmitted to the Assembly.

Senate Bill No. 349—An act to repeal section 452 of the School Code and to repeal section 1 of chapter 433, Statutes of 1929, entitled "An act relating to the formation, suspension and support of junior college districts and the powers of governing boards thereof," approved May 23, 1929, and to add a new section to the School Code to be numbered 452, all relating to the State Junior College Fund.

Bill read third time.

The question being on the passage of the bill.

The roll was call, and Senate Bill No. 349 passed by the following vote:

AYES—Senators Allen, Baker, Breed, Bush, Carter, Cassidy, Clock, Crittenden, Deuel, Duval, Edwards, Evans, Fellom, Harper, Hays, Ingels, Jones, Maloney, McCormack, McKinley, Mixer, Nelson, Pedrotti, Rich, Riley, Rochester, Schottky, Sharkey, Slater, Swing, Tubbs, Wagy, Williams, and Young—34.

NOES—None.

Title read and approved.

Bill ordered transmitted to the Assembly

Senate Bill No. 428—An act to amend section 2207I of the Political Code, relating to the Industrial Home for the Adult Blind.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Senate Bill No. 428 passed by the following vote:

AYES—Senators Allen, Baker, Breed, Bush, Carter, Cassidy, Christian, Clock, Deuel, Duval, Edwards, Evans, Fellom, Harper, Hays, Ingels, Inman, Jones, Maloney, McCormack, McKinley, Mixer, Moran, Nelson, Pedrotti, Rich, Riley, Rochester, Schottky, Sharkey, Slater, Treacy, Wagy, Williams, and Young—35.

NOES—None.

Title read and approved.

Bill ordered transmitted to the Assembly.

Senate Bill No. 520—An act to amend section 5 of chapter 845, Statutes of 1929, entitled "An act to establish salesrooms and industrial workshops for the blind, providing for the management, government and administration thereof, and making an appropriation for the establishment of a revolving fund therefor," relating to the Industrial Workshop Revolving Fund.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Senate Bill No. 520 passed by the following vote:

AYES—Senators Allen, Baker, Breed, Bush, Carter, Cassidy, Clock, Deuel, Duval, Edwards, Evans, Fellom, Harper, Hays, Ingels, Inman, Jones, Maloney, McCormack,

McKinley, Mixer, Moran, Nelson, Pedrotti, Rich, Riley, Rochester, Schottky, Sharkey, Slater, Swing, Treacy, Tubbs, Waggy, Williams, and Young—36.

NOES—None.

Title read and approved.

Bill ordered transmitted to the Assembly.

SENATE JOINT RESOLUTION No. 14.

Relative to memorializing and petitioning Congress to enact legislation to eliminate the restrictions which now attach to the taxation of national banking associations, and creating a committee to further such purpose.

WHEREAS, The Joint Legislative Committee on Taxation of the forty-eighth session of the California Legislature has filed its report with the Senate and Assembly and sets forth the necessity of an amendment to section 5219 of the Revised Statutes of the United States, which statute is the sole authority for states to tax national banking associations and has recommended that the Legislature of the State take appropriate action designed to secure an amendment to section 5219 so that the State will be permitted greater latitude in the taxation of national banks; and

WHEREAS, It appears from such report that the present provisions of the said section 5219 so restrict the power of the states that this State is unable to enact a measure for the taxation of national banks that is capable of producing adequate revenues from such associations, and the State is required, in order to tax such associations, to adjust a large portion of its tax system to conform to the method selected for the taxation of national banking associations; and

WHEREAS, The forty-ninth session of the Legislature of the State of California approves recommendation number six of the said Joint Legislative Committee on Taxation as expressed in its report, and believes that such an amendment is essential before any revision of the State's tax system to distribute more equitably the tax burden can be achieved; now, therefore, be it

Resolved, That the Legislature of the State of California petitions the seventy-second session of the Congress of the United States to enact legislation to so amend section 5219 of the Revised Statutes of the United States that the states will be permitted greater latitude in the taxation of national banks; and be it further

Resolved, That the Legislature of the State of California requests the Honorable Senators and Representatives in the national Congress representing this State in the Senate and the House of Representatives of the United States to use every honorable means to secure such an amendment to section 5219; and be it further

Resolved, That a committee of four members, consisting of two members of the Assembly, to be appointed by the Speaker of the Assembly, and two members of the Senate, to be appointed by the President of the Senate, be appointed to attend the hearings of the Senate and the House Committees on Banking and Currency, or such other hearings and take such other action as said committee hereby authorized may deem necessary, to urge the national Congress to adopt such an amendment to section 5219 as is herein advocated; and be it further

Resolved, That the sum of \$5,000, or so much thereof as may be necessary, is hereby set apart, reserved and appropriated out of the legislative contingent funds of the Senate and Assembly which may have heretofore or may hereafter be appropriated for the contingent expenses of the Senate and Assembly by this session of the Legislature, said sum to be payable one-half from the contingent fund of the Senate and one-half from the contingent fund of the Assembly but not exceeding the sum of \$5,000 in all, for the purpose of paying the expenses incurred by the committee herein designated under the authority hereof, and for the purposes herein set forth, and said payments shall be disbursed from time to time by Controller's warrants to be drawn against such contingent funds upon the written orders of the members of said committee herein provided for; and be it further

Resolved, That the Secretary of the Senate be, and he is hereby directed to send copies of this resolution to each member of the Senate and the House of Representatives committees on banking and currency of the seventy-second Congress, and to each member of the Senate and House of Representatives from the State of California.

Resolution read.

The question being on the adoption of the resolution.

The roll was called, and Senate Joint Resolution No. 14 adopted by the following vote:

AYES—Senators Allen, Baker, Breed, Bush, Cassidy, Christian, Clock, Critten-den, Deuel, Edwards, Evans, Fellom, Harper, Hays, Ingels, Inman, Jones, Maloney,

McCormack, McKinley, Mixter, Moran, Nelson, Pedrotti, Rich, Riley, Rochester, Schottky, Sharkey, Slater, Swing, Treacy, Tubbs, Wagy, Williams, and Young—36.
 NOES—None.

Senate Joint Resolution No. 14 ordered transmitted to the Assembly.

Senate Bill No. 950—An act to amend article IX of chapter I of part III of division IV of the School Code, embracing sections 4.380 to 4.384, inclusive, and to repeal chapter 709, Statutes of 1929, all relating to financial reports of school districts.

Bill read third time.

MOTION TO REFER TO SPECIAL COMMITTEE OF ONE.

During third reading of the bill, Senator Nelson moved to refer Senate Bill No. 950 to Senator Breed, as a Special Committee of One, to amend as follows:

AMENDMENT NUMBER ONE.

On page 2, line 16, of the printed bill, after the word "schools", add the following: "or by the governing board of any school district".

Motion carried.

REPORT OF SPECIAL COMMITTEE OF ONE.

SENATE CHAMBER, SACRAMENTO, April 28, 1931.

MR. PRESIDENT: Your Special Committee of One, to which was referred Senate Bill No. 950, with instructions to amend, respectfully reports the same back, amended as per instructions.

BREED, Committee.

Report read, and on motion of Senator Nelson adopted.

Bill ordered to print, and re-engrossment.

CONSIDERATION OF DAILY FILE.

THIRD READING OF ASSEMBLY BILLS.

Assembly Bill No. 824—An act granting to the city of Los Angeles certain real property of the State lying within the boundaries of said city, acquired for highway purposes under the jurisdiction of the California Highway Commission, and authorizing the Director of Finance to convey title to said property in the name of the State to said city.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Assembly Bill No. 824 passed by the following vote:

AYES—Senators Allen, Baker, Breed, Bush, Carter, Cassidy, Christian, Clock, Deuel, Duval, Edwards, Evans, Fellom, Harper, Hays, Ingels, Inman, Jones, Maloney, McCormack, McKinley, Mixter, Moran, Nelson, Pedrotti, Rich, Riley, Rochester, Schottky, Sharkey, Slater, Swing, Treacy, Tubbs, Wagy, and Young—36.
 NOES—None.

Title read and approved.

Bill ordered transmitted to the Assembly.

Assembly Bill No. 825—An act to amend section 12 of an act entitled "An act to provide for the formation of districts within municipalities for the acquisition or construction of public improvements, works and public utilities; for the issuance, sale and payment of bonds of such districts to meet the cost of such improvements; and for the acquisition or construction of such improvements," approved May 24, 1927, relating to municipal improvement districts.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Assembly Bill No. 825 passed by the following vote:

AYES—Senators Allen, Breed, Bush, Cassidy, Clock, Crittenden, Duval, Edwards, Evans, Fellom, Harper, Hays, Inman, Jones, Maloney, McCormack, McKinley, Mixter, Moran, Nelson, Pedrotti, Rich, Riley, Rochester, Slater, Swing, Treacy, Tubbs, Wag, Williams, and Young—31.

NOES—None.

Title read and approved.

Bill ordered transmitted to the Assembly.

Assembly Bill No. 827—An act to provide for the maintenance by municipalities of lighting systems along public streets, alleys and other public places within municipalities or forming the exterior boundaries thereof, and for the lighting thereof by electric current or other illuminating agent; and for the assessment of the cost and expense thereof upon the property benefited and the manner of collecting such assessments.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Assembly Bill No. 827 passed by the following vote:

AYES—Senators Allen, Baker, Breed, Bush, Cassidy, Christian, Crittenden, Deuel, Duval, Edwards, Evans, Fellom, Hays, Jones, Maloney, McCormack, McKinley, Mixter, Moran, Nelson, Pedrotti, Rich, Rochester, Slater, Swing, Treacy, Tubbs, Wag, Williams, and Young—30.

NOES—None.

Title read and approved.

Bill ordered transmitted to the Assembly.

Assembly Bill No. 894—An act to amend chapter 880, Statutes of 1929, entitled "An act providing for the organization, operation and maintenance of transportation districts, whether said district lie entirely within unincorporated territory of a county or the territory of a municipality, or lie within such unincorporated territory and one or more municipalities, or lie within two or more municipalities; for the acquisition, construction and operation of any transportation facility within the district, the use of existing State acquisition and improvement statutes for such acquisition, construction and operation, for the dissolution of such districts, for the appointment and powers of an advisory board, for the disposition of any property or transportation facility, for the handling of the moneys of the district, for the use for its purposes by the district of lands dedicated to public uses, and defining the powers and duties of legislative bodies of municipalities and counties in connection with the use of this act," approved June 19, 1929, by adding two new sections thereto to be known as sections 4a and 9a.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Assembly Bill No. 894 passed by the following vote:

AYES—Senators Allen, Baker, Breed, Bush, Carter, Cassidy, Christian, Clock, Crittenden, Deuel, Edwards, Evans, Fellom, Hays, Jones, Maloney, McCormack,

McKinley, Mixter, Moran, Nelson, Pedrotti, Rich, Rochester, Schottky, Slater, Swing, Tubbs, Wag, Williams, and Young—31.

NOES—None.

Title read and approved.

Bill ordered transmitted to the Assembly.

Assembly Bill No. 555—An act to amend section 413 of the Code of Civil Procedure, relating to the publication of summons.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Assembly Bill No. 555 passed by the following vote:

AYES—Senators Allen, Baker, Breed, Bush, Carter, Cassidy, Christian, Clock, Crittenden, Deuel, Duval, Edwards, Evans, Fellom, Hays, Inman, Jones, Maloney, McCormack, McKinley, Mixter, Nelson, Pedrotti, Rich, Rochester, Schottky, Sharkey, Slater, Swing, Treacy, Tubbs, Wag, Williams, and Young—34.

NOES—None.

NOTICE OF MOTION TO RECONSIDER.

Senator Cassidy gave notice that on the next legislative day he would move to reconsider the vote by which Assembly Bill No. 555 was passed.

Assembly Bill No. 559—An act to add a new section to the Code of Civil Procedure, to be numbered 1179a, relating to proceedings for forcible entry, forcible detainer, or unlawful detainer.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Assembly Bill No. 559 passed by the following vote:

AYES—Senators Allen, Baker, Bush, Carter, Cassidy, Christian, Clock, Crittenden, Deuel, Duval, Edwards, Evans, Fellom, Hays, Ingels, Jones, Maloney, McCormack, McKinley, Mixter, Moran, Nelson, Pedrotti, Rich, Rochester, Schottky, Sharkey, Slater, Swing, Treacy, Tubbs, Wag, Williams, and Young—34.

NOES—None.

Title read and approved.

Bill ordered transmitted to the Assembly.

Assembly Bill No. 1185—An act to amend sections 2 and 9 of an act entitled "An act to control and regulate the possession, sale and use of pistols, revolvers and other firearms capable of being concealed upon the person; to prohibit the manufacture, sale, possession or carrying of certain other dangerous weapons within this State; to provide for registering all sales of pistols, revolvers or other firearms capable of being concealed upon the person; to prohibit the carrying of concealed firearms except by lawfully authorized persons; to provide for the confiscation and destruction of such weapons in certain cases; to prohibit the ownership, use, or possession of any of such weapons by certain classes of persons; to prescribe penalties for violations of this act and increased penalties for repeated violations hereof; to authorize, in proper cases, the granting of licenses or permits to carry firearms concealed upon the person; to provide for licensing retail dealers in such firearms and regulating sales thereunder; and to repeal chapter 145 of California Statutes of 1917, relating to the same subject," approved June 13, 1923, as amended.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Assembly Bill No. 1185 passed by the following vote:

AYES—Senators Allen, Baker, Breed, Bush, Carter, Cassidy, Christian, Clock, Duval, Edwards, Evans, Fellom, Harper, Hays, Ingels, Inman, Maloney, McCormack, Mixer, Moran, Nelson, Pedrotti, Rich, Riley, Rochester, Schottky, Sharkey, Slater, Swing, Treacy, Tubbs, Wagy, Williams, and Young—35.

NOES—None.

Title read and approved.

Bill ordered transmitted to the Assembly.

Assembly Bill No. 1625—An act for the prevention of fraud upon proprietors of hotels, inns, boarding houses and lodging houses, and guests and prospective guests thereof.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Assembly Bill No. 1625 passed by the following vote:

AYES—Senators Allen, Baker, Breed, Bush, Carter, Cassidy, Christian, Duval, Edwards, Evans, Fellom, Harper, Ingels, Inman, Maloney, McCormack, McKinley, Mixer, Pedrotti, Rochester, Schottky, Sharkey, Slater, Swing, Treacy, Tubbs, Wagy, and Young—29.

NOES—Senators Hays, Moran, Rich, and Williams—4.

Title read and approved.

Bill ordered transmitted to the Assembly.

Assembly Bill No. 1360—An act to authorize and direct the county of Lake to apportion and credit to the Upper Lake Union School District Fund and to the Lucerne School District Special Fund certain revenue collected in taxes.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Assembly Bill No. 1360 passed by the following vote:

AYES—Senators Allen, Baker, Breed, Bush, Carter, Cassidy, Christian, Clock, Duval, Evans, Fellom, Harper, Hays, Ingels, Maloney, McCormack, McKinley, Moran, Nelson, Rich, Riley, Rochester, Schottky, Sharkey, Slater, Swing, Treacy, Tubbs, Wagy, Williams, and Young—31.

NOES—None.

Title read and approved.

Bill ordered transmitted to the Assembly.

MOTION TO RECONSIDER.

Pursuant to his motion given on a previous legislative day, Senator Inman moved to reconsider the vote by which Senate Constitutional Amendment No. 20 was refused adoption.

POSTPONEMENT OF RECONSIDERATION.

On motion of Senator Inman, the further consideration of the motion to reconsider the vote whereby Senate Constitutional Amendment No. 20 was refused adoption, was continued until the next legislative day.

CONSIDERATION OF DAILY FILE.

THIRD READING OF SENATE BILLS—(RESUMED).

Senate Bill No. 434—An act to make an appropriation to pay the claim of the Comptroller of the State Compensation Insurance Fund against the State of California.

Bill read third time.

MOTION TO REFER TO SPECIAL COMMITTEE OF ONE.

During third reading of the bill, Senator Baker moved to refer Senate Bill No. 434 to Senator Allen, as a Special Committee of One, to amend as follows:

AMENDMENT NUMBER ONE.

On page 1, line 6, of the printed bill, strike out the following: "not otherwise appropriated".

Motion carried.

REPORT OF SPECIAL COMMITTEE OF ONE.

SENATE CHAMBER, SACRAMENTO, April 28, 1931.

MR. PRESIDENT: Your Special Committee of One, to which was referred Senate Bill No. 434, with instructions to amend, respectfully reports the same back, amended as per instructions.

ALLEN, Committee.

Report read, and on motion of Senator Baker adopted.

Bill ordered to print, and re-engrossment.

CONSIDERATION OF DAILY FILE.

THIRD READING OF ASSEMBLY BILLS—(RESUMED).

Assembly Bill No. 450—An act to amend section 8, of chapter 202, Statutes of 1919, entitled "An act to regulate the payment of wages or compensation for labor or service in private employments, establishing regular pay days, providing penalties for the violation of its provisions, authorizing the Commissioner of the Bureau of Labor Statistics to enforce this act, defining the duties of district attorneys relative to its enforcement, providing for the collection of certain penalties by civil action at the direction of said commissioner and for the disposition of penalties so collected; repealing an act entitled 'An act providing for the time of payment of wages,' approved May 1, 1911, as amended April 28, 1915, and repealing an act entitled 'An act to regulate the payment of wages or compensation of employees in private employments; to provide for regular pay days in such employments; providing a penalty for the violation thereof; and authorizing the Commissioner of the Bureau of Labor Statistics to enforce the provisions of this act,' approved June 8, 1915," approved May 6, 1919, as amended, relating to the enforcement of the act and permitting individual actions for wages and penalties.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Assembly Bill No. 450 passed by the following vote:

AYES—Senators Allen, Baker, Breed, Bush, Carter, Cassidy, Christian, Clock, Crittenden, Deuel, Edwards, Evans, Fellom, Harper, Hays, Ingels, Inman, Maloney, McCormack, McKinley, Moran, Nelson, Pedrotti, Rich, Riley, Rochester, Schottky, Sharkey, Slater, Swing, Treacy, Tubbs, Waggy, Williams, and Young—35.

NOES—None.

Title read and approved.

Bill ordered transmitted to the Assembly.

Assembly Bill No. 451—An act to add a new section, to be numbered section 5a, to chapter 202, Statutes of 1919, entitled "An act to regulate the payment of wages or compensation for labor or service in private employments, establishing regular pay days, providing penalties for the violation of its provisions, authorizing the Commissioner of the Bureau of Labor Statistics to enforce this act, defining the duties of

district attorneys relative to its enforcement, providing for the collection of certain penalties by civil action at the direction of said commissioner and for the disposition of penalties so collected; repealing an act entitled 'An act providing for the time of payment of wages,' approved May 1, 1911, as amended April 28, 1915, and repealing an act entitled 'An act to regulate the payment of wages or compensation of employees in private employments; to provide for regular pay days in such employments; providing a penalty for the violation thereof; and authorizing the Commission of the Bureau of Labor Statistics to enforce the provisions of this act,' approved June 8, 1915," approved May 6, 1919, as amended, providing for the payment of undisputed wage claims without condition, within the time prescribed by the said law, leaving to the worker all remedies he may be entitled to as to any additional balance he may claim.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Assembly Bill No. 451 passed by the following vote:

AYES—Senators Allen, Baker, Breed, Bush, Carter, Cassidy, Christian, Clock, Crittenden, Duval, Edwards, Evans, Fellom, Harper, Hays, Ingels, Inman, Jones, Maloney, McCormack, McKinley, Mixer, Moran, Nelson, Pedrotti, Rich, Riley, Rochester, Schottky, Sharkey, Slater, Swing, Treacy, Tubbs, Wagy, Williams, and Young—37.

NOES—None.

Title read and approved.

Bill ordered transmitted to the Assembly.

FURTHER PROCEEDINGS UNDER CALL OF THE SENATE DISPENSED WITH.

At five o'clock and thirty-four minutes p.m., further proceedings under the call of the Senate were dispensed with, on motion of Senator Inman.

The Secretary was directed to call the roll on Senator Inman's motion to refer Senate Bill No. 362 to Senator Jones, as a Special Committee of One, for amendment.

The roll was called, and Senator Inman's motion to refer Senate Bill No. 362 to Senator Jones, as a Special Committee of One, for amendment, lost by the following vote:

AYES—Senators Allen, Carter, Cassidy, Christian, Edwards, Hays, Ingels, Inman, Jones, Maloney, McCormack, McKinley, Rich, Riley, Rochester, Schottky, Slater, and Williams—18.

NOES—Senators Baker, Breed, Bush, Clock, Crittenden, Duval, Evans, Fellom, Harper, Mixer, Moran, Nelson, Pedrotti, Sharkey, Swing, Treacy, Tubbs, Wagy, and Young—20.

MOTION TO REFER TO SPECIAL COMMITTEE OF ONE.

During third reading of the bill, Senator Inman moved to refer Senate Bill No. 362 to Senator Jones, as a Special Committee of One, to amend as follows:

AMENDMENT NUMBER ONE.

On page 7, line 19, of the printed bill, after the word "exists", insert the following: "The said oil and gas commission is hereby authorized, without notice, to order the removal of all restrictions and prorations on all production of crude oil in California when, in its judgment, the price of crude oil and the price of gasoline shall reach a price greater than that necessary to allow a reasonable profit to the producers on the production of crude oil."

SPECIAL ORDER.

Senator Inman moved that further consideration of Senate Bill No. 362 be made a special order for eleven o'clock and fifteen minutes a.m., Wednesday, April 29, 1931.

The question being on Senator Inman's motion to make further consideration of Senate Bill No. 362 a special order for eleven o'clock and fifteen minutes a.m., Wednesday, April 29, 1931.

The roll was called, and the President of the Senate announced the vote, which was as follows:

AYES—Senators Allen, Bush, Carter, Cassidy, Christian, Edwards, Fellom, Harper, Inman, Jones, McCormack, McKinley, Nelson, Pedrotti, Riley, Rochester, Schottky, Treacy, and Tubbs—19.

NOES—Senators Baker, Breed, Clock, Crittenden, Deuel, Duval, Evans, Hays, Ingels, Maloney, Mixter, Moran, Rich, Sharkey, Slater, Swing, Wagy, Williams, and Young—19.

ANNOUNCEMENT OF VOTE.

Whereupon, the President of the Senate announced that the vote on the motion to make further consideration of Senate Bill No. 362 a special order for Wednesday, April 29, 1931, at eleven o'clock and fifteen minutes a.m., being 19 ayes and 19 noes, that he would cast the deciding vote under the provisions of section 15 of the constitution of the State of California by directing the Secretary to record his vote as "aye." The vote was so recorded, and the motion carried, 20 ayes, 19 noes.

CONSIDERATION OF DAILY FILE.

THIRD READING OF ASSEMBLY BILLS—(RESUMED).

Assembly Bill No. 1225—An act to amend section 644 of the Penal Code, relating to the punishment of habitual criminals.

Bill read third time.

MOTION TO REFER TO SPECIAL COMMITTEE OF ONE.

During third reading of the bill, Senator Rochester moved to refer Assembly Bill No. 1225 to Senator Pedrotti, as a Special Committee of One, to amend as follows:

AMENDMENT NUMBER ONE.

On page 2 of the printed bill, immediately following line 11, insert the following: "SEC. 2. The provisions of this act shall be retroactive, and be deemed and construed to apply to every person heretofore convicted of and imprisoned for the crimes herein enumerated.

SEC. 3. If, for any reason, any section, subsection, sentence, clause, phrase, or word of this act be found unconstitutional, such decision shall not affect the validity of the remaining portions of this act."

Motion carried.

REPORT OF SPECIAL COMMITTEE OF ONE.

SENATE CHAMBER, SACRAMENTO, April 28, 1931.

MR. PRESIDENT: Your Special Committee of One, to which was referred Assembly Bill No. 1225, with instructions to amend, respectfully reports the same back, amended as per instructions.

PEDROTTI, Committee.

Report read, and on motion of Senator Rochester adopted.

Bill ordered to print.

REPORTS OF STANDING COMMITTEES—(RESUMED).

The following report of standing committee was received and read:

ON PUBLIC HEALTH AND QUARANTINE.

SENATE CHAMBER, SACRAMENTO, April 28, 1931.

MR. PRESIDENT: Your Committee on Public Health and Quarantine, to which was referred Assembly Bill No. 1327 An act to provide for the sanitary inspection of slaughterhouses, the inspection of animals or meats intended for human consumption, to provide rules and regulations therefor, to provide penalties for the violation thereof and to repeal the California Meat Inspection Law, approved June 3, 1921 has had the same under consideration, and respectfully reports the same back, and recommends that it do pass.

Committee membership—7; committee vote: Ayes—7.

(Signed out)

WILLIAMS, Chairman.
EVANS.
HARPER.
PEDROTTI.
SCHOTTKY.
WAGY.
YOUNG.

Assembly Bill No. 1327 ordered on file for second reading.

ADJOURNMENT.

At five o'clock and forty-six minutes p.m., on motion of Senator Breed, the President declared the Senate adjourned until ten o'clock and forty-five minutes a.m., Wednesday, April 29, 1931.

HAROLD J. POWERS, Minute Clerk.

IN SENATE.

SENATE CHAMBER,

SACRAMENTO, Wednesday, April 29, 1931.

The Senate met at ten o'clock and forty-five minutes a.m.

Lieutenant Governor Frank F. Merriam, President of the Senate, in the chair.

Assistant Secretary Francis E. Dalin at the desk.

ROLL CALL.

The roll was called, and the following answered to their names:

Senators Allen, Baker, Breed, Bush, Carter, Cassidy, Christian, Cleveland, Clock, Crittenden, Deuel, Duval, Edwards, Evans, Fellom, Harper, Hays, Ingels, Inman, Jones, Maloney, McCormack, McKinley, Mixter, Moran, Nelson, Pedrotti, Rich, Riley, Rochester, Schottky, Sharkey, Slater, Swing, Treacy, Tubbs, Wagy, Williams, and Young—39.

Quorum present.

PRAYER.

Prayer was offered by the Chaplain, Rev. Sherman L. Divine.

READING OF THE JOURNAL.

During the reading of the Journal of Tuesday, April 28, 1931, the further reading was dispensed with on motion of Senator Slater.

PRIVILEGE OF FLOOR OF SENATE EXTENDED.

On request of Senator Swing, the privilege of the floor of the Senate Chamber for this day was unanimously extended to Elsee E. Greene of San Francisco.

On request of Senator Slater, the privilege of the floor of the Senate Chamber for this day was unanimously extended to Edward Morris, president of Redwood Empire Association.

MESSAGES FROM THE ASSEMBLY.

The following message from the Assembly was received and read:

ASSEMBLY CHAMBER, SACRAMENTO, April 28, 1931.

MR. PRESIDENT: I am directed to inform your honorable body that the Assembly on April 27, 1931, passed Assembly Bill No. 1597—An act to add a new section to be numbered 12½ to an act entitled "An act to provide for the formation, management and dissolution of county water works districts; for supplying the inhabitants thereof with water; for levying and collecting taxes on property in such districts; and for the issuance of county water works district bonds and the payment thereof," approved June 13, 1913, relative to the organization and regulation of water districts;

Also: Assembly Bill No. 1598—An act to add a new section numbered 13½ to an act entitled "An act to provide for the incorporation and organization and management of county water districts, and to provide for the acquisition of water rights or construction thereby of water works and for the acquisition of all property necessary therefor, and also to provide for the distribution and sale of water by said districts," approved June 10, 1913, as amended, relating to county water districts.

ARTHUR A. OHNIMUS, Chief Clerk.

By FRED J. DESCH, Assistant Clerk.

Assembly Bills Nos. 1597 and 1598 read first time, and referred to Committee on Municipal Corporations.

SECRETARY JOSEPH A. BEEK AT THE DESK.

COMMUNICATION.

The following communication was received, and ordered printed in the Journal:

STATE OF CALIFORNIA, DEPARTMENT OF FINANCE,
DIVISION OF STATE LANDS, SACRAMENTO, April 29, 1931.

To the Legislature of the State of California.

Pursuant to the provisions of chapter 800, Statutes of California, 1917, I respectfully report that, according to advices received, certificates of title have been issued to August 1, 1930, by the registrars of land titles under the Torrens law in 18 of the 58 counties, as follows:

Alameda	136
Fresno	30
Humboldt	242
Imperial	404
Kern	64
Lassen	3
Los Angeles	62,249
Orange	5,789
Riverside	216
San Bernardino	3,262
San Diego	4,034
San Francisco	12
San Luis Obispo	2
Santa Barbara	512
Santa Cruz	19
Sonoma	329
Tulare	58

Ventura—One certificate issued up to August 1, 1926. No report has since been received.

The Torrens Act provides that upon the original registration of any land, a sum equal to one-tenth of one per cent of the assessed value of the land including permanent improvements thereon as the same were valued for county taxation the last time said land and permanent improvements or either thereof were assessed for county taxes next preceding the filing of the petition shall be collected by the registrar and paid to the State Treasurer to be credited to the "Torrens Title Assurance Fund." The books of the State Treasurer show that on April 1, 1931, the "Torrens Title Assurance Fund" had a cash balance of \$81.90 and an investment of \$32,500 in bonds.

Respectfully submitted.

W. S. KINGSBURY,

Chief of the Division of State Lands of the Department of Finance.

ASSISTANT SECRETARY FRANCIS E. DALIN AT THE DESK.

REPORTS OF STANDING COMMITTEES.

The following reports of standing committees were received and read :

ON ROADS AND HIGHWAYS.

SENATE CHAMBER, SACRAMENTO, April 29, 1931.

MR. PRESIDENT: Your Committee on Roads and Highways, to which was referred Assembly Bill No. 799—An act to amend the title and sections 1, 2 and 7 of chapter 729, Statutes of 1909, entitled "An act to provide for the protection and preservation of shade and ornamental trees growing and to be grown upon the roads, highways, grounds and property within the State of California; and for the planting, care, protection and preservation of shade and ornamental trees, hedges, lawns, shrubs and flowers growing and to be grown in and upon such roads, highways, grounds and property; and to create county boards of forestry for such purposes; and to prescribe the duties and powers of such boards; and to authorize such boards to appoint county foresters; and to prescribe the duties and fix the compensation of county forester, and to empower such boards to enforce all laws and adopt and enforce any and all lawful and reasonable rules for the protection, planting, regulation, preservation, care and control of such shade and ornamental trees, hedges, lawns, shrubs and flowers," approved April 28, 1909, as amended, relating to protection from fire, diseases, pests, or any other dangers, of the nature, to the safety and encouragement of such growths—has had the same under consideration, and respectfully reports the same back, and recommends that it do pass.

Committee membership—14; committee vote: Ayes—8; absent—6.

EDWARDS, Chairman.

Assembly Bill No. 799 ordered on file for second reading.

ON DRAINAGE, SWAMP AND OVERFLOWED LANDS.

SENATE CHAMBER, SACRAMENTO, April 28, 1931.

MR. PRESIDENT: Your Committee on Drainage, Swamp and Overflowed Lands, to which was referred Senate Bill No. 688—An act to amend section 14 of an act entitled "An act to promote drainage," approved March 18, 1885, relating to drainage—has had the same under consideration, and respectfully reports the same back with amendments, and recommends that the amendments be adopted, and that it do pass as amended.

Committee membership—5.

(Signed out)

MCCORMACK, Chairman.
CRITTENDEN.
EVANS.
MORAN.
SWING.

Senate Bill No. 688 ordered on file for second reading.

ON COMMERCE AND NAVIGATION.

SENATE CHAMBER, SACRAMENTO, April 29, 1931.

MR. PRESIDENT: Your Committee on Commerce and Navigation, to which was referred Assembly Bill No. 1190—An act to add a new section to the Penal Code, to be numbered 396a, to regulate the operation of motor propelled boats in waters used by bathers—has had the same under consideration, and respectfully reports the same back, and recommends that it do pass.

Committee membership—9; committee vote: Ayes—6; absent—3.

HARPER, Vice Chairman.

Assembly Bill No. 1190 ordered on file for second reading.

Also:

MR. PRESIDENT: Your Committee on Commerce and Navigation, to which was referred Assembly Bill No. 1539—An act granting certain tidelands and submerged lands of the State of California to the county of Santa Barbara in said State upon certain trusts and conditions—has had the same under consideration, and respectfully reports the same back, and recommends that it do pass.

Committee membership—9; committee vote: Ayes—5; absent—4.

HARPER, Vice Chairman.

Assembly Bill No. 1539 ordered on file for second reading.

Also:

MR. PRESIDENT: Your Committee on Commerce and Navigation, to which was referred Assembly Bill No. 4—An act granting certain tidelands and submerged lands of the State of California to the city of Huntington Beach upon certain trusts and conditions—has had the same under consideration, and respectfully reports the same back, and recommends that it do pass.

Committee membership—9; committee vote: Ayes—7; absent—2.

HARPER, Vice Chairman.

Assembly Bill No. 4 ordered on file for second reading.

ON HOSPITALS AND ASYLUMS.

SENATE CHAMBER, SACRAMENTO, April 29, 1931.

MR. PRESIDENT: Your Committee on Hospitals and Asylums, to which was referred Assembly Bill No. 238—An act to amend section 11 of an act entitled "An act to provide an institution for the confinement, cure, care, and rehabilitation of drug addicts to be known as the State Narcotic Hospital; to provide for the government and maintenance thereof; to provide for admission and commitment of such addicts, and to prescribe penalties for unlawfully or improperly contriving to have persons adjudged drug addicts under this act; to provide penalties for procuring the escape, or aiding or advising in the escape of inmates, or concealing inmates thereof," approved April 9, 1927, relating to payment of expenses of persons committed to State Narcotic Hospital;

Also: Assembly Bill No. 239—An act to amend section 31 of an act entitled "An act to be known as the Pacific Colony Act, to establish an institution for the care, confinement and instruction of feeble-minded and epileptic persons, to provide for government and maintenance thereof, and for the study of mental deficiency and related problems, to provide for admission and commitment to such institution and to prescribe penalty for unlawfully or improperly contriving to have persons adjudged feeble-minded under this act, to provide for the sterilization of inmates of such institution, to prescribe penalties for procuring the escape or aiding or advising in the escape of inmates, or concealing inmates thereof, to provide a contingent fund for the use of such institution and to make an appropriation therefor," approved June 1, 1917, as amended, requiring counties to pay the State for the proper part of each month;

Also: Assembly Bill No. 240—An act to amend section 2167*b* of the Political Code, relating to the residence and cost of maintenance of psychopathic parole patients, and to add to the Political Code a new section to be designated section 2167*c* to provide for the admission of voluntary patients to the psychopathic hospital or ward maintained by the county, pursuant to section 2167, Political Code;

Has had the same under consideration, and respectfully reports the same back, and recommends that they do pass.

Committee membership—6; committee vote: Ayes—5; absent—1.

BUSH, Chairman.

Assembly Bills Nos. 238, 239 and 240 ordered on file for second reading.

ON ENGROSSMENT, ENROLLMENT AND PRINTING.

SENATE CHAMBER, SACRAMENTO, April 29, 1931.

MR. PRESIDENT: Your Committee on Engrossment, Enrollment and Printing has examined Senate Bill No. 270—An act to amend chapter 808, Statutes of 1927, entitled American River Flood Control District Act, as amended, by amending section 2 thereof, relating to the objects and purposes of the act and to the powers of the district, and section 17, relating to the levy and collection of assessments, and by adding a new section thereto to be numbered 18*b* making an appropriation in the sum of \$20,000 to defray the expenses of the district and providing that said appropriation shall be returned to the State, and relating to the manner of repayment and containing a provision declaring this act to be an emergency measure, stating the facts constituting such emergency, and providing this act shall take effect immediately upon its passage;

Also: Senate Bill No. 563—An act to promote the development of the California dried fruit industry and to prevent deception in the packing and sale of dried fruit by providing for the establishment and definition of standards for dried fruit, by authorizing the Director of Agriculture to provide for the certification of dried fruits;

And reports that the same have been correctly re-engrossed.

CASSIDY, Vice Chairman.

Also:

MR. PRESIDENT: Your Committee on Engrossment, Enrollment and Printing has examined Senate Bill No. 384—An act to repeal articles I, II, III, IV, V and IX, embracing respectively, sections 2,670 to 2,674, both inclusive, of the School Code;

sections 2,680 to 2,684, both inclusive, sections 2,690 to 2,693, both inclusive, sections 2,700 to 2,710, both inclusive, sections 2,720 to 2,728, both inclusive, section 2,760, all of chapter XI of part I of division II of the School Code; to repeal article II, embracing sections 2,1130 to 2,1133, both inclusive, of chapter V of part II of division II of the School Code; to repeal sections 2, 3, and 4 of chapter 433 of the Statutes of 1929, entitled "An act relating to the formation, suspension and support of junior college districts and the powers of governing boards thereof," approved May 23, 1929; to repeal chapter 194 of the Statutes of 1929, entitled "An act relating to the governing boards of union, joint union, county and joint county junior college districts," approved April 30, 1929; to repeal article II, embracing sections 3,370 to 3,375, both inclusive, of chapter VI of part III of division III of the School Code; to repeal article VIII, embracing sections 2,750 to 2,753, both inclusive, of chapter XI of part I of division II of the School Code; to add new articles to chapter XI of part I of division II of the School Code to be known as articles I, II, and IX, embracing respectively sections 2,670 to 2,677, both inclusive; sections 2,680 to 2,689, both inclusive; section 2,760; to add a new article to chapter V of part II of division II of the School Code to be known as article II, embracing sections 2,1130 and 2,1131; to add new sections to the School Code to be numbered 4,943 and 4,944; and to amend sections 2,740, 2,741, 2,742, 2,1121, 2,1140, 2,1150, 2,1160, 2,1170, 4,941 and 4,942, all relating to the formation, suspension, reestablishment, lapsation, government and support of junior college districts;

Also: Senate Bill No. 622—An act to amend the title and sections 2 and 4 of an act entitled "An act to create a flood control district to be called Los Angeles County Flood Control District; to provide for the control and conservation of flood and storm waters, and for the protection of harbors, waterways, public highways and property in said district from damage from such waters, and for the construction of works and the acquisition of property therefor; to authorize the incurring of indebtedness, and the voting, issuing and selling of bonds, and the levying and collecting of taxes by said district; to provide for the government and control of said district, and to define the powers and duties of the officers thereof," approved June 12, 1915, as amended, relating to the objects and purposes of said act and the powers of the board of supervisors thereunder;

And reports that the same have been correctly engrossed.

CASSIDY, Vice Chairman.

RESOLUTIONS.

The following resolutions were offered:

By Senator Swing:

Resolved, That the following named persons be stricken from the list of Senate attaches and their names be stricken from the pay roll of the Senate to take effect upon completion of work of April 28, 1931:

John P. Rice, Assistant at Desk	\$5 00 per day
Thomas Bickmore, Assistant at Desk	5 00 per day

Resolution read, and on motion of Senator Swing adopted.

By Senator Swing:

Resolved, That the following named persons be and they are hereby appointed to the positions hereinafter set forth as provided by law with the compensation set opposite their names, payable weekly, and the Controller is hereby directed to draw his warrants in favor of the respective persons for the said respective amounts, and the Treasurer is hereby directed to pay the same:

John T. Simpkin, Assistant Secretary	\$7 00 per day
Thomas Bickmore, Assistant Secretary	7 00 per day
John P. Rice, Assistant Minute Clerk	7 00 per day

Resolution read.

Senator Swing moved the adoption of the resolution.

The question being on the adoption of the resolution.

The roll was called, and the resolution adopted by the following vote:

AYES—Senators Baker, Breed, Bush, Carter, Cassidy, Christian, Clock, Deuel, Duval, Edwards, Evans, Harper, Hays, Ingels, Jones, Maloney, McCormack, McKinley, Mixer, Moran, Nelson, Rich, Schottky, Sharkey, Swing, Treacy, Waggy, and Young—28.

NOES—None.

APPOINTMENT BY THE PRESIDENT OF THE SENATE.

The following communication was received and read:

To the Senate.

I beg to inform you that I have this day appointed Frank Durkee, Page, at a per diem of \$2.50, and respectfully request the consent of the Senate thereto.

FRANK F. MERRIAM, President of the Senate.

Senator Swing moved the appointment be confirmed by the Senate.

The question being upon the confirmation of the appointment.

The roll was called, and the appointment confirmed by the following vote:

AYES—Senators Baker, Breed, Bush, Cassidy, Clock, Deuel, Duval, Edwards, Evans, Fellom, Hays, Ingels, Inman, Jones, Maloney, McCormack, McKinley, Mixer, Moran, Nelson, Rich, Schottky, Sharkey, Swing, Treacy, Wagye, and Young—27.

NOES—None.

CONSIDERATION OF DAILY FILE.

SECOND READING OF SENATE BILLS.

Senate Bill No. 947—An act to amend section 1510 of the Penal Code, relating to the duties of the coroner.

COMMITTEE AMENDMENT.

During the second reading of the bill, the following committee amendment was offered:

AMENDMENT NUMBER ONE.

On page 1 of the printed bill, beginning on line 7, after the word "means," strike out the following words: "or in case of any death occurring without medical attendance, or continued absence of the attending physician,".

Amendment adopted.

Bill read second time, ordered to print, engrossment, and on file for third reading.

Senate Bill No. 901—An act to amend section 45½ of the California Vehicle Act, relating to chattel mortgages on motor vehicles or any other vehicle defined by said act, providing for the filing of a certified copy thereof with the Division of Motor Vehicles, registration of the holder as legal owner and the same being constructive notice of said mortgage and contents, excepting chattel mortgages from the provisions of sections 2957, 2959 and 2965 of the Civil Code.

COMMITTEE AMENDMENT.

During the second reading of the bill, the following committee amendment was offered:

AMENDMENT NUMBER ONE.

On page 1 of the printed bill, after line 25, insert the following:
"(e) A fee of one dollar shall be paid to the division for the filing of each mortgage under the provisions hereof."

Amendment adopted.

Bill read second time, ordered to print, engrossment, and on file for third reading.

Senate Bill No. 478—An act to amend section 1161a of the Code of Civil Procedure, relating to recovery of possession of real property.

Bill read second time, ordered engrossed, and on file for third reading.

Senate Bill No. 130—An act to amend section 1973 of the Code of Civil Procedure, and to add to said code a new section to be numbered 1973a, relating to agreements in writing.

Bill read second time, ordered engrossed, and on file for third reading.

Senate Bill No. 373—An act to amend section 4 of an act entitled "An act to define collection agencies; to provide for the regulation, bonding, supervision and licensing thereof; to provide for the enforcement of said act and penalties for violation thereof," approved May 14, 1927, as amended.

Bill read second time, ordered engrossed, and on file for third reading.

Senate Bill No. 504—An act to amend section 394 of the Code of Civil Procedure, relating to the place of trial of actions or proceedings to which a county, city and county or city is a party.

COMMITTEE AMENDMENTS.

During the second reading of the bill, the following committee amendments were offered:

AMENDMENT NUMBER ONE.

Strike out the title of the printed bill, and insert in lieu thereof the following:

"An act to amend section 394 of the Code of Civil Procedure, relating to the place of trial of actions or proceedings to which a county, city and county, city, or public or municipal corporation, is a party, and providing for the attendance of witnesses, payment of costs, and the assignment of judges in certain cases."

Amendment adopted.

AMENDMENT NUMBER TWO.

Strike out all of the provisions of the printed bill, and insert in lieu thereof the following:

"The people of the State of California do enact as follows:

SECTION 1. Section 394 of the Code of Civil Procedure is hereby amended to read as follows:

394. An action or proceeding against a county, or city and county, may be commenced and tried in such county, or city and county, unless such action or proceeding is brought by a county, or city and county, in which case it may be tried in any county, or city and county, not a party thereto. Whenever an action or proceeding is brought by a county, city and county, city, or public or municipal corporation, against a resident of another county, city and county, or city, or a corporation doing business in the latter, the action or proceeding must be, on motion of either party, transferred for trial to a county, or city and county, other than the plaintiff, if the plaintiff is a county, or city and county, and other than that in which the plaintiff is situated in whole or in part, if the plaintiff is a city or public or municipal corporation, and other than that in which the defendant resides or is doing business or is situated. Whenever an action or proceeding is brought against a county, city and county, city, or public or municipal corporation, in any county, or city and county, other than the defendant, if the defendant is a county, or city and county, or, if the defendant is a city or public or municipal corporation, other than that in which the defendant is situated in whole or in part, the action or proceeding must be, on motion of the said defendant, transferred for trial to a county, or city and county, other than that in which the plaintiff, or any of the plaintiffs, resides, or is doing business, or is situated, and other than the plaintiff county, or city and county, or county in which such plaintiff city or public or municipal corporation is situated, and other than the defendant county, or city and county, or county in which such defendant city or public or municipal corporation is situated: *provided, however,* that any action or proceeding against a city, county, or city and county, or public or municipal corporation, for injury occurring therein to person or property or person and property caused by the negligence or alleged negligence of such city, county, or city and county, or public or municipal corporation, or its agents or employees, shall be commenced and tried in such county, or city and county, or if a city or public or municipal corporation is a defendant, in such city or in the county in which such city or the major part of such public or municipal corporation is situated. When the action or proceeding is one in which a jury is not of right, or in case a jury be waived, then in lieu of transferring the cause the court in the original county may request the chairman of the judicial council to assign a disinterested judge from a neutral county to hear said cause and all proceedings in connection therewith. In any action or proceeding, the parties thereto may, by stipulation in writing, or made in open court, and entered in the minutes, agree upon any county, or city and county, for the place of trial thereof. When such action or proceeding is transferred to another county for trial a witness required to respond to a subpoena for a hearing within the original county shall be compelled to attend hearings in the county to which the cause is transferred. If the demand for transfer be made by one party and the opposing party does not consent thereto the additional costs of the nonconsenting party occasioned by the transfer of the cause

shall be assessed by the court hearing the cause against the party requesting the transfer. To the extent of such excess, costs shall be awarded to the nonconsenting party regardless of the outcome of the trial. This section shall apply to actions or proceedings now pending or hereafter brought except that as to any trial begun before the taking effect of this act amending this section said trial shall proceed to a conclusion unaffected by this amendment: *provided, however*, that if a retrial of said cause be ordered for any reason the provisions of this section shall apply to such retrial."

Amendment adopted.

Bill read second time, ordered to print, engrossment, and on file for third reading.

Senate Bill No. 731—An act defining cemetery and the various words and terms used in connection therewith, providing for the permanency of cemeteries by limiting their operation to corporations of unlimited existence, authorizing the operation of cemeteries for or without profit, prohibits crematories without provision for completing final interment of the cremated remains, provides for the acquisition of cemetery property, the dedication thereof to cemetery purposes, declares dedication supreme until removed by decree of court, exempts dedicated cemetery property from condemnation and from public improvement assessment, declares liens subject to dedication, provides for the sale of dedicated cemetery property for interment purposes, authorizes its sale subject to conditions and restrictions imposed by owner, defines the property rights of plot owners and the alienable and inalienable character of burial plots, provides for joint ownership and joint ownership representation, authorizes the establishing and enforcing of rules and regulations for cemetery government, authorizes perpetual care and the establishment of irreducible perpetual care funds, provides how perpetual care shall be administered, provides how and in what securities perpetual care funds shall be invested, authorizes the sale through court proceedings of surplus road and other space in cemeteries without perpetual care for purpose of providing a perpetual care fund therefor, authorizes special care of cemetery property and the administration of funds contributed therefor, specifies upon whom the right to control the disposition of remains and the duty of interring devolves, authorizes the payment for burial plot and memorial out of estate, requires records to be made and kept of the final disposition of all remains and of all removals thereof, prohibits vandalism and prescribes punishment therefor, provides method for removal of dedication through court proceedings, confers police power upon sextons and superintendents, makes sales under misrepresentations a misdemeanor, recognizes and adopts by reference the Mausoleum Construction Act, exempts certain religious and public cemeteries from operation of act, defines scope of act, repeals the Rural Cemetery Corporation Act adopted in 1859, and all acts amendatory and supplementary thereof, repeals sections 608, 609, 610, 611, 612, 613, 614, 615, 616 and 617 of the Civil Code, repeals sections 292, 294, 296 and 297 of the Penal Code, repeals all acts and parts of acts in conflict therewith, and declares the constitutionality of the act and all parts thereof.

COMMITTEE AMENDMENTS.

During the second reading of the bill, the following committee amendments were offered:

AMENDMENT NUMBER ONE.

On page 16, line 30, of the printed bill, before "The", insert the following: "Sec. 28."

Amendment adopted.

AMENDMENT NUMBER TWO.

On page 17, line 21, of the printed bill, after "cemetery", insert the following: "When by any law or ordinance the bodies buried in any cemetery must be removed therefrom and reinterred elsewhere, no county, town or political subdivision wherein the reinterment of disinterred remains takes place, shall charge for any permit or levy a tax of any nature for the reinterment, cremation or replacing in a mausoleum of such disinterred remains."

Amendment adopted.

AMENDMENT NUMBER THREE.

On page 18, line 36, of the printed bill, after "them", strike out "and shall be unaffected by anything contained in this act", and insert in lieu thereof the following: "and such corporations and/or the cemeteries established, maintained, controlled and/or operated by them shall be unaffected by anything contained in this act."

Amendment adopted.

Bill read second time, ordered to print, engrossment, and on file for third reading.

CONSIDERATION OF DAILY FILE.

SECOND READING OF ASSEMBLY BILLS.

Assembly Bill No. 6—An act to amend section 720 of and to add a new section to be numbered 723 to the Code of Civil Procedure, relating to proceedings supplemental to execution, and to the qualifications and powers of referees in such proceedings.

COMMITTEE AMENDMENTS.

During the second reading of the bill, the following committee amendments were offered:

AMENDMENT NUMBER ONE.

On page 1, line 21, of the printed bill, strike out the period following "appointment", and "The", and insert in lieu thereof a comma, and the following: "and said".

Amendment adopted.

AMENDMENT NUMBER TWO.

On page 1, line 22, of the printed bill, strike out "any", and insert in lieu thereof the following: "such".

Amendment adopted.

AMENDMENT NUMBER THREE.

On page 1, line 24, of the printed bill, strike out "and publish a violation thereof, or", and insert in lieu thereof a comma.

Amendment adopted.

AMENDMENT NUMBER FOUR.

On page 2, lines 1 and 2, of the printed bill, strike out "in a proper case, to bring designated books, documents or other papers,".

Amendment adopted.

AMENDMENT NUMBER FIVE.

On page 2, line 3, of the printed bill, insert a period after "attachment", and strike out "and to punish a witness"; also strike out all of lines 4 and 5 on said page.

Amendment adopted.

Bill read second time, ordered to print, and on file for third reading.

Assembly Bill No. 587—An act to add a new section to the Civil Code to be numbered 3342, relating to liability of the State to persons aggrieved by reason of acts of officers under unconstitutional statutes, authorizing the bringing of suits and making judgments recovered legal debts of the State.

Bill read second time, and ordered on file for third reading.

Assembly Bill No. 458—An act to amend section 3051a of the Civil Code, relating to the amount recoverable on personal property liens.

Bill read second time, and ordered on file for third reading.

Assembly Bill No. 1000—An act substituting for the existing title I of part IV of division I of the Civil Code of the State of California a new title I of said part IV consisting of 16 chapters which shall supersede said existing title I and sections numbered consecutively 1227 to 1235, both numbers included, of the Code of Civil Procedure of California, all relating to corporations.

Bill read second time, and ordered on file for third reading.

Assembly Bill No. 27—An act to amend section 1859 of the Civil Code, relating to the liability of innkeepers, hotel keepers, furnished apartment house keepers, furnished bungalow court keepers and boarding house or lodging house keepers.

Bill read second time, and ordered on file for third reading.

Assembly Bill No. 1003—An act to amend section 411 of the Code of Civil Procedure, relating to service of summons.

Bill read second time, and ordered on file for third reading.

Assembly Bill No. 1012—An act to amend section 1 of an act entitled "An act defining credit unions, providing for their incorporation, powers, management and supervision," approved March 31, 1927, relating to contents of articles of incorporation.

Bill read second time, and ordered on file for third reading.

Assembly Bill No. 1004—An act to repeal chapter 34, Statutes of 1921, entitled "An act concerning corporations of this State and the issue to employees and to persons actively engaged in the conduct of their business of their stock," approved April 2, 1921, relating to the issue of shares of stock to employees.

Bill read second time, and ordered on file for third reading.

Assembly Bill No. 674—An act to provide for the removal or destruction of abandoned or neglected orchard trees, vines, shrubs, or parts thereof, or agricultural crops.

COMMITTEE AMENDMENTS.

During the second reading of the bill, the following committee amendments were offered:

AMENDMENT NUMBER ONE.

On page 3, line 21, of the printed bill, as amended in Assembly April 15, 1931, strike out "favorite", and insert in lieu thereof "favorable".

Amendment adopted.

AMENDMENT NUMBER TWO.

On page 4, line 16, of the printed bill, as amended in Assembly April 15, 1931, after "commissioner", insert "or by any person deputized by him for that purpose".

Amendment adopted.

AMENDMENT NUMBER THREE.

On page 4, line 51, of the printed bill, as amended in Assembly April 15, 1931, after "commissioner", insert "or by any person deputized by him for that purpose".

Amendment adopted.

AMENDMENT NUMBER FOUR.

On page 5, line 10, of the printed bill, as amended in Assembly April 15, 1931, strike out "proceed with", and insert in lieu thereof "cause".

Amendment adopted.

AMENDMENT NUMBER FIVE.

On page 5, line 14, of the printed bill, as amended in Assembly April 15, 1931, strike out "abating such nuisance", and insert in lieu thereof "such removal or destruction".

Amendment adopted.

Bill read second time, ordered to print, and on file for third reading.

Assembly Bill No. 1927—An act to add a new section to be numbered 6½ to an act entitled "California Canned Fruit Standardization Act," approved May 23, 1925, as amended, providing for the use of United States Department of Agriculture markings on canned products.

Bill read second time, and ordered on file for third reading.

Assembly Bill No. 1623—An act repealing chapter 677, Statutes of 1911, entitled "An act to regulate the public service of stallions and jacks in the State of California," approved May 1, 1911, as amended.

Bill read second time, and ordered on file for third reading.

Assembly Bill No. 11—An act to add section 384b to the Penal Code, relating to the protection of vegetation.

Bill read second time, and ordered on file for third reading.

Assembly Bill No. 1327—An act to provide for the sanitary inspection of slaughterhouses, the inspection of animals or meats intended for human consumption, to provide rules and regulations therefor, to provide penalties for the violation thereof and to repeal the California Meat Inspection Law, approved June 3, 1921.

Bill read second time, and ordered on file for third reading.

CONSIDERATION OF SPECIAL ORDER.

The hour having arrived for the consideration of Senate Bill No. 362, heretofore set as a special order for eleven o'clock and fifteen minutes a.m., Wednesday, April 29th, the same was taken up for consideration.

Senate Bill No. 362—An act to prohibit the production of crude petroleum oil so as to constitute waste; to define waste; to provide for a determination of waste and the allocation of production to the several sources of supply and the several properties therein and to provide penalties for a violation of said law.

Bill read third time, previously.

WITHDRAWAL OF AMENDMENT.

Senator Inman asked unanimous consent to withdraw the amendment as offered in his motion made on the previous legislative day, and

now pending before the Senate, to refer Senate Bill No. 362 to Senator Jones, as a Special Committee of One.

Unanimous consent granted, and such was the order.

MOTION TO REFER TO SPECIAL COMMITTEE OF ONE.

During third reading of the bill, Senator Inman moved to refer Senate Bill No. 362 to Senator Jones, as a Special Committee of One, to amend as follows:

AMENDMENT NUMBER ONE.

On page 4 of the printed bill, strike out lines 13 to 52, inclusive; on page 5, strike out lines 1 to 47, inclusive, and insert in lieu thereof the following:

"SEC. 3. There is hereby created the oil conservation commission which shall consist of five members to be appointed by and serve at the pleasure of the governor."

AMENDMENT NUMBER TWO.

On page 6, lines 8 and 9, of the printed bill, strike out "commencement of the respective terms of office", and insert in lieu thereof the following: "appointment".

AMENDMENT NUMBER THREE.

On page 6 of the printed bill, strike out lines 16 to 52, inclusive; and on page 7 strike out lines 1 to 9, inclusive.

MOTION TO SUBSTITUTE AMENDMENTS.

Senator Inman moved to substitute the following amendments in place of the preceding amendments, as offered in his motion previously made, to refer Senate Bill No. 362 to Senator Jones, as a Special Committee of One.

Motion carried.

AMENDMENT NUMBER ONE.

On page 4, line 15, of the printed amended bill, after the word "be", strike out the rest of the page.

AMENDMENT NUMBER TWO.

On page 5 of the printed amended bill, strike out lines 1 to 30, inclusive, and insert in lieu thereof the following: "appointed by the governor of the State of California, and the term of office of each of said commissioners shall be for one (1) year. Each of said commissioners shall receive a salary of three thousand six hundred dollars per annum, payable out of the petroleum oil and gas fund."

AMENDMENT NUMBER THREE.

On page 5, line 31, of the printed amended bill, strike out the word "elected", and insert in lieu thereof the word "appointed".

AMENDMENT NUMBER FOUR.

On page 5, line 32, of the printed amended bill, strike out the word "election", and insert in lieu thereof the word "appointment".

AMENDMENT NUMBER FIVE.

On page 5 of the printed amended bill, strike out lines 35 to 47, inclusive, and in lieu thereof insert the following:

"In case of vacancy arising in said oil conservation commission said vacancy shall be filled by appointment by the governor of the State of California."

AMENDMENT NUMBER SIX.

On page 6 of the printed amended bill, strike out lines 16 to 52, inclusive.

AMENDMENT NUMBER SEVEN.

On page 7 of the printed amended bill, strike out lines 1 to 9, inclusive.

SPECIAL ORDER.

Senator Sharkey moved that further consideration of Senate Bill No. 362 be made a special order for eleven o'clock and fifteen minutes a.m., Thursday, April 30, 1931.

Motion carried.

CONSIDERATION OF DAILY FILE.
UNFINISHED BUSINESS FILE.

Senate Bill No. 542—An act to amend the title and sections 1, 3, 5, and 7a of chapter 551, Statutes of 1919, as amended, entitled "An act to conserve the fish supply in California by empowering the Fish and Game Commission to regulate and control the handling of fish and other fishery products for the purpose of preventing deterioration or waste; to establish grades to which the fish or other fishery products offered for delivery to canners or preservers or to the fresh fish markets must conform; to make regulations to insure the proper handling and delivery of fish or fishery products to canners, preservers or fresh fish dealers; to regulate and control the use of fish or other fishery products for reduction purposes, and to provide penalties for any violation of any of the provisions of this act," approved May 25, 1919, relating to the canning of sardines.

Bill read third time previously.

MOTION TO REFER TO SPECIAL COMMITTEE OF ONE.

During third reading of the bill, Senator Maloney moved to refer Senate Bill No. 542 to Senator Swing, as a Special Committee of One, to amend as follows:

AMENDMENT NUMBER ONE.

On page 6, line 19, of the printed amended bill, after the word "shall", strike out balance of line, and all of lines 20 and 21, and insert in lieu thereof the following: "be subject to review by the courts having jurisdiction thereof in the manner prescribed by law."

Motion carried.

REPORT OF SPECIAL COMMITTEE OF ONE.

SENATE CHAMBER, SACRAMENTO, April 29, 1931.

MR. PRESIDENT: Your Special Committee of One, to which was referred Senate Bill No. 542, with instructions to amend, respectfully reports the same back, amended as per instructions.

SWING, Committee.

Report read, and on motion of Senator Maloney adopted.

MOTION TO REFER TO SPECIAL COMMITTEE OF ONE.

During third reading of the bill, Senator Carter moved to refer Senate Bill No. 542 to Senator McKinley, as a Special Committee of One, to amend as follows:

AMENDMENT NUMBER ONE.

On page 3, line 1, of the printed bill, as amended April 23, 1931, strike out the word "December", and insert the word "November".

AMENDMENT NUMBER TWO.

On page 3, line 3, of the printed bill, as amended April 23, 1931, strike out the word "September", and insert the word "August".

AYES AND NOES DEMANDED.

A roll call was demanded by Senators Carter, Young and Slater, on Senator Carter's motion to refer Senate Bill No. 542 to Senator McKinley, as a Special Committee of One, for amendment.

The roll was called, and Senator Carter's motion lost by the following vote:

AYES—Senators Baker, Carter, Christian, McKinley, and Pedrotti—5.

NOES—Senators Allen, Breed, Cassidy, Crittenden, Deuel, Duval, Evans, Fellom, Hays, Ingels, Inman, Jones, Maloney, McCormack, Mixter, Moran, Nelson, Rich, Riley, Schottky, Sharkey, Slater, Swing, Treacy, Tubbs, Wagly, Williams, and Young—28.

POSTPONEMENT OF CONSIDERATION OF SENATE BILL NUMBER FIVE HUNDRED
FORTY-TWO.

Senator Breed moved that further consideration of Senate Bill No. 542 be postponed until two o'clock p.m., the same to be disposed of before consideration of the special order set for two o'clock and thirty minutes p.m.

Motion carried.

RECESS.

On motion of Senator Breed, at 12 o'clock and thirty-five minutes p.m., the President of the Senate declared recess until two o'clock p.m.

RECONVENED.

At two o'clock p.m., the Senate reconvened.

Lieutenant Governor Frank F. Merriam, President of the Senate, in the chair.

Secretary Joseph A. Beek at the desk.

REPORTS OF STANDING COMMITTEES—(RESUMED).

The following reports of standing committees were received and read:

ON ENGROSSMENT, ENROLLMENT AND PRINTING.

SENATE CHAMBER, SACRAMENTO, April 29, 1931.

MR. PRESIDENT: Your Committee on Engrossment, Enrollment and Printing has examined Senate Bill No. 138—An act to add a new article to chapter 3 of title I of part III of the Political Code, to be numbered article 11a, embracing sections 360 to 360g, both inclusive, and to repeal sections 363k, 363l and 363m of the Political Code and section 30 of the California Vehicle Act, relating to a Department of Motor Vehicles—and reports that the same has been correctly engrossed.

DEUEL, Vice Chairman.

Also:

MR. PRESIDENT: Your Committee on Engrossment, Enrollment and Printing has examined Senate Bill No. 801—An act to add section 19a54 to the Juvenile Court Law, relating to probation officers in counties of the fifty-fourth class;

Also: Senate Bill No. 802—An act to amend section 2322a54 of the Political Code, relating to the office of agricultural commissioner in counties of the fifty-fourth class;

Also: Senate Bill No. 805—An act to add a new section to be numbered 9a54 to the act entitled "An act to provide for the establishment and maintenance of county free libraries in the State of California, and repealing 'An act entitled 'An act to provide county library systems,' approved April 12, 1909, and all acts and parts of acts in conflict with this act,'" approved February 25, 1911, as amended, relating to libraries in counties of the fifty-fourth class;

And reports that the same have been correctly engrossed.

DEUEL, Vice Chairman.

ON FINANCE.

SENATE CHAMBER, SACRAMENTO, April 29, 1931.

MR. PRESIDENT: Your Committee on Finance, to which was referred Senate Bill No. 822—An act making appropriation to meet the deficiency in the appropriation for the Bureau of Commerce of the Department of Finance—has had the same under consideration, and respectfully reports the same back with amendments, and recommends that the amendments be adopted, and that it do pass as amended.

Committee membership—18; committee vote: Ayes—13; noes—2; absent—3.

SWING, Chairman.

Senate Bill No. 822 ordered on file for second reading.

Also:

MR. PRESIDENT: Your Committee on Finance, to which was referred Senate Bill No. 571—An act providing for investigation of and report upon certain matters relating to crime, criminals and penal laws, including particularly the cost of crime to the State, defining the powers and duties of the State Director of Finance and other public officers in relation thereto, and making an appropriation therefor—has

had the same under consideration, and respectfully reports the same back, and recommends that it do pass.

Committee membership—18; committee vote: Ayes—15.

SWING, Chairman.

Senate Bill No. 571 ordered on file for second reading.

Also:

MR. PRESIDENT: Your Committee on Finance, to which was referred Senate Bill No. 674—An act making appropriation to pay the claim of the Electro Metals Company against the State of California;

Also: Senate Bill No. 738—An act creating a Tax Research Bureau in the office of the State Board of Equalization, under the joint supervision of the Governor, Director of Finance and members of said board, for investigation of matters relating to revenue, taxation and public finance; prescribing the powers and duties of said officials in relation to such bureau, providing for reports and recommendations relating to revenue, taxation and public finance and making an appropriation therefor;

Also: Senate Bill No. 315—An act to amend section 456 of the Political Code, relating to the employees in the office of the State Treasurer, and fixing their salaries; Has had the same under consideration, and respectfully reports the same back with amendments, and recommends that the amendments be adopted, and that they do pass as amended.

Committee membership—18; committee vote: Ayes—15; absent—3.

SWING, Chairman.

Senate Bills Nos. 674, 738 and 315 ordered on file for second reading.

ON JUDICIARY.

SENATE CHAMBER, SACRAMENTO, April 29, 1931.

MR. PRESIDENT: Your Committee on Judiciary, to which was referred Senate Bill No. 228—An act to amend sections 595 and 1054 of the Code of Civil Procedure, relating to postponement of trials and extensions of time in superior and inferior courts—has had the same under consideration, and respectfully reports the same back with amendments, and recommends that the amendments be adopted, and that it do pass as amended.

Committee membership—17; committee vote: Ayes—15; absent—2.

CHRISTIAN, Chairman.

Senate Bill No. 228 ordered on file for second reading.

ON REVISION OF CRIMINAL LAW AND PROCEDURE.

SENATE CHAMBER, SACRAMENTO, April 29, 1931.

MR. PRESIDENT: Your Committee on Revision of Criminal Law and Procedure, to which was referred Senate Bill No. 952—An act to amend section 1228 of the Penal Code, relating to capital punishment—has had the same under consideration, and respectfully reports the same back with amendments, and recommends that the amendments be adopted, and the bill be re-referred to this committee.

Committee membership—9; committee vote: Ayes—5; absent—4.

ROCHESTER, Chairman.

CONSIDERATION OF COMMITTEE AMENDMENTS.

Pursuant to the report of the Committee on Revision of Criminal Law and Procedure, the following amendments to Senate Bill No. 952 were read and adopted:

AMENDMENT NUMBER ONE.

On page 1, line 4, of the printed bill, strike out "judgment", and insert in lieu thereof the following: "punishment".

AMENDMENT NUMBER TWO.

On page 1, line 5, of the printed bill, strike out "shall", and insert in lieu thereof the following: "must".

AMENDMENT NUMBER THREE.

On page 1, line 5, of the printed bill, insert before "lethal", the following: "a".

Bill ordered to print, and re-referred to Committee on Revision of Criminal Law and Procedure.

Also:

MR. PRESIDENT: Your Committee on Revision of Criminal Law and Procedure, to which was referred Assembly Bill No. 1222—An act to amend sections 664, 666, 667 and 669 of the Penal Code, relating to sentences and terms of imprisonment—

has had the same under consideration, and respectfully reports the same back with amendments, and recommends that the amendments be adopted, and that it do pass as amended.

Committee membership—9; committee vote: Ayes—5; absent—4.

ROCHESTER, Chairman.

Assembly Bill No. 1222 ordered on file for second reading.

Also:

MR. PRESIDENT: Your Committee on Revision of Criminal Law and Procedure, to which was referred Assembly Bill No. 393—An act to amend section 209 of the Penal Code, relating to the penalty for kidnaping for purposes of extortion or robbery, and to add a new section thereto to be number 210, relating to the penalty of kidnaping to commit rape or the infamous crime against nature;

Also: Assembly Bill No. 1690—An act to add a new section to the Penal Code to be numbered 648a, relating to circulating slugs of the same dimension as United States coins;

Has had the same under consideration, and respectfully reports the same back, and recommends that they do pass.

Committee membership—9; committee vote: Ayes—5; absent—4.

ROCHESTER, Chairman.

Assembly Bills Nos. 393 and 1690 ordered on file for second reading.

REQUEST FOR PERMISSION TO INTRODUCE A BILL.

The following request for permission to introduce a bill was presented:

By Senator Rochester:

SENATE CHAMBER, SACRAMENTO, April 29, 1931.

MR. PRESIDENT: In accordance with the provisions of section 2, article IV of the constitution, I request permission to introduce a bill, the title of which is set forth below:

An act to amend section 337a of Penal Code, relating to gambling.

Request referred to Committee on Rules.

MESSAGES FROM THE ASSEMBLY.

The following messages from the Assembly were received and read:

ASSEMBLY CHAMBER, SACRAMENTO, April 29, 1931.

MR. PRESIDENT: I am directed to inform your honorable body that the Assembly on this day passed Assembly Bill No. 610—An act to amend the Political Code by repealing section 4255 thereof by adding new sections thereto, to be numbered 4255, 4255a, 4255b, 4255c, 4255d, 4255e, 4255f, 4255g, 4255h, 4255i, 4255j, 4255k, 4255l, 4255m, 4255n, 4255o, 4255p, 4255q, 4255r, 4255s, relating to county and township officers in counties of the twenty-sixth class and providing for the compensation of said officers and said assistants and deputies and other employees;

Also: Assembly Bill No. 1066—An act to amend sections 1, 2, 3, 4, 7, 8, 9, 10, 11 and 12 of an act entitled "An act to define the duties of and to license land surveyors, and to repeal an act entitled 'An act to define the duties of and to license land surveyors,' approved March 31, 1891, approved March 16, 1907, Statutes of 1907, page 310, relating to licensing of surveyors and the preparation and filings of maps;

Also: Assembly Bill No. 1247—An act to define and regulate the practice of shorthand reporting; creating a State Board of Shorthand Reporting, and providing for its powers and duties; providing for the examination and certification of shorthand reporters, with the designation of "certified shorthand reporter"; providing for the reporting, taking, and certifying of depositions by certified shorthand reporters; and prescribing penalties for violations of this act;

Also: Assembly Bill No. 1931—An act to amend section 3897a of the Political Code, relating to the termination of the right of redemption of tax-deeded lands, and the disposition thereof;

Also: Assembly Bill No. 1879—An act to add a new section to the Political Code, to be numbered 2524c, relating to the authority of the Board of State Harbor Commissioners;

Also: Assembly Bill No. 1880—An act to amend section 2524 of the Political Code, relating to the jurisdiction, powers and duties of the Board of State Harbor Commissioners.

ARTHUR A. OHNIMUS, Chief Clerk.
By A. W. ENGELKE, Assistant Clerk.

Assembly Bill No. 610 read first time, and referred to Committee on County Government.

Assembly Bill No. 1066 read first time, and referred to Committee on Governmental Efficiency.

Assembly Bill No. 1247 read first time, and referred to Committee on Judiciary.

Assembly Bill No. 1931 read first time, and referred to Committee on Revenue and Taxation.

Assembly Bills Nos. 1879 and 1880 read first time, and referred to Committee on Commerce and Navigation.

Also:

ASSEMBLY CHAMBER, SACRAMENTO, April 29, 1931.

MR. PRESIDENT: I am directed to inform your honorable body that the Assembly on this day passed Senate Bill No. 336—An act to amend section 1 of chapter 763, Statutes of 1929, entitled "An act authorizing California Toll-bridge Authority and the Department of Public Works of the State of California to lay out, acquire and construct a highway crossing from the city of San Francisco across the bay of San Francisco to the county of Alameda and providing for the payment of the cost thereof," approved June 10, 1929, relating to the cost of said bridge and its adoption as a State highway.

ARTHUR A. OHNIMUS, Chief Clerk.
By A. W. ENGELKE, Assistant Clerk.

Senate Bill No. 336 ordered to enrollment.

Also:

ASSEMBLY CHAMBER, SACRAMENTO, April 29, 1931.

MR. PRESIDENT: I am directed to inform your honorable body that the Assembly on this day adopted Assembly Constitutional Amendment No. 31—Proposed amendment to article XI of the constitution, relative to the drafting of a charter by the Board of Freeholders.

ARTHUR A. OHNIMUS, Chief Clerk.
By A. W. ENGELKE, Assistant Clerk.

Assembly Constitutional Amendment No. 31 read, and referred to Committee on Constitutional Amendments.

Also:

ASSEMBLY CHAMBER, SACRAMENTO, April 29, 1931.

MR. PRESIDENT: I am directed to inform your honorable body that the Assembly on this day concurred in Senate amendments to Assembly Bill No. 450—An act to amend section 8, of chapter 202, Statutes of 1919, entitled "An act to regulate the payment of wages or compensation for labor or service in private employments, establishing regular pay days, providing penalties for the violation of its provisions, authorizing the Commissioner of the Bureau of Labor Statistics to enforce this act, defining the duties of district attorneys relative to its enforcement, providing for the collection of certain penalties by civil action at the direction of said commissioner, and for the disposition of penalties so collected; repealing an act entitled 'An act providing for the time of payment of wages,' approved May 1, 1911, as amended April 28, 1915, and repealing an act entitled 'An act to regulate the payment of wages or compensation of employees in private employments; to provide for regular pay days in such employments; providing a penalty for the violation thereof; and authorizing the Commissioner of the Bureau of Labor Statistics to enforce the provisions of this act,' approved June 8, 1915," approved May 6, 1919, as amended, relating to the enforcement of the act and permitting individual actions for wages and penalties;

Also: Assembly Bill No. 451—An act to add a new section, to be numbered section 5a, to chapter 202, Statutes of 1919, entitled "An act to regulate the payment of wages or compensation for labor or service in private employments, establishing regular pay days, providing penalties for the violation of its provisions, authorizing the Commissioner of the Bureau of Labor Statistics to enforce this act, defining the duties of district attorneys relative to its enforcement, providing for the collection of certain penalties by civil action at the direction of said commissioner and for the disposition of penalties so collected; repealing an act entitled 'An act providing for the time of payment of wages,' approved May 1, 1911, as amended April 28, 1915, and repealing an act entitled 'An act to regulate the payment of wages or compensation of employees in private employments; to provide for regular pay days in such employments; providing a penalty for the violation thereof; and authorizing the Commissioner of the Bureau of Labor Statistics to enforce the provisions of this act,' approved June 8, 1915," approved May 6, 1919, as amended, providing for the payment

of undisputed wage claims without condition, within the time prescribed by the said law leaving to the worker all remedies he may be entitled to as to any additional balance he may claim;

Also: Assembly Bill No. 1185—An act to amend sections 2 and 9 of an act entitled "An act to control and regulate the possession, sale and use of pistols, revolvers and other firearms capable of being concealed upon the person; to prohibit the manufacture, sale, possession or carrying of certain other dangerous weapons within this State; to provide for registering all sales of pistols, revolvers or other firearms capable of being concealed upon the person; to prohibit the carrying of concealed firearms except by lawfully authorized persons; to provide for the confiscation and destruction of such weapons in certain cases; to prohibit the ownership, use or possession of any of such weapons by certain classes of persons; to prescribe penalties for violations of this act and increased penalties for repeated violations hereof; to authorize, in proper cases, the granting of licenses or permits to carry firearms concealed upon the person; to provide for licensing retail dealers in such firearms and regulating sales thereunder; and to repeal chapter 145 of California Statutes of 1917, relating to the same subject," approved June 13, 1923, as amended.

ARTHUR A. OHNIMUS, Chief Clerk.
By A. W. ENGELKE, Assistant Clerk.

CONSIDERATION OF SENATE BILL NUMBER FIVE HUNDRED FORTY-TWO.

In accordance with Senator Breed's motion previously made, the Senate took up for further consideration Senate Bill No. 542—An act to amend the title and sections 1, 3, 5 and 7a of chapter 551, Statutes of 1919, as amended, entitled "An act to conserve the fish supply in California by empowering the fish and game commission to regulate and control the handling of fish and other fishery products for the purpose of preventing deterioration or waste; to establish grades to which the fish or other fishery products offered for delivery to cannerys or preservers or to the fresh fish markets must conform; to make regulations to insure the proper handling and delivery of fish or fishery products to cannerys, preservers or fresh fish dealers; to regulate and control the use of fish or other fishery products for reduction purposes, and to provide penalties for any violation of any of the provisions of this act," approved May 25, 1919, relating to the canning of sardines.

Bill read third time, previously.

ASSISTANT SECRETARY FRANCIS E. DALIN AT THE DESK.

MOTION TO REFER TO SPECIAL COMMITTEE OF ONE.

During third reading of the bill, Senator Carter moved to refer Senate Bill No. 542 to Senator Baker, as a Special Committee of One, to amend as follows:

AMENDMENT NUMBER ONE.

On page 4, line 38, of the printed bill, strike out the words "fifteen per cent (15%)", and insert in lieu thereof the words "twenty per cent (20%)".

AMENDMENT NUMBER TWO.

On page 4, line 43, of the printed bill, beginning with the word "provided," strike out the remainder of line 43 and all of lines 44, 45, 46, and all in line 47, down to and including the semicolon after the word "month".

Motion lost.

Senate Bill No. 542 ordered to print and re-engrossment.

RUSH ORDER TO PRINTER.

On motion of Senator Young, the Secretary was directed to issue a rush order for printing Senate Bill No. 542.

CONSIDERATION OF SPECIAL ORDER.

The hour having arrived for the consideration of Senator Rochester's resolution relative to withdrawing Senate Bill No. 260 from Committee on Finance, heretofore set as a special order for two o'clock and thirty minutes p.m., the same was taken up for consideration.

RESOLUTION.

The following resolution was offered :

By Senator Rochester :

Resolved, That Senate Bill No. 260 be withdrawn from the Committee on Finance and placed on file.

COMMUNICATION.

The following communication was received, read, and ordered printed in the Journal :

By Senator Inman :

LOS ANGELES, CALIFORNIA, April 29, 1931.

Jane A. Maxwell,

Hotel Senator,

Sacramento, California.

The following is a telegram received from Governor James Rolph, Jr., on March 4, 1931, addressed to J. C. Reinhard, chairman Retirement Committee, C. T. A. S. S., member legislative committee, C. T. A. S. S. :

"LOS ANGELES, CALIFORNIA.

DEAR MR. REINHARD: Replying your wire statement made that I was in favor to Assembly Bill No. 1630 is not true. I am not in favor of Assembly Bill No. 1630. I am in favor of School Teachers Retirement Bill, which is now being amended to make it actuarially sound. (Signed) James Rolph, Jr., Governor."

Regards,

J. C. REINHARD.

Resolution read.

The question being on Senator Rochester's resolution that Senate Bill No. 260 be withdrawn from the Committee on Finance and placed on file.

The roll was called, and Senator Rochester's resolution adopted by the following vote:

AYES—Senators Carter, Cassidy, Christian, Clock, Deuel, Edwards, Evans, Fellom, Harper, Ingels, Inman, Jones, Maloney, McKinley, Moran, Pedrotti, Rich, Rochester, Schottky, Treacy, Tubbs, and Williams—22.

NOES—Senators Allen, Baker, Breed, Bush, Crittenden, Duval, Hays, McCormack, Mixter, Nelson, Riley, Sharkey, Slater, Swing, Wagye, and Young—16.

MESSAGES FROM THE ASSEMBLY.

The following messages from the Assembly were received and read :

ASSEMBLY CHAMBER, SACRAMENTO, April 28, 1931.

MR. PRESIDENT: I am directed to inform your honorable body that the Assembly amended, and on this day passed as amended, Senate Bill No. 945—An act to define building and loan associations and to regulate them and their organization, business, operation, consolidation and liquidation, and (without limiting the generality of the foregoing) also to do the following: To define and regulate the agents, salesmen and collectors of such associations, and to regulate their officers, directors and employees; to define, authorize, and regulate the issuance of, shares, stock and investment certificates of such associations, and to prescribe the rights, remedies and liabilities of holders thereof, and to make such investment certificates legal investments for certain purposes; to prescribe the rights, powers, remedies, duties and liabilities of such associations and the rights and remedies of their creditors; to regulate the investments, loans and borrowings of such associations, and their accounts, reports, audits, statements and advertising; to create and continue the Building and Loan Department and the office of Building and Loan Commissioner, provide and define the rights, powers, remedies and duties of the commissioner and his assistants and his employees; to provide penalties for offenses by such associations, their directors, officers, agents, salesmen, collectors and employees and by other persons and corporations; and to repeal title XVI of part IV of division I of the Civil Code, chapter 354 of the Statutes of 1911 and acts amendatory thereof and supplemental thereto; chapter 133 of the Statutes of 1927, and all other acts and parts of acts inconsistent herewith—and respectfully requests your honorable body to concur in said amendments.

ARTHUR A. OHNIMUS, Chief Clerk.
By FRED J. DESCH, Assistant Clerk.

CONSIDERATION OF ASSEMBLY AMENDMENTS.

The Senate took up for consideration Assembly amendments to Senate Bill No. 945—An act to define building and loan associations and to regulate them and their organization, business, operation, consolidation and liquidation, and (without limiting the generality of the foregoing) also to do the following: To define and regulate the agents, salesmen and collectors of such associations, and to regulate their officers, directors and employees; to define, authorize, and regulate the issuance of shares, stock and investment certificates of such associations, and to prescribe the rights, remedies and liabilities of holders thereof, and to make such investment certificates legal investments for certain purposes; to prescribe the rights, powers, remedies, duties and liabilities of such associations and the rights and remedies of their creditors; to regulate the investments, loans and borrowings of such associations, and their accounts, reports, audits, statements and advertising; to create and continue the Building and Loan Department and the office of Building and Loan Commissioner, provide and define the rights, powers, remedies and duties of the commissioner and his assistants and his employees; to provide penalties for offenses by such associations, their directors, officers, agents, salesmen, collectors and employees and by other persons and corporations; and to repeal title XVI of part IV of division I of the Civil Code, chapter 354 of the Statutes of 1911 and acts amendatory thereof and supplemental thereto; chapter 133 of the Statutes of 1927, and all other acts and parts of acts inconsistent herewith.

MOTION TO CONCUR IN ASSEMBLY AMENDMENTS.

Senator Inman moved that the Senate concur in Assembly amendments Nos. 9, 15, 16, 20, 21, 23, 24, 26, 27, 28, 29, 44, 45, 46, 47, 48 and 50 to Senate Bill No. 945.

Motion carried.

AMENDMENT NUMBER NINE.

On page 6 of the printed bill, as amended, transpose lines 12 and 13.

AMENDMENT NUMBER FIFTEEN.

On page 10, line 25, of the printed bill, as amended, strike out the comma following the word "value".

AMENDMENT NUMBER SIXTEEN.

On page 10, line 29, of the printed bill, as amended, insert a comma following the word "shares".

AMENDMENT NUMBER TWENTY.

On page 24, line 16, of the printed bill, as amended, strike out the word "provisions", and in lieu thereof insert the word "provision".

AMENDMENT NUMBER TWENTY-ONE.

On page 29, line 8, of the printed bill, as amended, after the word "to", insert the word "the".

AMENDMENT NUMBER TWENTY-THREE.

On page 32, line 19, of the printed bill, as amended, strike out the word "Investment", and insert in lieu thereof the word "Investments".

AMENDMENT NUMBER TWENTY-FOUR.

On page 34, line 1, of the printed bill, as amended, strike out the word "purpose", and insert in lieu thereof the word "purposes".

AMENDMENT NUMBER TWENTY-SIX.

On page 35, line 49, of the printed bill, as amended, strike out the word "pusu-ant", and insert in lieu thereof the word "pursuant".

AMENDMENT NUMBER TWENTY-SEVEN.

On page 36, line 13, of the printed bill, as amended, strike out the semicolon and in lieu thereof insert a colon.

AMENDMENT NUMBER TWENTY-EIGHT.

On page 36, line 30, of the printed bill, as amended, insert a comma following the word "mortgage".

AMENDMENT NUMBER TWENTY-NINE.

On page 41, line 9, of the printed bill, as amended, after the word "If", insert the word "the".

AMENDMENT NUMBER FORTY-FOUR.

On page 67, line 5, of the printed bill, as amended, after the word "all", insert the word "the".

AMENDMENT NUMBER FORTY-FIVE.

On page 67, line 40, of the printed bill, as amended, strike out the word "fee", and in lieu thereof insert the word "free".

AMENDMENT NUMBER FORTY-SIX.

On page 68, line 19, of the printed bill, as amended, following the word "of", insert the word "a".

AMENDMENT NUMBER FORTY-SEVEN.

On page 69, line 49, of the printed bill, as amended, strike out the word "condition", and in lieu thereof insert the word "conditions".

AMENDMENT NUMBER FORTY-EIGHT.

On page 70, line 34, of the printed bill, as amended, strike out the word "thirteen", and in lieu thereof insert "XIII".

AMENDMENT NUMBER FIFTY.

On page 53, line 6, of the printed bill, as amended, insert a comma following the word "law".

The question being: Shall the Senate concur in Assembly amendments Nos. 9, 15, 16, 20, 21, 23, 24, 26, 27, 28, 29, 44, 45, 46, 47, 48 and 50 to Senate Bill No. 945?

The roll was called, and Assembly amendments Nos. 9, 15, 16, 20, 21, 23, 24, 26, 27, 28, 29, 44, 45, 46, 47, 48 and 50 to Senate Bill No. 945 concurred in by the following vote:

AYES—Senators Breed, Bush, Cassidy, Christian, Crittenden, Deuel, Edwards, Harper, Hays, Ingels, Inman, Jones, Maloney, McCormack, McKinley, Moran, Nelson, Pedrotti, Rich, Riley, Schottky, Sharkey, Slater, Treacy, Waggy, Williams, and Young—27.

NOES—None.

MOTION TO CONCUR IN ASSEMBLY AMENDMENTS.

Senator Inman moved that the Senate concur in Assembly amendments Nos. 1 and 34 to Senate Bill No. 945.

Motion carried.

AMENDMENT NUMBER ONE.

In line 2 of the title of the printed bill, as amended, after the comma following the word "operation", insert the following: "merger".

AMENDMENT NUMBER THIRTY-FOUR.

On page 52, line 31, of the printed bill, as amended, after the comma following the syllable "tion", insert the following "merger".

The question being: Shall the Senate concur in Assembly amendments Nos. 1 and 34 to Senate Bill No. 945?

The roll was called, and Assembly amendments Nos. 1 and 34 to Senate Bill No. 945 concurred in by the following vote:

AYES—Senators Allen, Breed, Bush, Carter, Cassidy, Christian, Clock, Crittenden, Deuel, Edwards, Fellom, Harper, Hays, Inman, Jones, Maloney, McKinley, Moran, Nelson, Pedrotti, Rich, Riley, Rochester, Schottky, Sharkey, Slater, Treacy, Williams, and Young—29.

NOES—None.

MOTION TO CONCUR IN ASSEMBLY AMENDMENTS.

Senator Inman moved that the Senate concur in Assembly amendments Nos. 2, 32 and 35 to Senate Bill No. 945.

Motion carried.

AMENDMENT NUMBER TWO.

In line 16 of the title of the printed bill, as amended, strike out the words "the building and", and strike out the words "loan department and", in line 17.

AMENDMENT NUMBER THIRTY-TWO.

On page 52 of the printed bill, as amended, strike out all of lines 13 to 18, both inclusive, and in lieu thereof insert the following:

"Article XIII—Building and loan commissioner.

SEC. 13.01. In general. The office of the building and loan commissioner is hereby created, which office shall be a continuation of the office of building and loan commissioner created by chapter 354 of the statutes of 1911. The building and loan commissioner shall be".

AMENDMENT NUMBER THIRTY-FIVE.

On page 52, line 35, of the printed bill, as amended, strike out the word "department", and in lieu thereof insert the word "commissioner".

The question being: Shall the Senate concur in Assembly amendments Nos. 2, 32 and 35 to Senate Bill No. 945?

The roll was called, and Assembly amendments Nos. 2, 32 and 35 to Senate Bill No. 945 concurred in by the following vote:

AYES—Senators Allen, Breed, Bush, Carter, Cassidy, Christian, Clock, Deuel, Duval, Edwards, Fellom, Harper, Hays, Ingels, Inman, Jones, Maloney, McCormack, McKinley, Mixer, Moran, Nelson, Pedrotti, Rich, Riley, Schottky, Sharkey, Slater, Treacy, Waggy, and Young—31.

NOES—None.

MOTION TO CONCUR IN ASSEMBLY AMENDMENT.

Senator Inman moved that the Senate concur in Assembly amendment No. 3 to Senate Bill No. 945.

Motion carried.

AMENDMENT NUMBER THREE.

On page 3, line 4, of the printed bill, as amended, after the comma following the word "letter", insert the following: "newspaper,".

The question being: Shall the Senate concur in Assembly amendment No. 3 to Senate Bill 945?

The roll was called, and Assembly amendment No. 3 to Senate Bill No. 945 concurred in by the following vote:

AYES—Senators Allen, Breed, Bush, Carter, Cassidy, Christian, Clock, Deuel, Duval, Edwards, Fellom, Harper, Hays, Ingels, Inman, Jones, Maloney, McKinley, Mixer, Moran, Nelson, Pedrotti, Rich, Rochester, Schottky, Sharkey, Slater, Treacy, Tubbs, Waggy, and Williams—31.

NOES—None.

MOTION TO CONCUR IN ASSEMBLY AMENDMENT.

Senator Inman moved that the Senate concur in Assembly amendment No. 4 to Senate Bill No. 945.

Motion carried.

AMENDMENT NUMBER FOUR.

On page 4, line 31, of the printed bill, as amended, insert immediately before the semicolon the following: "and shall not include the words "saving" or "savings" ".

The question being: Shall the Senate concur in Assembly amendment No. 4 to Senate Bill No. 945?

The roll was called, and Assembly amendment No. 4 to Senate Bill No. 945 concurred in by the following vote:

AYES—Senators Allen, Breed, Bush, Carter, Cassidy, Clock, Deuel, Duval, Edwards, Evans, Fellom, Harper, Hays, Ingels, Inman, Maloney, McKinley, Mixer, Moran, Nelson, Pedrotti, Rich, Rochester, Schottky, Sharkey, Slater, Treacy, Tubbs, Waggy, and Young—30.

NOES—Senator Jones—1.

MOTION TO CONCUR IN ASSEMBLY AMENDMENT.

Senator Inman moved that the Senate concur in Assembly amendment No. 5 to Senate Bill No. 945.

Motion carried.

AMENDMENT NUMBER FIVE.

On page 5, line 12, of the printed bill, as amended, strike out the period following the word "purposes", and insert in lieu thereof a semicolon and the following: "*provided, however,* that no association shall advertise that it is a savings bank or that it is doing or permitted to do a savings bank business."

The question being: Shall the Senate concur in Assembly amendment No. 5 to Senate Bill No. 945?

The roll was called, and Assembly Amendment No. 5 to Senate Bill No. 945 concurred in by the following vote:

AYES—Senators Allen, Breed, Carter, Cassidy, Clock, Deuel, Duval, Edwards, Evans, Fellom, Harper, Ingels, Inman, Jones, Maloney, McKinley, Mixter, Moran, Nelson, Pedrotti, Rich, Rochester, Schottky, Sharkey, Slater, Treacy, and Young—27.
NOES—None.

MOTION TO CONCUR IN ASSEMBLY AMENDMENTS.

Senator Inman moved that the Senate concur in Assembly amendments Nos. 13, 14 and 17 to Senate Bill No. 945.

Motion carried.

AMENDMENT NUMBER THIRTEEN.

On page 9, line 40, of the printed bill, as amended, strike out the following: "to either such participa-", then strike out all of lines 41 to 44, both inclusive, and in line 45 strike out the following: "issued.", and in lieu thereof insert the following: "either (a) to dividends at such agreed rate, not exceeding six per cent per annum, as shall be specified in the body of the certificate issued; or (b) to such participation in the net profits, not exceeding the rate apportioned to installment shares, as the board of directors shall determine or, in the case of an association issuing both shares and stock, as the by-laws shall prescribe."

AMENDMENT NUMBER FOURTEEN.

On page 10, line 22, of the printed bill, as amended, before the comma following the word "determine", insert the following: "or, in the case of an association issuing both shares and stock, as the by-laws shall prescribe".

AMENDMENT NUMBER SEVENTEEN.

On page 10, line 30, of the printed bill, as amended, strike out the following: "to either such participation", and then strike out all of lines 31 to 35, both inclusive; and in lieu thereof insert the following: "either (a) to dividends at such agreed rate, not exceeding six per cent per annum, as shall be specified in the body of the certificate issued; or (b) to such participation in the net profits, not exceeding the rate apportioned to installment shares, as the board of directors shall determine or, in the case of an association issuing both shares and stock, as the by-laws shall prescribe."

The question being: Shall the Senate concur in Assembly amendments Nos. 13, 14 and 17 to Senate Bill No. 945?

The roll was called, and Assembly amendments Nos. 13, 14 and 17 to Senate Bill No. 945 concurred in by the following vote:

AYES—Senators Allen, Breed, Carter, Cassidy, Clock, Deuel, Duval, Edwards, Evans, Fellom, Hays, Ingels, Inman, Jones, Maloney, McKinley, Mixter, Moran, Rich, Riley, Rochester, Schottky, Sharkey, Slater, Treacy, Tubbs, Wag, and Young—28.

NOES—None.

MOTION TO CONCUR IN ASSEMBLY AMENDMENT.

Senator Inman moved that the Senate concur in Assembly amendment No. 18 to Senate Bill No. 945.

Motion carried.

AMENDMENT NUMBER EIGHTEEN.

On page 15, line 30, of the printed bill, as amended, after the period following the word "act", insert the following: "This section shall take effect January 1, 1932."

The question being: Shall the Senate concur in Assembly amendment No. 18 to Senate Bill No. 945?

The roll was called, and Assembly amendment No. 18 to Senate Bill 945 concurred in by the following vote:

AYES—Senators Allen, Breed, Cassidy, Christian, Clock, Crittenden, Deuel, Duval, Edwards, Evans, Fellom, Hays, Inman, Jones, Maloney, McKinley, Mixer, Moran, Pedrotti, Rich, Riley, Rochester, Schetty, Slater, Treacy, Tubbs, Wagy, Williams, and Young—29.

NOES—None.

MOTION TO CONCUR IN ASSEMBLY AMENDMENT.

Senator Inman moved that the Senate concur in Assembly amendment No. 52 to Senate Bill No. 945.

Motion carried.

AMENDMENT NUMBER FIFTY-TWO.

On page 15, line 45, of the printed bill, strike out the period, and insert in lieu thereof a comma and the following: "unless otherwise agreed."

The question being: Shall the Senate concur in Assembly amendment No. 52 to Senate Bill No. 945?

The roll was called, and Assembly amendment No. 52 to Senate Bill No. 945 concurred in by the following vote:

AYES—Senators Allen, Breed, Carter, Christian, Clock, Crittenden, Deuel, Duval, Edwards, Evans, Fellom, Harper, Hays, Ingels, Inman, Jones, Maloney, McKinley, Mixer, Moran, Pedrotti, Rich, Riley, Rochester, Schetty, Slater, Treacy, Tubbs, Wagy, and Young—30.

NOES—None.

MOTION TO CONCUR IN ASSEMBLY AMENDMENTS.

Senator Inman moved that the Senate concur in Assembly amendments Nos. 19, 25, 30, 31, 39, 40, 41, 42, 43, 51 and 49 to Senate Bill No. 945.

Motion carried.

AMENDMENT NUMBER NINETEEN.

On page 15, line 45, of the printed bill, as amended, after the period following the word "association", insert the following: "In the case of each association, sums received within the first ten days of any calendar month may, at the option of such association, be deemed for the purpose of this section to have been received by such association on the first day of such month."

AMENDMENT NUMBER TWENTY-FIVE.

On page 34, line 52, of the printed bill, as amended, after the word "provide", insert the following: "either for payment of the entire principal within not to exceed three years or".

AMENDMENT NUMBER THIRTY.

On page 49, line 46, of the printed bill, as amended, strike out the following: "safe deposit".

AMENDMENT NUMBER THIRTY-ONE.

On page 50, line 2, of the printed bill, as amended, strike out the following: "do a safe deposit business, nor do an", then strike out all of line 3, and the following in line 4: "ments and properties, nor".

AMENDMENT NUMBER THIRTY-NINE.

On page 53, line 4, of the printed bill, as amended, strike out the words "deputies and attorney", and in lieu thereof insert the words "attorney and three of his deputies".

AMENDMENT NUMBER FORTY.

On page 54, line 3, of the printed bill, as amended, after the period following the word "thereof", insert the following: "It shall be the duty of the commissioner to grant or deny each application filed with him pursuant to this act not later than thirty days after the filing thereof."

AMENDMENT NUMBER FORTY-ONE.

On page 57, line 42, of the printed bill, as amended, after the words "pursuant to", insert the following: "section 6.05, section 6.08 or".

AMENDMENT NUMBER FORTY-TWO.

On page 65, line 24, of the printed bill, as amended, strike out the comma following the word "act", then strike out the balance of said line, all of lines 25 to 27, both inclusive, and the following: "provisions of this act," in line 28.

AMENDMENT NUMBER FORTY-THREE.

On page 65, line 34, of the printed bill, after the period following the word "imprisonment", insert the following: "Any person who shall wilfully violate any lawful condition of a permit authorizing an association to issue its stock: or who, with knowledge of any direction given by the commissioner pursuant to section 6.06 of this act, shall, contrary to such direction, wilfully accept for an association on a pro rata basis, money on account of investment certificates or shares of such association; or who, with knowledge of any direction given by the commissioner pursuant to section 6.08 of this act, shall, contrary to such direction, make any payment upon a withdrawal otherwise than on a ratable and proportionate basis: or who, with knowledge of any lawful order of the commissioner addressed to any association directing a discontinuance of any unsafe or injurious practice of such association, shall wilfully violate such order, shall be guilty of a public offense and shall be punished by imprisonment in the state prison not exceeding two years, or in a county jail not exceeding one year, or by a fine not exceeding two thousand dollars, or by both such fine and imprisonment."

AMENDMENT NUMBER FIFTY-ONE.

On page 65, line 47, of the printed bill, as amended, after the period following the word "therefrom", insert the following: "Except as otherwise expressly provided in this act, no violation of any of the provisions of this act shall render invalid any agreement, contract, stock, share, investment certificate, note, trust deed, mortgage or other instrument."

AMENDMENT NUMBER FORTY-NINE.

On page 42, line 22, of the printed bill, as amended, strike out the words "paid to the treasurer of this", then strike out all of line 23, and all of line 24 except the word "In", and in lieu thereof insert the following: "disposed of as may be hereafter provided for by law."

The question being: Shall the Senate concur in Assembly amendments Nos. 19, 25, 30, 31, 39, 40, 41, 42, 43, 51 and 49 to Senate Bill No. 945?

The roll was called, and Assembly amendments Nos. 19, 25, 30, 31, 39, 40, 41, 42, 43, 51, and 49 to Senate Bill No. 945 concurred in by the following vote:

AYES—Senators Allen, Breed, Bush, Carter, Cassidy, Christian, Clock, Crittenden, Duval, Edwards, Evans, Fellom, Harper, Hays, Ingels, Inman, Jones, Maloney, McKinley, Moran, Nelson, Pedrotti, Rich, Treacy, Wagy, Williams, and Young—27.
NOES—None.

MOTION TO CONCUR IN ASSEMBLY AMENDMENTS.

Senator Inman moved that the Senate concur in Assembly amendments Nos. 6, 7, 8, 10, 11 and 12 to Senate Bill No. 945.

Motion carried.

AMENDMENT NUMBER SIX.

On page 5, line 38, of the printed bill, as amended, strike out the following: "and (c)", and insert in lieu thereof the following: "(c) a statement that such association will not issue either stock or investment certificates, or in the alternative, a showing that the public convenience and advantage will be promoted by the formation of such association or its qualification to do business in this state; and (d)".

AMENDMENT NUMBER SEVEN.

On page 5, line 45, of the printed bill, as amended, immediately before the period following the word "expenditures", insert the following: "and, unless such application shall have stated that such association will not issue either stock or investment certificates, whether the public convenience and advantage will be promoted by the formation or qualification of such association".

AMENDMENT NUMBER EIGHT.

On page 5, line 52, of the printed bill, as amended, strike out the period following the word "unsound", and in lieu thereof insert a comma and the following: "or,

unless such application shall have stated that such association will not issue either stock or investment certificates, that the public convenience and advantage will not be promoted by the formation or qualification of such association."

AMENDMENT NUMBER TEN.

On page 6 of the printed bill, as amended, between lines 38 and 39, insert the following:

"No association which in its application to the commissioner referred to in this section shall have stated that it would not issue either stock or investment certificates, shall issue any stock or investment certificates except with the prior written consent of the commissioner. In applying for such consent such association shall set forth (a) the names and addresses of its directors and officers with a statement of their character, experience and general fitness to engage in the new type of building and loan business proposed; (b) a showing that the public convenience and advantage will be promoted by permitting such association to issue stock or investment certificates as proposed in such application; and (c) such other matters as the commissioner may require. Upon receipt of such application the commissioner shall immediately examine and investigate into all the facts stated in such application; and the commissioner may refuse to give his written consent if upon his examination and investigation he has reason to believe that the directors or officers lack the character, experience or general fitness to engage in the new type of building and loan business proposed, or that the public convenience and advantage will not be promoted by permitting such association to issue stock or investment certificates."

AMENDMENT NUMBER ELEVEN.

On page 7, line 32, of the printed bill, as amended, immediately before the period following the word "require", insert the following: "and, except in the case of associations not issuing either stock or investment certificates, a showing that the public convenience and advantage will be promoted by the operation of such branch".

AMENDMENT NUMBER TWELVE.

On page 7, line 34, of the printed bill, as amended, after the comma following the word "association", insert the following: "and in the case of an association issuing either stock or investment certificates or both, that the public convenience and advantage will be promoted by the operation of such branch,".

The question being: Shall the Senate concur in Assembly amendments Nos. 6, 7, 8, 10, 11 and 12 to Senate Bill No. 945?

The roll was called.

CALL OF THE SENATE.

Pending the announcement of the vote, Senator Inman moved a call of the Senate.

Motion carried.

The Secretary was directed to call the roll.

The roll was called, and the following answered to their names:

AYES—Senators Allen, Breed, Bush, Carter, Cassidy, Christian, Clock, Crittenden, Duval, Duval, Edwards, Evans, Fellom, Harper, Hays, Ingels, Inman, Jones, Maloney, McKinley, Mixter, Moran, Nelson, Pedrotti, Rich, Riley, Schottky, Slater, Swing, Treacy, Wagy, and Williams—32.

NOES—None.

The Secretary announced the absentees.

Time, five o'clock and twelve minutes p.m.

The President directed the Sergeant-at-Arms to close the doors.

The Sergeant-at-Arms, having been furnished with the names of the absentees, was directed to bring them to the bar of the Senate.

PROCEEDINGS UNDER CALL OF THE SENATE.

REPORTS OF STANDING COMMITTEES—(RESUMED).

The following reports of standing committees were received and read:

ON GOVERNMENTAL EFFICIENCY.

SENATE CHAMBER, SACRAMENTO, April 29, 1931.

MR. PRESIDENT: Your Committee on Governmental Efficiency, to which was referred Assembly Concurrent Resolution No. 4—Providing for the appointment of a committee to investigate the California State Civil Service Commission and its conduct in the examinations given for State positions—has had the same under con-

sideration, and respectfully reports the same back with amendments, and recommends that the amendments be adopted, and that it be adopted.

Committee membership—11; committee vote: Ayes—9; absent—2.

CRITTENDEN, Chairman.

Assembly Concurrent Resolution No. 4 ordered on file.

ON CONSTITUTIONAL AMENDMENTS.

SENATE CHAMBER, SACRAMENTO, April 29, 1931.

MR. PRESIDENT: Your Committee on Constitutional Amendments, to which was referred Assembly Constitutional Amendment No. 27. A proposed amendment to article IX of the constitution, relative to taxation—has had the same under consideration, and respectfully reports the same back, and recommends that it be re-referred to the Committee on Revenue and Taxation.

(Signed out)

ALLEN, Chairman.
CRITTENDEN.
EVANS.
MIXTER.
SCHOTTKY.

Assembly Constitutional Amendment No. 27 ordered re-referred to Committee on Revenue and Taxation.

FURTHER PROCEEDINGS UNDER CALL OF THE SENATE DISPENSED WITH.

At five o'clock and fifteen minutes p.m., further proceedings under the call of the Senate were dispensed with, on motion of Senator Inman.

The Secretary was directed to call the roll on Assembly amendments Nos. 6, 7, 8, 10, 11 and 12 to Senate Bill No. 945.

The roll was called, and Assembly amendments Nos. 6, 7, 8, 10, 11 and 12 to Senate Bill No. 945 concurred in by the following vote:

AYES—Senators Allen, Breed, Bush, Carter, Cassidy, Clock, Deuel, Duval, Edwards, Evans, Harper, Hays, Ingels, Inman, McKinley, Nelson, Pedrotti, Riley, Rochester, Swing, Treacy, and Waggy—22.

NOES—Senators Christian, Crittenden, Fellom, Jones, Maloney, Mixter, Moran, Rich, Schottky, Slater, and Williams—11.

MOTION TO CONCUR IN ASSEMBLY AMENDMENTS.

Senator Inman moved that the Senate concur in Assembly amendment No. 33 to Senate Bill No. 945.

Motion carried.

AMENDMENT NUMBER THIRTY-THREE.

On page 52, line 19, of the printed bill, as amended, strike out the words "for a term of", and the following in line 20: "four years, unless otherwise provided by statute.", and insert in lieu thereof the following: "at the pleasure of the governor."

The question being: Shall the Senate concur in Assembly amendment No. 33 to Senate Bill No. 945?

The roll was called, and Assembly amendment No. 33 to Senate Bill No. 945 concurred in by the following vote:

AYES—Senators Allen, Bush, Carter, Cassidy, Clock, Crittenden, Deuel, Duval, Edwards, Fellom, Harper, Ingels, Inman, Maloney, McCormack, McKinley, Nelson, Riley, Sharkey, Slater, Swing, Treacy, and Waggy—23.

NOES—Senators Breed, Christian, Hays, Jones, Moran, Schottky, and Williams—7.

MOTION TO CONCUR IN ASSEMBLY AMENDMENTS.

Senator Inman moved that the Senate concur in Assembly amendment No. 22 to Senate Bill No. 945.

Motion carried.

AMENDMENT NUMBER TWENTY-TWO.

On page 31 of the printed bill, as amended, strike out all of lines 34 to 38, both inclusive, and in lieu thereof insert the following:

"SEC. 8.06. Exemption from execution. Shares held by any person and the dividends credited thereon shall be exempt from attachment or execution and proceedings supplementary thereto to the value of one thousand dollars, provided such

shares shall have been issued by an association not issuing either stock or investment certificates."

The question being: Shall the Senate concur in Assembly amendment No. 22 to Senate Bill No. 945?

The roll was called, and Assembly amendment No. 22 to Senate Bill No. 945 concurred in by the following vote:

AYES—Senators Allen, Breed, Bush, Carter, Cassidy, Clock, Crittenden, Deuel, Duval, Edwards, Fellom, Harper, Hays, Ingels, Inman, Maloney, McCormack, Moran, Nelson, Riley, Sharkey, Slater, Swing, Treacy, Wagy, and Williams—26.

NOES—None.

MOTION TO CONCUR IN ASSEMBLY AMENDMENTS.

Senator Inman moved that the Senate concur in Assembly amendments Nos. 36, 37 and 38 to Senate Bill No. 945.

Motion carried.

AMENDMENT NUMBER THIRTY-SIX.

On page 52, line 38, of the printed bill, as amended, before the word "such", insert the following: "an attorney, and".

AMENDMENT NUMBER THIRTY-SEVEN.

On page 52, line 39, of the printed bill, as amended, strike out the words "and to employ during his pleasure an attorney".

AMENDMENT NUMBER THIRTY-EIGHT.

On page 52, line 47, of the printed bill, as amended, strike out the semicolon, and in lieu thereof insert a period; then strike out the balance of line 47, all of lines 48 to 52, both inclusive, and the following in line 1 on page 53: "as is hereafter provided for by law."

The question being: Shall the Senate concur in Assembly amendments Nos. 36, 37 and 38 to Senate Bill No. 945?

The roll was called, and Assembly amendments Nos. 36, 37, and 38 to Senate Bill No. 945 concurred in by the following vote:

AYES—Senators Allen, Breed, Bush, Carter, Cassidy, Clock, Crittenden, Deuel, Duval, Edwards, Fellom, Harper, Hays, Ingels, Inman, Jones, McCormack, McKinley, Nelson, Riley, Rochester, Sharkey, Slater, Swing, Treacy, Wagy, and Williams—27.

NOES—Senator Moran—1.

Senate Bill No. 945 ordered to print and enrollment.

SECRETARY JOSEPH A. BEEK AT THE DESK.

CONSIDERATION OF DAILY FILE.

THIRD READING OF SENATE BILLS—(OUT OF ORDER).

Senate Bill No. 825—An act to provide for the creation, organization and government of water conservation districts, defining their powers and prescribing the method of exercising the same; also amending and reenacting as amended chapter 166 of the Statutes of 1929, known as the Water Conservation Act of 1929, and validating and confirming all proceedings had and taken under the provisions of said act resulting in the organization of water conservation districts, and continuing such districts under the provisions of this act with the powers herein conferred.

Bill read third time.

MOTION TO REFER TO SPECIAL COMMITTEE OF ONE.

During third reading of the bill, Senator Jones moved to refer Senate Bill No. 825 to Senator Young, as a Special Committee of One, to amend as follows:

AMENDMENT NUMBER ONE.

In line 3 of the title of the printed bill, strike out the semicolon following the word "same", and insert in lieu thereof a comma.

AMENDMENT NUMBER TWO.

In line 3 of the title of the printed bill, strike out the word "also".

AMENDMENT NUMBER THREE.

In line 4 of the title of the printed bill, after the word "reenacting", insert the following: "and continuing in force the provisions of".

AMENDMENT NUMBER FOUR.

On page 2, line 9, of the printed bill, strike out the word "thirty", and insert in lieu thereof "forty".

AMENDMENT NUMBER FIVE.

On page 2, line 38, of the printed bill, after the word "appropriated", insert a comma and the following: "owned or controlled by the district".

AMENDMENT NUMBER SIX.

On page 16, line 29, of the printed bill, strike out the word "twenty", and insert in lieu thereof "twenty-five".

AMENDMENT NUMBER SEVEN.

On page 17, line 41, of the printed bill, strike out the word "five", and insert in lieu thereof "four".

AMENDMENT NUMBER EIGHT.

On page 18 of the printed bill, strike out all of lines 20 to 25, inclusive.

AMENDMENT NUMBER NINE.

On page 20, line 10, of the printed bill, strike out the word "grantors", and insert in lieu thereof "predecessors in interest".

AMENDMENT NUMBER TEN.

On page 21, line 5, of the printed bill, strike out the word "of", first appearing in said line, and insert in lieu thereof "or".

Motion carried.

REPORT OF SPECIAL COMMITTEE OF ONE.

SENATE CHAMBER, SACRAMENTO, April 29, 1931.

MR. PRESIDENT: Your Special Committee of One, to which was referred Senate Bill No. 825, with instructions to amend, respectfully reports the same back, amended as per instructions.

YOUNG, Committee.

Report read, and on motion of Senator Jones adopted.

Bill ordered to print, and re-engrossment.

CONSIDERATION OF DAILY FILE.

THIRD READING OF ASSEMBLY BILLS.

Assembly Bill No. 1380—An act to amend section 42x47 of the Political Code, relating to the salaries, fees, and expenses of officers and their deputies and assistants in counties of the eighteenth class.

Bill read third time.

MOTION TO REFER TO SPECIAL COMMITTEE OF ONE.

During third reading of the bill, Senator Edwards moved to refer Assembly Bill No. 1380 to Senator McKinley, as a Special Committee of One, to amend as follows:

AMENDMENT NUMBER ONE.

On page 2, line 24, of the printed bill, after the comma after "investigator", insert the following: "at a salary of two thousand dollars per annum".

AMENDMENT NUMBER TWO.

On page 2, line 30, of the printed bill, after "following", insert the following: "additional".

AMENDMENT NUMBER THREE.

On page 3, line 7, of the printed bill, after "such", insert the following: "extra".

AMENDMENT NUMBER FOUR.

On page 4, line 3, of the printed bill, after the comma after "per annum", insert the following: "and in addition thereto the following additional deputies,".

AMENDMENT NUMBER FIVE.

On page 4, line 25, of the printed bill, strike out "her", and insert in lieu thereof the following: "him".

AMENDMENT NUMBER SIX.

On page 4, line 28, of the printed bill, strike out "her", and insert in lieu thereof the following: "him".

AMENDMENT NUMBER SEVEN.

On page 4, line 47, of the printed bill, strike out "each", and insert in lieu thereof the following: "the".

Motion carried.

REPORT OF SPECIAL COMMITTEE OF ONE.

SENATE CHAMBER, SACRAMENTO, April 29, 1931.

MR. PRESIDENT: Your Special Committee of One, to which was referred Assembly Bill No. 1380, with instructions to amend, respectfully reports the same back, amended as per instructions.

McKINLEY, Committee.

Report read, and on motion of Senator Edwards adopted.

Bill ordered to print.

REPORTS OF STANDING COMMITTEES—(RESUMED).

The following reports of standing committees were received and read:

ON GOVERNMENTAL EFFICIENCY.

SENATE CHAMBER, SACRAMENTO, April 29, 1931.

MR. PRESIDENT: Your Committee on Governmental Efficiency, to which was referred Senate Bill No. 301—An act to amend section 737*c* of the Political Code, relating to salary of superior court judge;

Also: Senate Bill No. 693—An act to add a new section to the Code of Civil Procedure, to be numbered 66*b*, relating to the number of judges of the superior court in the county of Merced;

Also: Senate Bill No. 27—An act to amend section 736*c* of the Political Code, prescribing the payment of compensation of judges of the superior court;

Also: Senate Bill No. 28—An act to amend section 736*c* of the Political Code, prescribing the payment of salaries of judges of the superior court;

Also: Senate Bill No. 954—An act to amend section 737*i* of the Political Code, relating to salary of judges of the superior court in and for the county of Humboldt; Has had the same under consideration, and respectfully reports the same back, and recommends that they be re-referred to the Committee on Finance.

Committee membership—11; committee vote: Ayes—7; noes—2; absent—2.

CRITTENDEN, Chairman.

Senate Bills Nos. 301, 693, 27, 28, and 954 ordered re-referred to Committee on Finance.

Also:

MR. PRESIDENT: Your Committee on Governmental Efficiency, to which was referred Assembly Bill No. 1100—An act amending section 6 of an act entitled "An act authorizing the establishment of municipal courts, prescribing their constitution, regulation, government, procedure and jurisdiction, and providing for the election and appointment of the judges, clerks and other attaches of such courts, their terms of office, qualification and compensation and for the selection of jurors therein," approved May 23, 1925, and as amended and approved April 6, 1929, relating to municipal courts—has had the same under consideration, and respectfully reports the same back, and recommends that it be re-referred to the Committee on Finance.

Committee membership—11; committee vote: Ayes—7; noes—2; absent—2.

CRITTENDEN, Chairman.

Assembly Bill No. 1100 ordered re-referred to Committee on Finance.

ON ROADS AND HIGHWAYS.

SENATE CHAMBER, SACRAMENTO, April 29, 1931.

MR. PRESIDENT: Your Committee on Roads and Highways, to which was referred Senate Concurrent Resolution No. 36—Relative to investigation and report upon acquisition by the State of the toll bridge across Carquinez Straits—has had the

same under consideration, and respectfully reports the same back with amendments, and recommends that the amendments be adopted, and that it be adopted as amended.

Committee membership—14; committee vote: Ayes—8; absent—5.

EDWARDS, Chairman.

Senate Concurrent Resolution No. 36 ordered on file.

ON FISH AND GAME.

SENATE CHAMBER, SACRAMENTO, April 29, 1931.

MR. PRESIDENT: Your Committee on Fish and Game, to which was referred Assembly Concurrent Resolution No. 21—Relative to the revision and rearrangement of the Fish and Game Law by the California Code Commission—has had the same under consideration, and respectfully reports the same back, and recommends that it be adopted.

Committee membership—16; committee vote: Ayes—13; absent—3.

(Signed out)

YOUNG, Chairman.
ALLEN.
CARTER.
CLOCK.
DUVAL.
HARPER.
McKINLEY.
MORAN.
RILEY.
ROCHESTER.
SCHOTTKY.
SLATER.
WILLIAMS.

Assembly Concurrent Resolution No. 21 ordered on file.

Also:

MR. PRESIDENT: Your Committee on Fish and Game, to which was referred Assembly Bill No. 1888—An act creating a fish and game district to be known as the "San Francisco Game Refuge," providing for the protection of game and fish within such refuge and providing penalties for violation of the act—has had the same under consideration, and respectfully reports the same back, and recommends that it do pass.

Committee membership—16; committee vote: Ayes—13; absent—3.

(Signed out)

YOUNG, Chairman.
ALLEN.
CARTER.
CLOCK.
DUVAL.
HARPER.
McKINLEY.
MORAN.
RILEY.
ROCHESTER.
SCHOTTKY.
SLATER.
WILLIAMS.

Assembly Bill No. 1888 ordered on file for second reading.

Also:

MR. PRESIDENT: Your Committee on Fish and Game, to which was referred Assembly Bill No. 761—An act creating a game refuge within a certain fish and game district in El Dorado County, providing for the protection thereof, and providing penalties for violations of this act;

Also: Assembly Bill No. 1038—An act to amend an act entitled "An act to divide the State of California into fish and game districts and to repeal an act entitled 'An act to divide the State of California into six fish and game districts,' approved March 21, 1911, and all acts or parts of acts inconsistent herewith," approved May 19, 1915," approved May 28, 1917, as amended, by amending section 71 thereof, relating to fish and game district one "S.";

Also: Assembly Bill No. 1195—An act to amend section 4 of an act entitled "An act to divide the State of California into fish and game districts and to repeal an act entitled 'An act to divide the State of California into fish and game districts and to repeal an act entitled 'An act to divide the State of California into six fish and game districts,' approved March 21, 1911, and all acts or parts of acts inconsistent herewith,' approved May 15, 1915," approved May 28, 1917, as amended, relating to fish and game districts;

Has had the same under consideration, and respectfully reports the same back, and recommends that they do pass.

Committee membership—16; committee vote: Ayes—13; absent—3.
(Signed out)

YOUNG, Chairman.
ALLEN.
CARTER.
CLOCK.
DUVAL.
HARPER.
McKINLEY.
MORAN.
RILEY.
ROCHESTER.
SCHOTTKY.
SLATER.
WILLIAMS.

Assembly Bills Nos. 761, 1038 and 1195 ordered on file for second reading.

Also:

MR. PRESIDENT: Your Committee on Fish and Game, to which was referred Assembly Bill No. 1384—An act to establish a refuge for the protection of marine animal and plant life;

Also: Assembly Bill No. 735—An act to amend sections 2, 5 and 6 of chapter 550, Statutes of 1919, entitled "An act empowering the State Fish and Game Commission to collect statistical data of the commercial fisheries and to make investigations for the purpose of gaining knowledge for the conservation of the fisheries; providing a system for obtaining an accurate record of each variety of fish caught; providing for the registration of fishing boats and their fishing equipment, and providing penalties for violations of this act," approved May 25, 1919, and to add a new section, to be numbered 4a, thereto, relating to commercial fisheries;

Has had the same under consideration, and respectfully reports the same back, and recommends that they do pass.

Committee membership—16; committee vote: Ayes—12; absent—4.

(Signed out)

YOUNG, Chairman.
CARTER.
CLOCK.
DUVAL.
HARPER.
McKINLEY.
MORAN.
RILEY.
ROCHESTER.
SCHOTTKY.
SLATER.
WILLIAMS.

Assembly Bills Nos. 1384 and 735 ordered on file for second reading.

Also:

MR. PRESIDENT: Your Committee on Fish and Game, to which was referred Senate Concurrent Resolution No. 17—Relative to an investigation to determine the effect of the open and closed season on trout in all landlocked waters in fish and game district 13—has had the same under consideration, and respectfully reports the same back, and recommends that it be adopted.

Committee membership—16; committee vote: Ayes—13; absent—3.

(Signed out)

YOUNG, Chairman.
ALLEN.
CARTER.
CLOCK.
DUVAL.
HARPER.
McKINLEY.
MORAN.
RILEY.
ROCHESTER.
SCHOTTKY.
SLATER.
WILLIAMS.

Senate Concurrent Resolution No. 17 ordered on file.

Also:

MR. PRESIDENT: Your Committee on Fish and Game, to which was referred Assembly Bill No. 597—An act to regulate the importation and keeping of wild species of birds and animals and providing a penalty for the violation of the provisions hereof—has had the same under consideration, and respectfully reports the same back with amendments, and recommends that the amendments be adopted, and that it do pass as amended.

Committee membership—16; committee vote: Ayes—13; absent—3.

(Signed out)

YOUNG, Chairman.
ALLEN.
CARTER.
CLOCK.
DUVAL.
HARPER.
McKINLEY.
MORAN.
RILEY.
ROCHESTER.
SCHOTTKY.
SLATER.
WILLIAMS.

Assembly Bill No. 597 ordered on file for second reading.

ON ENGROSSMENT, ENROLLMENT AND PRINTING.

SENATE CHAMBER, SACRAMENTO, April 29, 1931.

MR. PRESIDENT: Your Committee on Engrossment, Enrollment and Printing has examined Senate Bill No. 542—An act to amend the title and sections 1, 3, 4, 5 and 7a of chapter 551, Statutes of 1919, as amended, entitled "An act to conserve the fish supply in California by empowering the Fish and Game Commission to regulate and control the handling of fish and other fishery products for the purpose of preventing deterioration or waste; to establish grades to which the fish or other fishery products offered for delivery to canners or preservers or to the fresh fish market must conform; to make regulations to insure the proper handling and delivery of fish or fishery products to canners, preservers or fresh fish dealers; to regulate and control the use of fish or other fishery products for reduction purposes, and to provide penalties for any violation of any of the provisions of this act," approved May 25, 1919, relating to the canning of sardines—and reports that the same has been correctly re-engrossed.

RILEY, Chairman.

Also:

MR. PRESIDENT: Your Committee on Engrossment, Enrollment and Printing has examined Senate Bill No. 392—An act appropriating money to pay the claim of J. A. Beek against the State of California;

Also: Senate Joint Resolution No. 16—Relative to accepting amendments to permit from the government of the United States for the construction of approach roads and toll collection areas over certain rights of way leading to the Golden Gate Bridge and relating to the retrocession by the Congress of the United States of jurisdiction over said rights of way as relocated and said toll areas, bridge ends and bridge;

Also: Senate Joint Resolution No. 17—Relative to memorializing Congress to provide compensation, in lieu of taxes, for certain lands of the United States within the borders of the several states;

Also: Senate Concurrent Resolution No. 18—Relative to highway extension for the purpose of developing agricultural and natural resources;

Also: Senate Concurrent Resolution No. 23—Relative to requesting the Division of Motor Vehicles to use the full word "California" on all number plates;

Also: Senate Concurrent Resolution No. 25—Relating to the suppression of traffic in narcotic drugs and authorizing the appointment of a committee for the purpose of considering and recommending the enactment of effective laws governing the traffic in narcotic drugs and related matters;

And reports that the same have been correctly enrolled and presented to the Governor on the twenty-ninth day of April, at three o'clock p.m.

RILEY, Chairman.

ON JUDICIARY.

SENATE CHAMBER, SACRAMENTO, April 29, 1931.

MR. PRESIDENT: Your Committee on Judiciary, to which was referred Senate Bill No. 129—An act to repeal title I and title II of part IV of division III of the Civil Code; to repeal sections 1083, 1136, 1140, 1141, 1142, 3049, 3078, 3079, 3080, 3308, 3309, 3310, 3311, 3312, 3313, and 3314 of said code; to amend sections 1612,

1613, 1624, 1689, and 3387 of said code; to add a new title 1 of part IV of division III of said code in place thereof consisting of sections 1721 to 1800, both inclusive; and to add a new section to said code to be known as section 1624a, all relating to sale of goods; to amend section 36 of said code relating to disaffirmance by minor; to amend section 658 of said code relating to real property; to amend section 660 of said code relating to fixtures; to add a new section to said code to be known as section 35a, relating to minors, and to add three new sections to said code to be known as sections 1097, 1098 and 1099, relating to real property, and to make the law of sale of goods in the State of California uniform with the law of other states—has had the same under consideration, and respectfully reports the same back with amendments, and recommends that the amendments be adopted, and that it do pass as amended.

Committee membership—17; committee vote: Ayes—15; absent—2.

CHRISTIAN, Chairman.

Senate Bill No. 129 ordered on file for second reading.

ON GOVERNMENTAL EFFICIENCY.

SENATE CHAMBER, SACRAMENTO, April 29, 1931.

MR. PRESIDENT: Your Committee on Governmental Efficiency, to which was referred Assembly Bill No. 909—An act to add a new section to the Political Code to be numbered 3236, relating to preference on public contracts and furnishing supplies—has had the same under consideration, and respectfully reports the same back with amendments, and recommends that the amendments be adopted, and that it do pass as amended.

Committee membership—11; committee vote: Ayes—8; absent—3.

CRITTENDEN, Chairman.

Assembly Bill No. 909 ordered on file for second reading.

Also:

MR. PRESIDENT: Your Committee on Governmental Efficiency, to which was referred Assembly Bill No. 1059—An act to amend section 7 of chapter 21, Statutes of 1883, entitled "An act to establish and support a Bureau of Labor Statistics," approved March 3, 1883, as amended, relating to the powers and duties of the commissioner and providing penalties for violation of the said section;

Also: Assembly Bill No. 200—An act to amend sections 7, 7a and 7b of an act entitled "An act authorizing the establishment of municipal courts, prescribing their constitution, regulation, government, procedure and jurisdiction, and providing for the election and appointment of the judges, clerks and other attaches of such courts, their terms of office, qualification and compensation and for the selection of jurors therein," approved May 23, 1925, as amended, relating to the organization of municipal courts in cities or cities and counties of the first and one-half class; to provide for the number of judges, clerks, marshals and other officers and attaches of such municipal courts and their deputies; to fix the compensation therefor; Has had the same under consideration, and respectfully reports the same back, and recommends that they do pass.

Committee membership—11; committee vote: Ayes—9; absent—2.

CRITTENDEN, Chairman.

Assembly Bills Nos. 1059 and 200 ordered on file for second reading.

Also:

MR. PRESIDENT: Your Committee on Governmental Efficiency, to which was referred Assembly Bill No. 1110—An act to amend sections 348 to 359a, inclusive, of the Political Code, relating to administrative departments;

Also: Assembly Bill No. 1126—An act to amend sections 4 and 6 of chapter 493, Statutes of 1917, entitled "An act providing for the leasing of certain state lands and making an appropriation for the purposes of this act," approved May 17, 1917, relating to the termination of leases on State lands;

Also: Assembly Bill No. 1214—An act to amend "An act authorizing and empowering the Department of Natural Resources to acquire tax-deeded lands for the use of said department and make an appropriation therefor," approved June 4, 1929, by adding a new section thereto to be numbered section 5, relating to the expenditure of the appropriation when suitable lands are not available; Has had the same under consideration, and respectfully reports the same back, and recommends that they do pass.

Committee membership—11; committee vote: Ayes—8; absent—3.

CRITTENDEN, Chairman.

Assembly Bills Nos. 1110, 1126 and 1214 ordered on file for second reading.

Also :

MR. PRESIDENT: Your Committee on Governmental Efficiency, to which was referred Assembly Bill No. 531—An act authorizing the Director of the Department of Finance to lease certain lands situated in Siskiyou County ;

Also ; Assembly Bill No. 776—An act to adopt the California valley quail as the official State bird and avifaunal emblem of this State ;

Also ; Assembly Bill No. 1746—An act to amend section 1 of an act entitled "An act to establish a Legislative Counsel Bureau and making an appropriation therefor," approved May 23, 1913, as amended, relating to the Legislative Counsel of California ;

Also ; Assembly Bill No. 548—An act to amend section 453a and section 462 of the Political Code relating to funds in the State treasury, and to provide for the transfer of special deposits made to the General Fund ;

Has had the same under consideration, and respectfully reports the same back, and recommends that they do pass.

Committee membership—11 ; committee vote : Ayes—8 ; absent—3.

CRITTENDEN, Chairman.

Assembly Bills Nos. 531, 776, 1746 and 548 ordered on file for second reading.

Also :

MR. PRESIDENT: Your Committee on Governmental Efficiency, to which was referred Assembly Bill No. 1242—An act to amend section 2 of chapter 213, Statutes of 1901, entitled "An act to create a State Board of Accountancy and prescribe its duties and powers ; to provide for the examination of and issuance of certificates to qualified applicants, with the designation of certified public accountant ; and to provide the grade of penalty for violations of the provisions hereof," approved March 23, 1901, as amended, relating to the State Board of Accountancy and the powers and duties thereof ;

Also ; Assembly Bill No. 1682—An act to amend sections 8 and 10 of chapter 323, Statutes 1927, entitled "An act to insure the better education of practitioners of veterinary medicine, and to regulate the practice of veterinary medicine in the State of California, to provide for the creation of a board of five members who shall act under and in accordance with the provisions of this act ; to provide for their appointment and define their powers, duties and compensation, to define offenses committed by acts done contrary to the provisions of this act, and providing penalties for the violation thereof ; providing for the revocation or suspension, in certain cases, of licenses issued hereunder, and to repeal an act entitled 'An act to regulate the practice of veterinary medicine and surgery in the State of California,' approved March 23, 1893, and all other acts and parts of acts in conflict herewith," approved May 5, 1927, relating to license fees ;

Also ; Assembly Bill No. 1899—An act authorizing and directing the Director of Education, with the approval of the Director of Finance, to grant to the Central Pacific Railway Company certain lands belonging to the State of California situated in Siskiyou County ; and to repeal an act entitled "An act authorizing the State Department of Education, with the approval of the State Board of Control, to grant to the California Highway Commission certain lands belonging to the State of California situated in Siskiyou County," approved June 3, 1927 ;

Has had the same under consideration, and respectfully reports the same back, and recommends that they do pass.

Committee membership—11 ; committee vote : Ayes—8 ; absent—3.

CRITTENDEN, Chairman.

Assembly Bills Nos. 1242, 1682 and 1899 ordered on file for second reading.

Also :

MR. PRESIDENT: Your Committee on Governmental Efficiency, to which was referred Senate Bill No. 460—An act to amend sections 3, 6, 9, 12, and 17 of, and to add two new sections numbered 6a and 25, respectively, to an act entitled "An act declaring the policy of the State of California relative to toll bridges and creating a board to be known as California Toll Bridge Authority and providing for membership thereof and specifying its duties and powers ; also authorizing California Toll Bridge Authority to authorize and direct the Department of Public Works of the State of California to build, purchase, condemn or otherwise acquire for and in the name of the State of California toll bridges and other toll highway crossings and approaches thereto across waters, bays, arms of bays, straits, rivers and streams in California, both navigable and unnavigable or across any stream that is a boundary line between California and any other state, and to acquire franchises, rights,

privileges, easements or other property either real or personal, used or to be used in conjunction with any such bridges; also authorizing the Department of Public Works to make recommendations to the California Toll Bridge Authority relative to the acquisition or construction of any toll bridge or toll highway crossing and to submit preliminary estimates of the cost of such acquisition or construction and the amount of revenue bonds required to be issued for such purpose; also authorizing California Toll Bridge Authority to issue and sell revenue bonds to provide funds for the acquisition or construction of toll bridges or other toll highway crossings secured as to the redemption thereof and the interest thereon only by the tolls or other revenues received from such bridge or bridges or other highway crossings and to prescribe the terms and conditions of such bonds; also authorizing the issuance and sale of such revenue bonds for the payment of interest during the period of actual construction of such bridge or other highway crossing and for a period of six months thereafter; also providing for the manner in which such bonds shall be issued and signed and the manner of sale and redemption thereof and the payment of interest thereon; also authorizing said California Toll Bridge Authority to charge and fix the rates of toll on such bridges or other highway crossings and regulating the amount thereof; also authorizing the Department of Public Works of the State of California to operate and maintain all such toll bridges or other toll highway crossings and to collect tolls thereon; also authorizing the Department of Public Works to acquire by eminent domain any toll bridge or bridges or other toll highway crossing or approaches thereto, real estate, personal property, franchises, rights, privileges or easements appurtenant thereto or appropriated to a public use by any person, firm or private corporation or otherwise and defining the procedure therefor; also providing that bonds issued and sold by California Toll Bridge Authority shall not constitute or be a debt or general obligation of the state and shall be secured only by the tolls or other revenues collected from the operation of such bridges or other highway crossings and shall be paid from such tolls or revenues made available by this act; also authorizing any city, county, city and county, incorporated city or town, or joint highway district to advance or contribute money, rights of way, labor, materials or other property in aid of the acquisition, construction, operation or maintenance of any such bridge or highway crossing and to issue and sell general obligation bonds for such purpose; also authorizing the California Toll Bridge Authority to enter into agreements with any such political subdivisions for the repayment of contributions or advances; and providing the time and manner of making such repayments; also providing for the eliminations of toll charges on bridges or other highway crossings acquired and constructed under this act; also defining the limits within which other competitive bridges or other highway crossings or free ferries may be constructed or operated; and also authorizing the recital of the terms of such limitations in bonds issued hereunder; also creating and establishing certain funds and regulating the manner in which moneys may be withdrawn therefrom; also prescribing the manner in which any city, county, city and county, incorporated bridge and highway district or joint highway district may acquire or construct toll bridges or other toll highway crossings; also authorizing California Toll Bridge Authority to make agreements with steam and electric or other railroad or transportation companies for the use of portions of toll bridges or other highway crossings acquired or constructed under this act; also providing for the manner in which contracts shall be let for the building of bridges or other highway crossings; also empowering the Department of Public Works to designate certain county roads as State highways; also authorizing the acquisition or construction of tubes or tunnels in connection with such bridges or other highway crossings; also authorizing casualty insurance, indemnity bonds or accident insurance on bridges and other highway crossings constructed under this act; also giving, dedicating and setting apart rights of way through, over, on and across State property for the construction of such toll bridges or other toll highway crossings; also appropriating \$50,000 for the purpose of establishing a revolving fund and providing for the use thereof and the manner of reimbursements thereto," approved June 10, 1929, relating to bonds, has had the same under consideration, and respectfully reports the same back with amendments, and recommends that the amendments be adopted, and that it do pass as amended.

Committee membership—11: committee vote: Ayes—9: absent—2.

CRITTENDEN, Chairman

Senate Bill No. 460 ordered on file for second reading.

Also:

MR. PRESIDENT: Your Committee on Governmental Efficiency, to which was referred Senate Bill No. 516—An act in relation to the civil administration of the State government, and to repeal certain acts therein named;

Also: Senate Bill No. 515—An act to add a new article to chapter III of title I of part III to be numbered article II, embracing sections 348 to 379c, inclusive, of the Political Code, relating to the administrative departments of the State;

Also: Senate Bill No. 276—An act to add a new article to chapter III of title I of part III of the Political Code, to be numbered article IIa, embracing sections 377 to 377a, inclusive, relating to a Department of Professional and Vocational Standards;

Has had the same under consideration, and respectfully reports the same back with amendments, and recommends that the amendments be adopted, and that they do pass as amended.

Committee membership—11; committee vote: Ayes—9; absent—2.

CRITTENDEN, Chairman.

Senate Bills Nos. 516, 515 and 276 ordered on file for second reading.
Also:

MR. PRESIDENT: Your Committee on Governmental Efficiency, to which was referred Senate Bill No. 163—An act to amend section 737~~hh~~ of the Political Code, fixing the salaries of judges of the superior court of Sacramento County;

Also: Senate Bill No. 124—An act to amend section 736~~e~~ of the Political Code, relating to the payment of salaries of judges of the superior courts;

Has had the same under consideration, and respectfully reports the same back with amendments, and recommends that the amendments be adopted, and be re-referred to the Committee on Finance.

Committee membership—11; committee vote: Ayes—7; noes—2; absent—2.

CRITTENDEN, Chairman.

CONSIDERATION OF COMMITTEE AMENDMENTS.

Pursuant to the report of the Committee on Governmental Efficiency, the following amendments to Senate Bill No. 163 were read and adopted:

AMENDMENT NUMBER ONE.

In line 1 of the title of the printed bill, strike out "~~hh~~", following the figure "737", and insert in lieu thereof "~~jj~~".

AMENDMENT NUMBER TWO.

In line 2 of the title of the printed bill, strike out the word "Sacramento", and insert in lieu thereof the words "San Bernardino".

AMENDMENT NUMBER THREE.

In line 1 of the printed bill, strike out "~~hh~~", following the figure "737", and insert in lieu thereof "~~jj~~".

AMENDMENT NUMBER FOUR.

In line 3 of the printed bill, strike out the "~~hh~~", following the figure "737", and insert in lieu thereof "~~jj~~".

AMENDMENT NUMBER FIVE.

In line 4 of the printed bill, strike out the word "Sacramento", and insert in lieu thereof the words "San Bernardino".

AMENDMENT NUMBER SIX.

In line 4 of the printed bill, after the word "is", add the following: "seven thousand dollars".

Bill ordered to print, and re-referred to Committee on Finance.

CONSIDERATION OF COMMITTEE AMENDMENTS.

Pursuant to the report of the Committee on Governmental Efficiency, the following amendments to Senate Bill No. 124 were read and adopted:

AMENDMENT NUMBER ONE.

Strike out the title of the printed bill, and insert in lieu thereof the following:

"An act to amend sections 737~~q~~ and 737~~e~~ of the Political Code, relating to the salaries of judges of the superior courts."

AMENDMENT NUMBER TWO.

On page 1 of the printed bill, strike out lines 1 to 28, and all of page 2, and insert in lieu thereof the following:

"SECTION 1. Section 737~~q~~ of the Political Code is hereby amended to read as follows:

737~~q~~. The annual salary of the judge of the superior court in and for the county of Lake is six thousand five hundred dollars.

SEC. 2. Section 737~~e~~ of the Political Code is hereby amended to read as follows: 737~~e~~. The annual salary of the judge of the superior court in and for the county of Mendocino is seven thousand dollars."

Bill ordered to print, and re-referred to Committee on Finance.

ON UNIVERSITIES AND TEACHERS' COLLEGES.

SENATE CHAMBER, SACRAMENTO, April 29, 1931.

MR. PRESIDENT: Your Committee on Universities and Teachers' Colleges, to which was referred Senate Bill No. 938—An act making an appropriation from the Contingent Fund of the State Board of Pharmacy to be used by the Regents of the University of California for the use and benefit of the College of Pharmacy of the University of California—has had the same under consideration, and respectfully reports the same back, and recommends that it do pass, and be re-referred to Committee on Finance.

Committee membership—9; committee vote: Ayes—8.

DEUEL, Chairman.

Senate Bill No. 938 ordered re-referred to Committee on Finance.

MOTION TO RECONSIDER.

Pursuant to his motion given on a previous legislative day, Senator Inman moved to reconsider the vote by which Senate Constitutional Amendment No. 20 was refused adoption.

POSTPONEMENT OF RECONSIDERATION.

On motion of Senator Inman, the further consideration of the motion to reconsider the vote whereby Senate Constitutional Amendment No. 20 was refused adoption, was continued until the next legislative day.

RECONSIDERATION WAIVED.

Senator Cassidy waived his notice to reconsider the vote whereby Assembly Bill No. 555 was passed.

Assembly Bill No. 555 ordered transmitted to the Assembly.

CONSIDERATION OF DAILY FILE.

THIRD READING OF ASSEMBLY BILLS—(OUT OF ORDER).

Assembly Bill No. 1901—An act to provide for the creation, organization, and government of port districts; to enumerate the powers thereof; to authorize the incurring of indebtedness, the issuance of bonds and the levy and collection of taxes by such district; to authorize municipal corporations in such districts to surrender and transfer certain municipal powers and to grant certain municipal property to such districts for the purpose of carrying out the objects and purposes of this act.

Bill read third time.

MOTION TO REFER TO SPECIAL COMMITTEE OF ONE.

During third reading of the bill, Senator Crittenden moved to refer Assembly Bill No. 1901 to Senator Maloney, as a Special Committee of One, to amend as follows:

AMENDMENT NUMBER ONE.

On page 1 of the printed bill, strike out line 5, and insert in lieu thereof the following: "granted. A port district shall include one municipal corporation and unin-".

AMENDMENT NUMBER TWO.

On page 1, line 6, of the printed bill, strike out "or both,".

AMENDMENT NUMBER THREE.

On page 2, line 12, of the printed bill, before "county", insert the following: "territory included within the proposed district, and in case no such newspaper is published in said territory, then in the".

AMENDMENT NUMBER FOUR.

On page 2, line 13, of the printed bill, before "district", insert the following: "proposed".

AMENDMENT NUMBER FIVE.

On page 5, line 12, of the printed bill, strike out "power", and insert in lieu thereof the following: "powers".

AMENDMENT NUMBER SIX.

On page 5, line 41, of the printed bill, strike out "the navigable", and insert in lieu thereof the following: "any navigable".

AMENDMENT NUMBER SEVEN.

On page 5, line 47, of the printed bill, after "improvement", insert the following: "to be".

AMENDMENT NUMBER EIGHT.

On page 5, line 50, of the printed bill, strike out "has improved or".

AMENDMENT NUMBER NINE.

On page 6, line 7, of the printed bill, before "waterway", strike out "the", and insert in lieu thereof the following: "any".

AMENDMENT NUMBER TEN.

On page 6, lines 16 and 17, of the printed bill, strike out "commerce, navigation or fisheries, on the", and insert in lieu thereof the following: "transportation or navigation on any".

AMENDMENT NUMBER ELEVEN.

On page 6, lines 27 and 28, of the printed bill, strike out "commerce, navigation and fisheries," and insert in lieu thereof the following: "transportation or navigation,".

Motion carried.

REPORT OF SPECIAL COMMITTEE OF ONE.

SENATE CHAMBER, SACRAMENTO, April 29, 1931.

MR. PRESIDENT: Your Special Committee of One, to which was referred Assembly Bill No. 1901, with instructions to amend, respectfully reports the same back, amended as per instructions.

MALONEY, Committee.

Report read, and on motion of Senator Crittenden adopted.

Bill ordered to print.

ADJOURNMENT.

At five o'clock and fifty minutes p.m., on motion of Senator Breed, the President declared the Senate adjourned until ten o'clock and forty-five minutes a.m., Thursday, April 30, 1931.

HAROLD J. POWERS, Minute Clerk.

IN SENATE.

SENATE CHAMBER,
SACRAMENTO, Thursday, April 30, 1931.

The Senate met at ten o'clock and forty-five minutes a.m.

Lieutenant Governor Frank F. Merriam, President of the Senate, in the chair.

Secretary Joseph A. Beek at the desk.

ROLL CALL.

The roll was called, and the following answered to their names:

Senators Allen, Baker, Breed, Bush, Carter, Cassidy, Christian, Clock, Crittenden, Deuel, Duval, Edwards, Evans, Fellom, Harper, Hays, Ingels, Inman, Jones, Maloney, McCormack, McKinley, Mixter, Moran, Nelson, Pedrotti, Rich, Riley, Rochester, Schottky, Sharkey, Slater, Swing, Treacy, Tubbs, Wagy, Williams, and Young—38.

Quorum present.

PRAYER.

Prayer was offered by the Chaplain, Rev. Sherman L. Divine.

READING OF THE JOURNAL.

During the reading of the Journal of Wednesday, April 29, 1931, the further reading was dispensed with, on motion of Senator Slater.

PRIVILEGE OF FLOOR OF SENATE EXTENDED.

On request of Senator Clock, the privilege of the floor of the Senate Chamber for this day was unanimously extended to Dr. R. A. Terry.

On request of Senator Slater, the privilege of the floor of the Senate Chamber for this day was unanimously extended to Jemmet Olmsted of Petaluma and Mrs. M. E. Williams of Windsor, also G. Lansing Hurd of Santa Rosa.

On request of Senator Evans, the privilege of the floor of the Senate Chamber for this day was unanimously extended to Professor A. R. Clifton, county superintendent of schools, of Los Angeles County.

On request of Senator Bush, the privilege of the floor of the Senate Chamber for this day was unanimously extended to Mr. and Mrs. Donald MacLean of Modesto.

On request of Senator Edwards, the privilege of the floor of the Senate Chamber for this day was unanimously extended to E. G. Conrad, mayor of Huntington Beach, and L. W. Blodgett, city attorney of Huntington Beach.

On request of Senator Sharkey, the privilege of the floor of the Senate Chamber for this day was unanimously extended to Alhambra Union High School, Martinez, California; Miss Melba Fitzpatrick and Miss Edna Breen, teachers; and pupils as follows: Harry Fryer, Robert Campbell, Robert Walker, Audley Hale, Lester Myers, James Wilson, Jack Donia, Dorothy Gaines, Arleen McGuire, Gerald Huelsewe, Frank Merrill, Roy Peterson, Margaret Williams, Kathleen McKenzie, Katherine Endicott, Hubert Clayton, Bill Pascoe, Charles Langford, Flossie Henry, Mary Foley, Dorothy Fryer, Mrs. Fryer, Mortimer Belshaw, William Le Fluor, Roy Cummings, Barbara Dutra, Russell Frost, Peggy Murphy, Rudolph Kraentz, Barbara Kreiss, Dorothy Ernest, Frank Buchanan, Wilson Athey, Carleton Henriksen, John Hartz, Robert Mullen, Bennett Ware, Kenneth Shelton, William King, Albert Sacchi, Robert Schultz, Eleanor Edison, Charles Clough, Raymond Mil-liff, Don Yale, Elwin Ware, Ted Long, Eleanor Plas, Elmore Brown, Donis Burns, Paul Boyd, Frances Vanni, Tom Fleming, Marion Rose, Howard Hanlon, Dorothy Archibald, Gertrude Brady, Bernice Costa, Sylvester Stema, June Threlkeld, Vernon Shepard, and Elmond Price.

On request of Senator Moran, the privilege of the floor of the Senate Chamber for this day was unanimously extended to Corning Union High School pupils as follows: Doris Wheeler, Norma Close, Mabel Knowles, Louise Poole, Phyllis Farrell, Nettie Wyllie, Vera Williams, Elizabeth Danner, Esther Jobe, Ruth Sigler, Miriam Chedzey, Dorothy Peterson, Edna Edwards, Emogene Rounsavell, Hazel Dietz, Margaret Goetsch, Joseph Babb, Charles Morgan, James Roberts, Elmo Teal, Herbert Bankhead, Aubra Calhoun, John Wilson, Glenn Meeder, Elmer Taylor, James Hadley, Zacky Vanella, James Maynard, Orville Foreman, Anthony Palermo and Thomas Cleary; accompanied by: G. G. Morgan,

S. R. Peterson, B. S. Jobe, Chester L. Hoar, civics teacher; Mrs. S. A. Wheeler, Mrs. B. W. Taylor and Arthur L. Shull, principal.

On request of Senator Edwards, the privilege of the floor of the Senate Chamber for this day was unanimously extended to S. C. Evans, ex-director of Boulder Dam Association, and former Senator.

MESSAGES FROM THE ASSEMBLY.

The following messages from the Assembly were received and read:

ON FREE CONFERENCE.

ASSEMBLY CHAMBER, SACRAMENTO, April 28, 1931.

MR. PRESIDENT: I am directed to inform your honorable body that the Assembly on this day adopted the report of the Committee on Free Conference concerning Assembly Bill No. 58—An act providing for cooperative construction or improvement of highways by the State and a county or counties, and repealing an act entitled "An act providing for the construction and maintenance by the State of State aid highways in counties and towns," approved June 5, 1913, and all other acts or parts of acts in conflict herewith.

ARTHUR A. OHNIMUS, Chief Clerk.
By C. W. BOOTH, Assistant Clerk.

Also:

ASSEMBLY CHAMBER, SACRAMENTO, April 29, 1931.

MR. PRESIDENT: I am directed to inform your honorable body that the Assembly on this day passed Assembly Bill No. 1533—An act to add section 4041.30 to the Political Code, relating to additional assistants to county officers:

Also: Assembly Bill No. 1217—An act appropriating moneys for the purpose of the continuance of the geological and economic mineral survey of the State of California;

Also: Assembly Bill No. 1485—An act to repeal chapter 660 of the Statutes of 1927, entitled "An act requiring certain reports to be made concerning children with impaired hearing," approved May 20, 1927; to add a new chapter to part II of division I of the School Code to be known as chapter III, to embrace sections 1500 to 1512, both inclusive, providing for the education of minors who are deaf or have impaired hearing;

Also: Assembly Bill No. 1022—An act to amend the Bank and Corporation Franchise Tax Act, approved March 1, 1929, relating to bank and corporation taxes;

Also: Assembly Bill No. 1873—An act to create the Inverness Game Refuge, of animal life therein, and to prescribe penalties;

Also: Assembly Bill No. 1139—An act to amend sections 4, 24, and 26 of, and to add sections 4a and 4b to an act entitled "The Road District Improvement Act of 1907," Statutes of 1907, page 806, as amended.

ARTHUR A. OHNIMUS, Chief Clerk.
By FRED J. DESCH, Assistant Clerk.

Assembly Bill No. 1533 read first time, and referred to Committee on County Government.

Assembly Bill No. 1217 read first time, and referred to Committee on Finance.

Assembly Bill No. 1485 read first time, and referred to Committee on Education.

Assembly Bill No. 1022 read first time, and referred to Committee on Revenue and Taxation.

Assembly Bill No. 1873 read first time, and referred to Committee on Fish and Game.

Assembly Bill No. 1139 read first time, and referred to Committee on Municipal Corporations.

Also:

ASSEMBLY CHAMBER, SACRAMENTO, April 29, 1931.

MR. PRESIDENT: I am directed to inform your honorable body that the Assembly on this day passed Assembly Bill No. 892—An act to promote safety of employees and provide assistance in case of injury from electric current in the doing of repair work or construction work on electric poles, wires, cables, machinery, appliances or equipment; providing for the employment of a crew of not less than two men who have had sufficient experience to do the work properly and understand necessary

safety measures in protecting each other in case of accident in the doing of such work; and providing a penalty for the violation thereof;

Also: Assembly Bill No. 425—An act amending the Political Code by adding sections 690:10, 690:12, 690:14 and 690:16 thereto, relating to littoral, tide, and tidalwater overflowed and submerged lands, defining the powers and duties of the Department of Finance in connection therewith, and making an appropriation for the purposes of this act;

Also: Assembly Bill No. 1167—An act to amend section 710 of Code of Civil Procedure, relating to the collection of moneys due from judgment debtor;

Also: Assembly Bill No. 427—An act to amend section 19 of chapter 303, Statutes of 1921, entitled "An act to reserve all minerals in State lands; to provide for examination, classification and report on the mineral and other character of State lands; to provide for the granting of permits and leases to prospect for and take any such minerals; to provide for the rents and royalties to be paid, and granting certain preference rights; to provide for the making of rules, regulations and contracts necessary to carry out the purposes of this act; and repealing acts or parts of acts in conflict herewith; providing for an appropriation to defray the cost of administering this act," approved May 25, 1921, as amended, directing that certain moneys be paid into the Seashore Parks Fund;

Also: Assembly Bill No. 497—An act to repeal section 924 of the Political Code, relating to the auditing of accounts of State, county, city or town officers;

Also: Assembly Bill No. 1656—An act to amend section 4233 of the Political Code, relating to compensation of county and township officers in counties of the fourth class.

ARTHUR A. OHNIMUS, Chief Clerk.
By A. W. ENGELKE, Assistant Clerk.

Assembly Bill No. 892 read first time, and referred to Committee on Public Utilities.

Assembly Bill No. 425 read first time, and referred to Committee on Commerce and Navigation.

Assembly Bill No. 1167 read first time, and referred to Committee on Judiciary.

Assembly Bill No. 427 read first time, and referred to Committee on Conservation.

Assembly Bill No. 497 read first time, and referred to Committee on Governmental Efficiency.

Assembly Bill No. 1656 read first time, and referred to Committee on County Government.

Also:

ASSEMBLY CHAMBER, SACRAMENTO, April 29, 1931.

MR. PRESIDENT: I am directed to inform your honorable body that the Assembly on this day passed Assembly Bill No. 613—An act to amend section 6 of chapter 485 of the Statutes of 1927, entitled "An act to define collection agencies; to provide for the regulation, bonding, supervision and licensing thereof; to provide for the enforcement of said act and penalties for the violation thereof," approved May 14, 1927, as amended, relating to collection agencies;

Also: Assembly Bill No. 614—An act making an appropriation for painting portraits of governors of California, and directing the State Department of Finance to carry out the provisions thereof;

Also: Assembly Bill No. 1396—An act to add section 637g to the Penal Code, relating to fish and game;

Also: Assembly Bill No. 371—An act to amend section 628b of the Penal Code, relating to the protection of fish;

Also: Assembly Bill No. 1379—An act to amend sections 5, 6, 7 and 8 of an act entitled "An act to license canners, curers, preservers and packers of fish and handlers of crustaceans and mollusks, and providing a revenue therefrom for the conservation, propagation and restoration of fish in the State of California, and providing for a record of fish caught or received, and providing penalties for the violation of the provisions thereof, and repealing all acts or parts of acts in conflict therewith," approved May 28, 1917;

Also: Assembly Bill No. 1335—An act to add a new section to the School Code, to be numbered 2990, relating to the powers and duties of governing boards of school districts;

Also: Assembly Bill No. 62—An act to amend section 3820 of the Political Code, relating to the collection of taxes.

ARTHUR A. OHNIMUS, Chief Clerk.
By A. W. ENGELKE, Assistant Clerk.

Assembly Bill No. 613 read first time, and referred to Committee on Judiciary.

Assembly Bill No. 614 read first time, and referred to Committee on Finance.

Assembly Bills Nos. 1396, 371 and 1379 read first time, and referred to Committee on Fish and Game.

Assembly Bill No. 1335 read first time, and referred to Committee on Education.

Assembly Bill No. 62 read first time, and referred to Committee on Revenue and Taxation.

Also:

ASSEMBLY CHAMBER, SACRAMENTO, April 29, 1931.

MR. PRESIDENT: I am directed to inform your honorable body that the Assembly on this day passed Assembly Bill No. 1363—An act to amend the title of and revise an act entitled "An act to provide for work in and upon highways, streets, avenues, lanes, courts, places and sidewalks in the unincorporated territory of counties and upon property and rights of way owned by counties and for establishing and changing the grades of highways, streets, avenues, lanes, alleys, courts, places and sidewalks, and providing for the issuance and payment of highway improvement bonds to represent certain assessments for the cost thereof, and providing a method for the payment of such bonds," approved June 3, 1921, and to include therein provisions for work in, under and upon and for establishing and changing the grades of highways, roads, streets, avenues, boulevards, lanes, alleys, courts, places and parks within municipalities, whenever necessary or proper to complete or connect with any work outside thereof, together with any of the same which may form the exterior boundary of a municipality, where such municipality joins unincorporated territory of the county whether they lie wholly or partly within or without the boundaries of such municipality and in, under and upon any publicly owned property and rights of way whether within or without a municipality, and in and upon any property and rights of way of which the county has possession and right of use under the provisions of section 14 of article I of the constitution of the State of California; for the issuance, payment and enforcement of improvement bonds to represent certain assessments for the cost thereof and a method for the payment of such bonds; for the formation, management and dissolution of districts to be assessed to pay the expenses of the maintenance and operation of improvements constructed hereunder, and the assessing, levying and collecting of special assessment taxes to pay such expenses; and the doing of work outside the county and the cost of such improvement work to be assessed upon the property within the county ordering such work to be done;

Also: Assembly Bill No. 1728—An act providing for the retirement of funded debt bonds of 1873, and making an appropriation therefor;

Also: Assembly Bill No. 1729—An act to amend section 7 and section 24 of the "State Medical Practice Act," approved June 2, 1913, as amended, relating to report of receipts, title of act, and penalties and disposition of fines;

Also: Assembly Bill No. 554—An act to amend section 2 of chapter 462 of the Statutes of 1929, entitled "An act to accept the provisions and benefits of an act passed by the Senate and House of Representatives of the United States of America in Congress assembled and approved February 5, 1929, to provide for the further development of vocational education; to create a Vocational Education Fund and making an appropriation therefor," approved May 24, 1929, relating to an appropriation for vocational education.

ARTHUR A. OHNIMUS, Chief Clerk.
By A. W. ENGELKE, Assistant Clerk.

Assembly Bill No. 1363 read first time, and referred to Committee on Municipal Corporations.

Assembly Bills Nos. 1728 and 1729 read first time, and referred to Committee on Finance.

Assembly Bill No. 554 read first time, and referred to Committee on Education.

Also:

ASSEMBLY CHAMBER, SACRAMENTO, April 29, 1931.

MR. PRESIDENT: I am directed to inform your honorable body that the Assembly on this day passed Assembly Bill No. 227—An act to amend sections 2, 5, and 7 of, and to add sections 3a, 3b, and 5a to an act entitled "An act to provide for work in, under and upon highways, roads, streets, avenues, boulevards, lanes, alleys, courts, places and parks in unincorporated territory of counties and any of the same lying within

municipalities, whenever necessary or proper to complete or connect with any work outside thereof, and any of the same forming the exterior boundaries of any municipality, where such municipality joins unincorporated territory of the county, whether partly or wholly within or without the boundaries of such municipality, and in, under and upon all publicly owned property and rights of way, whether within or without municipalities, and in, under and upon any property and rights of way of which the county has possession and right of use under the provisions of section 14 of article I of the constitution of the State of California, and for establishing and changing the grade of such highways, roads, streets, avenues, boulevards, lanes, alleys, courts, places and parks; to provide for the issuance, payment and enforcement of improvement bonds to represent certain assessments for the costs thereof and a method for the payment of such bonds; to provide for the formation, management and dissolution of districts to be assessed to pay the expenses of the maintenance and operation of the improvements such as are permitted to be or are constructed hereunder and assessing, levying and collecting of special assessment taxes to pay such expenses; and to provide for county aid in all of such work." approved June 3, 1921. Statutes 1921, page 1628;

Also: Assembly Bill No. 718—An act authorizing the conveyance to the county of Los Angeles, State of California, of lands and rights of way for road purposes along, in, through or across property of the State known as the Norwalk State Hospital grounds;

Also: Assembly Bill No. 23—An act to amend sections 862, 862a, 863, 864, and 865 of chapter 49, Statutes of 1883, entitled "An act to provide for the organization, incorporation, and government of municipal corporations," approved March 13, 1883, as amended, relating to cities and towns of the sixth class;

Also: Assembly Bill No. 547—An act to add a new section, to be numbered 5, to chapter 93, Statutes of 1899, entitled "An act requiring the payment into the State treasury of all moneys belonging to the State, received by the various State institutions, commissions, and officers, and directing the disposition of the same," approved March 17, 1899, as amended, relating to the payment of certain State money into the General Fund in the State treasury, and abolishing certain special funds.

ARTHUR A. OHNIMUS, Chief Clerk.

By A. W. ENGELKE, Assistant Clerk.

Assembly Bill No. 227 read first time, and referred to Committee on Municipal Corporations.

Assembly Bill No. 718 read first time, and referred to Committee on Governmental Efficiency.

Assembly Bill No. 23 read first time, and referred to Committee on Municipal Corporations.

Assembly Bill No. 547 read first time, and referred to Committee on Governmental Efficiency.

Also:

ASSEMBLY CHAMBER, SACRAMENTO, April 29, 1931.

MR. PRESIDENT: I am directed to inform your honorable body that the Assembly on this day passed Assembly Bill No. 426—An act to add section 7½ to chapter 763, Statutes of 1927, entitled "An act to provide that the Department of Natural Resources, through the State Park Commission, shall have control of the State park system; to establish and define the State park system; to define certain powers and duties of the State Park Commissioner; to make an appropriation for carrying out the purposes of this act; and to establish a contingent fund and a revolving fund," approved May 25, 1927, relating to the Seashore Parks Fund, creating the same and providing for its use;

Also: Assembly Bill No. 1905—An act to add a new section to the Political Code, to be numbered 2521a, relating to the Board of State Harbor Commissioners, and repealing section 12 of chapter 183, Statutes of 1907;

Also: Assembly Bill No. 752—An act to amend section 2,970 of the School Code, and to add thereto a new section to be numbered 2,971, relating to the election of members of boards of education in cities;

Also: Assembly Bill No. 277—An act to repeal section 4,771 of the School Code and to add a new section thereto to be numbered 4,282, providing for the expenditure of balances remaining in school district funds;

Also: Assembly Bill No. 671—A bill to add a new section to the School Code to be numbered 4,385, relating to the publication of information regarding school affairs by school boards;

Also: Assembly Bill No. 234—An act to amend sections 15 and 18b of an act entitled "An act to allow unincorporated towns and villages to establish, equip and maintain systems of street lights on public highways; to provide for the formation, government and operation of highway lighting districts; the calling and holding of elections in such districts; the assessment, collection, custody and disbursement of

taxes therein; and the creation of ex officio boards of supervisors," approved March 20, 1909, Statutes 1909, page 551.

ARTHUR A. OHNIMUS, Chief Clerk.
By A. W. ENGELKE, Assistant Clerk.

Assembly Bill No. 426 read first time, and referred to Committee on Conservation.

Assembly Bill No. 1905 read first time, and referred to Committee on Governmental Efficiency.

Assembly Bills Nos. 752, 277 and 671 read first time, and referred to Committee on Education.

Assembly Bill No. 234 read first time, and referred to Committee on Municipal Corporations.

REPORTS OF STANDING COMMITTEES.

The following reports of standing committees were received and read:

ON FEDERAL RELATIONS.

SENATE CHAMBER, SACRAMENTO, April 30, 1931.

MR. PRESIDENT: Your Committee on Federal Relations, to which was referred Assembly Joint Resolution No. 18—Relative to an immediate survey of forest insect conditions and for the control of forest insects;

Also: Assembly Joint Resolution No. 21—Relative to memorializing Congress to provide compensation, in lieu of taxes, for certain lands of the United States within the borders of the several states;

Also: Assembly Joint Resolution No. 22—Relative to memorializing and petitioning the President of the United States and Congress to take steps to prevent the importation into the United States of products produced by Russian convict labor;

Also: Assembly Joint Resolution No. 25—Relative to requesting the Secretary of the Navy to name the dirigible ZRS5 to be stationed at the Sunnyvale air base, "Palo Alto";

Has had the same under consideration, and respectfully reports the same back, and recommends that they be adopted.

Committee membership—5; committee vote: Ayes—3; absent—2.

SCHOTTKY, Chairman.

Assembly Joint Resolutions Nos. 18, 21, 22 and 25 ordered on file.

ON ENGROSSMENT, ENROLLMENT AND PRINTING.

SENATE CHAMBER, SACRAMENTO, April 29, 1931.

MR. PRESIDENT: Your Committee on Engrossment, Enrollment and Printing has examined Senate Bill No. 130—An act to amend section 1973 of the Code of Civil Procedure, and to add to said code a new section to be numbered 1973a, relating to agreements in writing;

Also: Senate Bill No. 373—An act to amend section 4 of an act entitled "An act to define collection agencies; to provide for the regulation, bonding, supervision and licensing thereof; to provide for the enforcement of said act and penalties for violation thereof," approved May 14, 1927, as amended;

Also: Senate Bill No. 478—An act to amend section 1161a of the Code of Civil Procedure, relating to recovery of possession of real property;

Also: Senate Bill No. 803—An act to amend section 1654 of the Weights and Measures Act, relating to sealers of weights and measures in counties of the fifty-fourth class;

Also: Senate Bill No. 832—An act to amend sections 4.871, 4.872, 4.873, 4.874, 4.875, 4.890, 4.891, 4.892, 4.893, 4.894, 4.895 and 4.896, of the School Code and to repeal sections 4.876, 4.897, 4.899, 4.900, 4.921, 4.925, 4.926 and 4.927 thereof, relating to the apportionment of State and county funds to high school districts;

Also: Senate Concurrent Resolution No. 17—Relative to an investigation to determine the effect of the open and closed season on trout in all landlocked waters in fish and game district 14;

And reports that the same have been correctly engrossed.

RILEY, Chairman.

ON MINES AND MINING.

SENATE CHAMBER, SACRAMENTO, April 29, 1931.

MR. PRESIDENT: Your Committee on Mines and Mining, to which was referred Assembly Bill No. 1124—An act to amend sections 3, 4, 5, 6, 8, 9, 10, and 12 of chapter 612 of the Statutes of 1911, entitled "An act relating to lakes and streams, the waters of which contain minerals in commercial quantities; withdrawing State lands within the meander lines thereof from sale; prescribing conditions for taking such minerals from said waters and lands, and providing for the leasing of lands

uncovered by the recession of the waters of such lakes and streams." approved April 27, 1911—has had the same under consideration, and respectfully reports the same back, and recommends that it do pass.

Committee membership—5.

(Signed out)

CASSIDY, Chairman.
ALLEN.
RICH.
RILEY.
WILLIAMS.

Assembly Bill No. 1124 ordered on file for second reading.

CONSIDERATION OF DAILY FILE.

SECOND READING OF SENATE BILLS.

Senate Bill No. 688—An act to amend section 14 of an act entitled "An act to promote drainage," approved March 18, 1885, relating to drainage.

COMMITTEE AMENDMENTS.

During the second reading of the bill, the following committee amendments were offered:

AMENDMENT NUMBER ONE.

Strike out the title of the printed bill, and insert in lieu thereof the following:

"An act to amend section 35 of an act entitled "An act to provide for the organization and government of drainage districts, for the drainage of agricultural lands other than swamp and overflowed lands, and to provide for the acquisition or construction thereby of works for the drainage of the lands embraced within such districts," approved March 20, 1903, as amended, and relating to refunding bonds of such districts."

Amendment adopted.

AMENDMENT NUMBER TWO.

Strike out all of lines 2, 3 and 4, and that part of line 1 of the printed bill beginning with the words "Section 14", and insert in lieu thereof the following: "Section 35 of an act entitled "An act to provide for the organization and government of drainage districts, for the drainage of agricultural lands other than swamp and overflowed lands, and to provide for the acquisition or construction thereby of works for the drainage of the lands embraced within such districts," approved March 20, 1903, as amended, is hereby amended to read as follows:

SEC. 35. If said bonds are directed to be issued as herein provided for the board of directors shall cause the same to be issued. Said bonds shall be made payable in gold coin of the United States, in twenty series, as follows, to wit: On the first day of January after the expiration of ten years, five per cent of the whole amount of said bonds, and on the first day of January of each year thereafter, an equal amount of such bonds until all shall have been finally paid; that is, five per cent of the whole issue of bonds—not five per cent of each bond, each being wholly payable when due. Said bonds shall bear interest at the rate of six per cent per annum, payable semiannually on the first day of January and July of each year. They shall be negotiable in form, and shall be of denominations of not less than one hundred dollars nor more than one thousand dollars. Said bonds shall in all respects conform to the form of bonds prescribed hereinbefore. Notwithstanding the foregoing provisions of this section, if the proposed maturities of the bonds are set forth in the notice of election, the bonds may be made payable in such series and amounts and at such times as are stated in such notice; *provided*, that no bond shall be made payable more than forty years after its date."

Amendment adopted.

Bill read second time, ordered to print, engrossment, and on file for third reading.

Senate Bill No. 822—An act making appropriation to meet the deficiency in the appropriation for the Bureau of Commerce of the Department of Finance.

COMMITTEE AMENDMENTS.

During the second reading of the bill, the following committee amendments were offered:

AMENDMENT NUMBER ONE.

In line 1 of the title of the printed bill, beginning with the word "making", strike out the remainder of the title and insert in lieu thereof the following: "to make an appropriation to pay the claim of Simon J. Lubin, against the State of California."

Amendment adopted.

AMENDMENT NUMBER TWO.

After "SECTION 1.", insert the following:

"The sum of twenty five thousand one hundred twenty-two dollars and seventy-three cents is hereby appropriated out of any money in the state treasury not otherwise appropriated to pay the claim of Simon J. Lubin, against the State of California."

Amendment adopted.

Bill read second time, ordered to print, engrossment, and on file for third reading.

Senate Bill No. 571—An act providing for investigation of and report upon certain matters relating to crime, criminals and penal laws, including particularly the cost of crime to the State, defining the powers and duties of the State Director of Finance and other public officers in relation thereto, and making an appropriation therefor.

Bill read second time, ordered engrossed, and on file for third reading.

Senate Bill No. 674—An act making appropriation to pay the claim of the Electro Metals Company against the State of California.

COMMITTEE AMENDMENT.

During the second reading of the bill, the following committee amendment was offered:

AMENDMENT NUMBER ONE.

On page 1 of the printed bill, strike out lines 1 to 4, inclusive, and insert in lieu thereof the following:

"SECTION 1. The sum of two hundred fifty thousand dollars is hereby appropriated, to be paid as hereinafter provided, to pay the claim of the Electro-Metals Company against the State of California.

SEC. 2. Said sum of two hundred fifty thousand dollars shall be paid as follows: On the date this act takes effect, one hundred seventy-five thousand dollars out of any moneys in the state treasury not otherwise appropriated; and the further sum of seventy-five thousand dollars out of any moneys in the fish and game preservation fund not otherwise appropriated, payable as follows: On the date this act takes effect, eighteen thousand seven hundred fifty dollars; on July 1, 1932, the sum of eighteen thousand seven hundred fifty dollars; on July 1, 1933, the sum of eighteen thousand seven hundred fifty dollars, and on July 1, 1934, the sum of eighteen thousand seven hundred fifty dollars."

Amendment adopted.

Bill read second time, ordered to print, engrossment, and on file for third reading.

Senate Bill No. 738—An act creating a Tax Research Bureau in the office of the State Board of Equalization, under the joint supervision of the Governor, Director of Finance and members of said board, for investigation of matters relating to revenue, taxation and public finance; prescribing the powers and duties of said officials in relation to such bureau, providing for reports and recommendations relating to revenue, taxation and public finance and making an appropriation therefor.

COMMITTEE AMENDMENTS.

During the second reading of the bill, the following committee amendments were offered:

AMENDMENT NUMBER ONE.

On page 1, lines 10 and 11, of the printed bill, as amended, strike out the words "the governor, director of finance and members of the state board of equalization", and insert in lieu thereof the words "said bureau".

Amendment adopted.

AMENDMENT NUMBER TWO.

On page 1, line 11, of the printed bill, as amended, after the period in said line, insert the following: "the governor shall be ex officio chairman of said bureau and the governor, director of finance, and the state board of equalization collectively shall each be entitled to one vote in matters requiring the decision of the bureau."

Amendment adopted.

AMENDMENT NUMBER THREE.

On page 2 of the printed bill, strike out all of lines 17 to 22, inclusive, and insert in lieu thereof the following:

"December 1, 1932, as to the burden of taxation borne by homes, farms and all other real estate taxed locally, and ways and means to relieve any inequalities that may exist, and upon proper tax limitation methods".

Amendment adopted.

Bill read second time, ordered to print, engrossment, and on file for third reading.

Senate Bill No. 315—An act to amend section 456 of the Political Code, relating to the employees in the office of the State Treasurer, and fixing their salaries.

COMMITTEE AMENDMENTS.

During the second reading of the bill, the following committee amendments were offered:

AMENDMENT NUMBER ONE.

On page 1, line 5, of the printed bill, strike out the following words: "and one cashier at an annual salary of", and strike out all of line 6 on said page 1.

Amendment adopted.

AMENDMENT NUMBER TWO.

On page 1, line 9, of the printed bill, after the word "of", insert the words "one cashier".

Amendment adopted.

Bill read second time, ordered to print, engrossment, and on file for third reading.

Senate Bill No. 228—An act to amend sections 595 and 1054 of the Code of Civil Procedure, relating to postponement of trials and extensions of time in superior and inferior courts.

COMMITTEE AMENDMENT.

During the second reading of the bill, the following committee amendment was offered:

AMENDMENT NUMBER ONE.

On page 1 of the printed bill, strike out lines 7 to 11, inclusive, and insert in lieu thereof the following:

"The trial of any action, whether in a superior or inferior court, and irrespective of the date of the filing thereof or when it became at issue, shall be postponed when it appears to the court in which such action is pending that either a party thereto, or any attorney of record therein, or a principal witness, is actually engaged in attendance upon a session of the Legislature of the State of California as a member thereof; and such action shall not, without the consent of the attorney of

record in such action, be brought on for trial before the expiration of thirty (30) days next following final adjournment of the Legislature."

Amendment adopted.

Bill read second time, ordered to print, engrossment, and on file for third reading.

Senate Bill No. 260—An act to add a new part to division V of the School Code to be known as part VI, embracing sections 5.1200 to 5.1470, both inclusive, providing for the establishment and creation of the California State Teachers' Retirement System, the creation and establishment of a board to manage and operate said system, for contributions from teachers and the State of California for the operation and maintenance of said system; and to repeal part IV of division V of the School Code, embracing sections 5.800 to 5.1083, both inclusive; chapter 62 of the Statutes of 1929 entitled "An act relating to the retirement of teachers in schools for the blind, schools for the deaf and in special classes maintained for the deaf, the hard of hearing, the blind, or the semisighted," approved April 6, 1929; and chapter 887 of the Statutes of 1929 entitled "An act relating to retirement salaries of teachers and other employees employed in the public schools of this State and educational institutions supported in whole or in part by the State," approved June 19, 1929.

Bill read second time, ordered engrossed, and on file for third reading.

Senate Concurrent Resolution No. 36—Relative to investigation and report upon acquisition by the State of the toll bridge across Carquinez Straits.

COMMITTEE AMENDMENT.

During reading of the resolution, the following committee amendment was offered:

AMENDMENT NUMBER ONE.

In line 19 of the printed bill, after the semicolon, strike out "the price", and insert in lieu thereof the following: "the amount of compensation to the owner".

Amendment adopted.

Senate Concurrent Resolution No. 36 read, ordered to print, engrossment, and on file.

Senate Bill No. 129—An act to repeal title I and title II of part IV of division III of the Civil Code; to repeal sections 1083, 1136, 1140, 1141, 1142, 3049, 3078, 3079, 3080, 3308, 3309, 3310, 3311, 3312, 3313, and 3314 of said code; to amend section 1135, 1612, 1613, 1624, 1689, and 3387 of said code; to add a new title I of part IV of division III of said code in place thereof consisting of sections 1721 to 1800, both inclusive; and to add a new section to said code to be known as section 1624a, all relating to sale of goods; to amend section 36 of said code relating to disaffirmance by minor; to amend section 658 of said code relating to real property; to amend section 660 of said code relating to fixtures; to add a new section to said code to be known as section 35a, relating to minors and to add three new sections to said code to be known as sections 1097, 1098 and 1099, relating to real property, and to make the law of sale of goods in the State of California uniform with the law of other states.

COMMITTEE AMENDMENTS.

During the second reading of the bill, the following committee amendments were offered:

AMENDMENT NUMBER ONE.

In line 4 of the title of the printed bill, strike out "section", and insert in lieu thereof the following: "sections 1135."

Amendment adopted.

AMENDMENT NUMBER TWO.

In line 14 of the title of the printed bill, strike out "and to add three new sections to said code to be", and all of line 15, and in line 16 strike out "property".

Amendment adopted.

AMENDMENT NUMBER THREE.

On page 26 of the printed bill, insert between lines 49 and 50, the following:
"Sec. 6. Section 1135 of the Civil Code is hereby amended to read as follows:
1135. An interest in a ship can be transferred only by operation of law, or by written instrument, subscribed by the person making the transfer, or by his agent."

Amendment adopted.

AMENDMENT NUMBER FOUR.

On page 26, line 50, of the printed bill, strike out "Sec. 6.", and insert in lieu thereof the following: "Sec. 7."

Amendment adopted.

AMENDMENT NUMBER FIVE.

On page 27, line 6, of the printed bill, strike out "Sec. 7.", and insert in lieu thereof the following: "Sec. 8."

Amendment adopted.

AMENDMENT NUMBER SIX.

On page 27, line 14, of the printed bill, strike out "Sec. 8.", and insert in lieu thereof the following: "Sec. 9."

Amendment adopted.

AMENDMENT NUMBER SEVEN.

On page 27, line 49, of the printed bill, strike out "Sec. 9.", and insert in lieu thereof the following: "Sec. 10."

Amendment adopted.

AMENDMENT NUMBER EIGHT.

On page 28, line 16, of the printed bill, strike out "Sec. 10.", and insert in lieu thereof the following: "Sec. 11."

Amendment adopted.

AMENDMENT NUMBER NINE.

On page 28, line 22, of the printed bill, strike out "Sec. 11.", and insert in lieu thereof the following: "Sec. 12."

Amendment adopted.

AMENDMENT NUMBER TEN.

On page 28 of the printed bill, strike out lines 29 to 52, inclusive; and on page 29 strike out lines 1 and 2.

Amendment adopted.

AMENDMENT NUMBER ELEVEN.

On page 29, line 3, of the printed bill, strike out "Sec. 15.", and insert in lieu thereof the following: "Sec. 13."

Amendment adopted.

Bill read second time, ordered to print, engrossment, and on file for third reading.

Senate Bill No. 460—An act to amend sections 3, 6, 9, 12, and 17 of and to add two new sections numbered 6a and 25, respectively, to an act entitled “An act declaring the policy of the State of California relative to toll bridges and creating a board to be known as California Toll Bridge Authority and providing for membership thereof and specifying its duties and powers; also authorizing California Toll Bridge Authority to authorize and direct the Department of Public Works of the State of California to build, purchase, condemn or otherwise acquire for and in the name of the State of California toll bridges and other toll highway crossings and approaches thereto across waters, bays, arms of bays, straits, rivers and streams in California, both navigable and unnavigable or across any stream that is a boundary line between California and any other state, and to acquire franchises, rights, privileges, easements or other property either real or personal, used or to be used in conjunction with any such bridges; also authorizing the Department of Public Works to make recommendations to the California Toll Bridge Authority relative to the acquisition or construction of any toll bridge or toll highway crossing and to submit preliminary estimates of the cost of such acquisition or construction and the amount of revenue bonds required to be issued for such purpose; also authorizing California Toll Bridge Authority to issue and sell revenue bonds to provide funds for the acquisition or construction of toll bridges or other toll highway crossings secured as to the redemption thereof and the interest thereon only by the tolls or other revenues received from such bridge or bridges or other highway crossings and to prescribe the terms and conditions of such bonds; also authorizing the issuance and sale of such revenue bonds for the payment of interest during the period of actual construction of such bridge or other highway crossing and for a period of six months thereafter; also providing for the manner in which such bonds shall be issued and signed and the manner of sale and redemption thereof and the payment of interest thereon; also authorizing said California Toll Bridge Authority to charge and fix the rates of toll on such bridges or other highway crossings and regulating the amount thereof; also authorizing the Department of Public Works of the State of California to operate and maintain all such toll bridges or other toll highway crossings and to collect tolls thereon; also authorizing the Department of Public Works to acquire by eminent domain any toll bridge or bridges or other toll highway crossings or approaches thereto, real estate, personal property, franchises, rights, privileges or easements appurtenant thereto or appropriated to a public use by any person, firm or private corporation or otherwise and defining the procedure therefor; also providing that bonds issued and sold by California Toll Bridge Authority shall not constitute or be a debt or general obligation of the State and shall be secured only by the tolls or other revenues collected from the operation of such bridges or other highway crossings and shall be paid from such tolls or revenues made available by this act; also authorizing any city, county, city and county, incorporated city or town, or joint highway district to advance or contribute money, rights of way, labor, materials or other property in aid of the acquisition, construction, operation or maintenance of any such bridge or highway crossing and to issue and sell general obligation bonds for

such purpose; also authorizing the California Toll Bridge Authority to enter into agreements with any such political subdivisions for the repayment of contributions or advances; and providing the time and manner of making such repayments; also providing for the eliminations of toll charges on bridges or other highway crossings acquired and constructed under this act; also defining the limits within which other competitive bridges or other highway crossings or free ferries may be constructed or operated; and also authorizing the recital of the terms of such limitations in bonds issued hereunder; also creating and establishing certain funds and regulating the manner in which moneys may be withdrawn therefrom; also prescribing the manner in which any city, county, city and county, incorporated bridge and highway district or joint highway district may acquire or construct toll bridges or other toll highway crossings; also authorizing California Toll Bridge Authority to make agreements with steam and electric or other railroad or transportation companies for the use of portions of toll bridges or other highway crossings acquired or constructed under this act; also providing for the manner in which contracts shall be let for the building of bridges or other highway crossings; also empowering the Department of Public Works to designate certain county roads as State highways; also authorizing the acquisition or construction of tubes or tunnels in connection with such bridges or other highway crossings; also authorizing casualty insurance, indemnity bonds or accident insurance on bridges and other highway crossings constructed under this act; also giving, dedicating and setting apart rights of way through, over, on and across State property for the construction of such toll bridges or other toll highway crossings; also appropriating \$50,000 for the purpose of establishing a revolving fund and providing for the use thereof and the manner of reimbursements thereto," approved June 10, 1929, relating to bonds.

COMMITTEE AMENDMENTS.

During the second reading of the bill, the following committee amendments were offered:

AMENDMENT NUMBER ONE.

On page 3 of the printed bill, as amended April 22, 1931, strike out the last line of the title, and insert in lieu thereof the following: "10, 1929, relating to employees, bonds and bridges."

Amendment adopted.

AMENDMENT NUMBER TWO.

On page 6 of the printed bill, as amended April 22, 1931, strike out line 7, and insert in lieu thereof the following: "ments thereto," approved June 10, 1929, is".

Amendment adopted.

AMENDMENT NUMBER THREE.

On page 6 of the printed bill, as amended April 22, 1931, strike out line 11, and insert in lieu thereof the following: "lieutenant governor, the director of the department of public works of the state".

Amendment adopted.

AMENDMENT NUMBER FOUR.

On page 6 of the printed bill, as amended April 22, 1931, strike out lines 36 and 37, and insert in lieu thereof the following:

"The California toll bridge authority or the department of public works may employ such legal counsel as it may deem necessary".

Amendment adopted.

AMENDMENT NUMBER FIVE.

On page 7 of the printed bill, as amended April 22, 1931, strike out line 45, and insert in lieu thereof the following: "reject any and all bids made for such bonds; *provided, however,* said authority may reject any and all bids submitted and may thereafter sell such bonds so advertised for sale at private sale under such terms and conditions as said authority may deem most advantageous to the state; *provided,* they are not so sold at a price below that of the best bid which was rejected."

Amendment adopted.

AMENDMENT NUMBER SIX.

On page 7 of the printed bill, as amended April 22, 1931, strike out lines 46 to 52, inclusive.

Amendment adopted.

AMENDMENT NUMBER SEVEN.

On page 8, line 1, of the printed bill, as amended April 22, 1931, strike out the figure "4", and insert in lieu thereof the figure "3".

Amendment adopted.

AMENDMENT NUMBER EIGHT.

On page 8 of the printed bill, as amended April 22, 1931, strike out all of lines 37, 38, 39, 40, 41, 42 and 43, and insert in lieu thereof the following: "the state shall represent the department of public works, shall also be assisted by the attorneys for the department of public works and any legal counsel the".

Amendment adopted.

AMENDMENT NUMBER NINE.

On page 9, line 14, of the printed bill, as amended April 22, 1931, strike out the figure "5", and insert in lieu thereof the figure "4".

Amendment adopted.

AMENDMENT NUMBER TEN.

On page 10, line 11, of the printed bill, as amended April 22, 1931, strike out the word "said", and insert in lieu thereof the word "the".

Amendment adopted.

AMENDMENT NUMBER ELEVEN.

On page 10, line 32, of the printed bill, as amended April 22, 1931, strike out the figure "6", and insert in lieu thereof the figure "5".

Amendment adopted.

AMENDMENT NUMBER TWELVE.

On page 11 of the printed bill, as amended April 22, 1931, strike out line 1, and insert in lieu thereof the following: "erer, that the amount of the cash, bidders' bonds or certified checks required".

Amendment adopted.

AMENDMENT NUMBER THIRTEEN.

On page 11 of the printed bill, as amended April 22, 1931, after the period in line 5, insert the following:

"The department of public works in its discretion may require of any contractor such bonds for the faithful performance of any contract entered into hereunder and for the payment for any labor, materials or supplies used in, upon, for or about the performance of the work contracted to be done, fixing such terms and conditions, and in such amounts, as it may deem to be for the best interests of the state."

Amendment adopted.

AMENDMENT NUMBER FOURTEEN.

On page 11, line 6, of the printed bill, as amended April 22, 1931, strike out the figure "7", and insert in lieu thereof the figure "6".

Amendment adopted.

AMENDMENT NUMBER FIFTEEN.

On page 11 of the printed bill, as amended April 22, 1931, strike out lines 8 and 9, and insert in lieu thereof the following:

"SEC. 25. This act shall be known and cited as the "California toll bridge authority act."

Amendment adopted.

Bill read second time, ordered to print, engrossment, and on file for third reading.

Senate Bill No. 516—An act in relation to the civil administration of the State government, and to repeal certain acts therein named.

COMMITTEE AMENDMENTS.

During the second reading of the bill, the following committee amendments were offered:

AMENDMENT NUMBER ONE.

Strike out all of lines 1 and 2 of the title of the printed bill, and insert in lieu thereof the following:

"An act to amend section 356 of the Political Code relating to exchange of employees between state departments."

Amendment adopted.

AMENDMENT NUMBER TWO.

On page 1 of the printed bill, strike out all of lines 1 to 7, inclusive, and insert in lieu thereof the following:

"SECTION 1. Section 356 of the Political Code is hereby amended to read as follows:

Sec. 356. Each department shall furnish to each other department upon written request therefor, approved by the department of finance, such assistance as it may render without detriment to the administration of such department, including the deputizing of agents and inspectors, when consistent with law, and the temporary reassignment of employees when the same will tend to eliminate duplication or expense. Any traveling or other expense incurred by an employee or deputy in the performance of his duties while he is reassigned or loaned to a department other than that in which he is regularly employed, may be paid in accordance with law by the department to which he is reassigned from the funds made available for support of that department."

Amendment adopted.

Bill read second time, ordered to print, engrossment, and on file for third reading.

Senate Bill No. 515—An act to add a new article to chapter 3 of title 1 of part III to be numbered article II, embracing sections 348 to 379z, inclusive, of the Political Code, relating to the administrative departments of the State.

COMMITTEE AMENDMENTS.

During the second reading of the bill, the following committee amendments were offered:

AMENDMENT NUMBER ONE.

Strike out all of lines 1 to 4, inclusive, of the title of the printed bill, and insert in lieu thereof the following:

"An act to add a new section to the Political Code to be numbered 3669f, relating to monthly reports of gross receipts to the state department of finance".

Amendment adopted.

AMENDMENT NUMBER TWO.

On page 1 of the printed bill, strike out all of lines 1 to 23, inclusive, and insert in lieu thereof the following:

"SECTION 1. A new section is hereby added to the Political Code to be numbered 3669f and to read as follows:

3669f. For the purpose of determining in advance for any given future period the estimated revenues which will accrue to the state under article thirteen, section 14, subdivision a, of the state constitution, all taxpayers included under article

thirteen, section 14, subdivision *a*, shall report monthly to the state department of finance the total gross receipts, upon which the tax is fixed, received for the previous calendar month."

Amendment adopted.

AMENDMENT NUMBER THREE.

Strike out all of page two.

Amendment adopted.

Bill read second time, ordered to print, engrossment, and on file for third reading.

Senate Bill No. 276—An act to add a new article to chapter 3 of title I of part III of the Political Code, to be numbered article II*n*, embracing sections 377 to 377*n*, inclusive, relating to a Department of Professional and Vocational Standards.

COMMITTEE AMENDMENTS.

During the second reading of the bill, the following committee amendments were offered:

AMENDMENT NUMBER ONE.

On page 3, line 50, of the printed bill, after the word "department", strike out the comma, and insert a period, and strike out the remainder of lines 50, 51, and 52.

Amendment adopted.

AMENDMENT NUMBER TWO.

On page 4, line 1, of the printed bill, commencing therewith, strike out all of lines 1 to 8, inclusive, and insert the following: "The director shall have authority, with the approval of the director of finance, to employ such investigators, inspectors, deputies and attorneys as are necessary to properly investigate and prosecute all violations of any law in division number two, the enforcement of which is charged to the department or to any board in said division of said department."

Amendment adopted.

Bill read second time, ordered to print, engrossment, and on file for third reading.

CONSIDERATION OF DAILY FILE.

SECOND READING OF ASSEMBLY BILLS.

Assembly Bill No. 799—An act to amend the title and sections 1, 2 and 7 of chapter 729, Statutes of 1909, entitled "An act to provide for the protection and preservation of shade and ornamental trees growing and to be grown upon the roads, highways, grounds and property within the State of California; and for the planting, care, protection and preservation of shade and ornamental trees, hedges, lawns, shrubs and flowers growing and to be grown in and upon such roads, highways, grounds and property; and to create county boards of forestry for such purposes; and to prescribe the duties and powers of such boards; and to authorize such boards to appoint county foresters; and to prescribe the duties and fix the compensation of county forester, and to empower such boards to enforce all laws and adopt and enforce any and all lawful and reasonable rules for the protection, planting, regulation, preservation, care and control of such shade and ornamental trees, hedges, lawns, shrubs and flowers," approved April 28, 1909, as amended, relating to protection from fire, diseases, pests, or any other dangers, of the nature, to the safety and encouragement of such growths.

Bill read second time, and ordered on file for third reading.

Assembly Bill No. 1190—An act to add a new section to the Penal Code, to be numbered 396*a*, to regulate the operation of motor propelled boats in waters used by bathers.

Bill read second time, and ordered on file for third reading.

Assembly Bill No. 1539—An act granting certain tidelands and submerged lands of the State of California to the county of Santa Barbara in said State upon certain trusts and conditions.

Bill read second time, and ordered on file for third reading.

Assembly Bill No. 4—An act granting certain tidelands and submerged lands of the State of California to the city of Huntington Beach upon certain trusts and conditions.

Bill read second time, and ordered on file for third reading.

Assembly Bill No. 238—An act to amend section 11 of an act entitled "An act to provide an institution for the confinement, cure, care, and rehabilitation of drug addicts to be known as the State Narcotic Hospital; to provide for the government and maintenance thereof; to provide for admission and commitment of such addicts, and to prescribe penalties for unlawfully or improperly contriving to have persons adjudged drug addicts under this act; to provide penalties for procuring the escape, or aiding or advising in the escape of inmates, or concealing inmates thereof," approved April 9, 1927, relating to payment of expenses of persons committed to State Narcotic Hospital.

Bill read second time, and ordered on file for third reading.

Assembly Bill No. 239—An act to amend section 31 of an act entitled "An act to be known as the 'Pacific Colony Act,' to establish an institution for the care, confinement and instruction of feeble-minded and epileptic persons, to provide for government and maintenance thereof, and for the study of mental deficiency and related problems, to provide for admission and commitment to such institution and to prescribe penalty for unlawfully or improperly contriving to have persons adjudged feeble-minded under this act, to provide for the sterilization of inmates of such institution, to prescribe penalties for procuring the escape or aiding or advising in the escape of inmates, or concealing inmates thereof, to provide a contingent fund for the use of such institution and to make an appropriation therefor," approved June 1, 1917, as amended, requiring counties to pay the State for the proper part of each month.

Bill read second time, and ordered on file for third reading.

Assembly Bill No. 240—An act to amend section 2167*b* of the Political Code, relating to the residence and cost of maintenance of psychopathic parole patients, and to add to the Political Code a new section to be designated section 2167*c* to provide for the admission of voluntary patients to the psychopathic hospital or ward maintained by the county, pursuant to section 2167, Political Code.

Bill read second time, and ordered on file for third reading.

Assembly Bill No. 1222—An act to amend sections 664, 666, 667 and 669 of the Penal Code, relating to sentences and terms of imprisonment.

COMMITTEE AMENDMENT.

During the second reading of the bill, the following committee amendment was offered:

AMENDMENT NUMBER ONE.

On page 1 of the printed bill, strike out line 14, and insert in lieu thereof the following: "attempted is murder, robbery, burglary in the first degree".

Amendment adopted.

Bill read second time, ordered to print, and on file for third reading.

Assembly Bill No. 393—An act to amend section 209 of the Penal Code, relating to the penalty for kidnaping for purposes of extortion or robbery, and to add a new section thereto to be numbered 210, relating to the penalty of kidnaping to commit rape or the infamous crime against nature.

Bill read second time, and ordered on file for third reading.

Assembly Bill No. 1690—An act to add a new section to the Penal Code, to be numbered 648a, relating to circulating slugs of the same dimension as United States coins.

Bill read second time, and ordered on file for third reading.

Assembly Concurrent Resolution No. 4—Providing for the appointment of a committee to investigate the California State Civil Service Commission and its conduct in the examinations given for State positions.

COMMITTEE AMENDMENT.

During the reading of the resolution, the following committee amendment was offered:

AMENDMENT NUMBER ONE.

On page 1 of the printed bill, beginning in line 14, strike out all of lines 14 to 22, inclusive, and insert in lieu thereof the following:

"WHEREAS, Complaints have been made by certain citizens of the State of California to the effect that serious misconduct is chargeable against the present civil service commission with respect to the holding of such said examinations; now therefore be it".

Amendment adopted.

Assembly Concurrent Resolution No. 4 ordered to print, and on file.

Assembly Bill No. 1888—An act creating a fish and game district to be known as the "San Francisco Game Refuge," providing for the protection of game and fish within such refuge and providing penalties for violation of the act.

Bill read second time, and ordered on file for third reading.

Assembly Bill No. 761—An act creating a game refuge within a certain fish and game district in El Dorado County, providing for the protection thereof and providing penalties for violations of this act.

Bill read second time, and ordered on file for third reading.

Assembly Bill No. 1038—An act to amend an act entitled "An act to divide the State of California into fish and game districts and to repeal an act entitled 'An act to divide the State of California into fish and game districts and to repeal an act entitled 'An act to divide the State of California into six fish and game districts.'" approved March 21, 1911, and all acts or parts of acts inconsistent herewith," approved May

19, 1915," approved May 28, 1917, as amended, by amending section 71 thereof, relating to fish and game district one "S."

Bill read second time, and ordered on file for third reading.

Assembly Bill No. 1195—An act to amend section 4 of an act entitled "An act to divide the State of California into fish and game districts and to repeal an act entitled 'An act to divide the State of California into fish and game districts and to repeal an act entitled "An act to divide the State of California into six fish and game districts," approved March 21, 1911, and all acts or parts of acts inconsistent herewith," approved May 15, 1915," approved May 28, 1917, as amended, relating to fish and game districts.

Bill read second time, and ordered on file for third reading.

Assembly Bill No. 1384—An act to establish a refuge for the protection of marine animal and plant life.

Bill read second time, and ordered on file for third reading.

Assembly Bill No. 735—An act to amend sections 2, 5 and 6 of chapter 550, Statutes of 1919, entitled "An act empowering the State Fish and Game Commission to collect statistical data of the commercial fisheries and to make investigations for the purpose of gaining knowledge for the conservation of the fisheries; providing a system for obtaining an accurate record of each variety of fish caught; providing for the registration of fishing boats and their fishing equipment, and providing penalties for violations of this act," approved May 25, 1919, and to add a new section, to be numbered 4a, thereto, relating to commercial fisheries.

Bill read second time, and ordered on file for third reading.

Assembly Bill No. 597—An act to regulate the importation and keeping of wild species of birds and animals and providing a penalty for the violation of the provisions hereof.

COMMITTEE AMENDMENTS.

During the second reading of the bill, the following committee amendments were offered:

AMENDMENT NUMBER ONE.

On page 1, line 5, of the printed bill, after "animals", insert the following: ", which are members of any groups of birds or animals named in this act or which are named pursuant to the provisions of this act."

Amendment adopted.

AMENDMENT NUMBER TWO.

On page 2, line 6, of the printed bill, after "California", insert "under permit".

Amendment adopted.

AMENDMENT NUMBER THREE.

On page 2, line 18, of the printed bill, strike out "such bird or animal appearing to be diseased", and strike out all of lines 19, 20 and 21, and insert in lieu thereof the following: "the enforcing officer may report same to any state or county veterinarian in order that a determination can be made of the nature of the disease, and if he determines that such disease would be dangerous to the live stock industry of this state or would be dangerous and a menace to the native wild life of the state, then such shipment shall be subject to the laws and regulations pertaining to the animal industry of this state."

Amendment adopted.

AMENDMENT NUMBER FOUR.

On page 2, line 28, of the printed bill, after the period, add the following: "For the purposes of this act, a permit shall be required for any members of the following

bird and animal groups: the mammalian families Mustelidae (ferrets, weasels, stoats, et cetera), Viverridae (civets, mongooses, et cetera), and Canidae (wolves, coyotes, and foxes); mammalian orders Rodentia (rats, mice, muskrats, squirrels, et cetera) and Lagomorpha (rabbits, hares); the avian families Sturnidae (starlings, mynahs), Ploceidae (weaver finches), Fringillidae (finches and sparrows), Turdidae (thrushes and Old World blackbirds); the Phylum mollusca (snails, slugs, et cetera); and the class Crustacea (crayfish, et cetera), and for any other species of wild birds or animals or members of any bird group or animal group which may be subsequently designated by the executive officer of the fish and game division of the state department of natural resources as undesirable and a menace to the native wild life or to the agricultural interests of the state."

Amendment adopted.

Bill read second time, ordered to print, and on file for third reading.

Assembly Bill No. 909—An act to add a new section to the Political Code to be numbered 3236, relating to preference on public contracts and furnishing supplies.

COMMITTEE AMENDMENT.

During the second reading of the bill, the following committee amendment was offered:

AMENDMENT NUMBER ONE.

On page 1, line 3, of the printed bill, strike out the word "courts".

Amendment adopted.

Bill read second time, ordered to print, and on file for third reading.

Assembly Bill No. 1059—An act to amend section 7 of chapter 21, Statutes of 1883, entitled "An act to establish and support a Bureau of Labor Statistics," approved March 3, 1883, as amended, relating to the powers and duties of the commissioner and providing penalties for violation of the said section.

Bill read second time, and ordered on file for third reading.

Assembly Bill No. 200—An act to amend sections 7, 7a and 7b of an act entitled "An act authorizing the establishment of municipal courts, prescribing their constitution, regulation, government, procedure and jurisdiction, and providing for the election and appointment of the judges, clerks and other attaches of such courts, their terms of office, qualification and compensation and for the selection of jurors therein," approved May 23, 1925, as amended, relating to the organization of municipal courts in cities or cities and counties of the first and one-half class; to provide for the number of judges, clerks, marshals and other officers and attaches of such municipal courts and their deputies; to fix the compensation therefor.

Bill read second time, and ordered on file for third reading.

Assembly Bill No. 1110—An act repealing article XIX of chapter 3 of title I of part III of the Political Code, embracing sections 695 to 715, inclusive, and relating to the continuance in effect of certain acts mentioned in said article.

Bill read second time, and ordered on file for third reading.

Assembly Bill No. 1126—An act to amend sections 4 and 6 of chapter 493, Statutes of 1917, entitled "An act providing for the leasing of certain State lands and making an appropriation for the purposes of this act," approved May 17, 1917, relating to the termination of leases on State lands.

Bill read second time, and ordered on file for third reading.

Assembly Bill No. 1214—An act to repeal "An act authorizing and empowering the Department of Natural Resources to acquire tax-deeded lands for the use of said department and make an appropriation therefor," approved June 4, 1929, relating to the acquisition of tax-deeded lands.

Bill read second time, and ordered on file for third reading.

Assembly Bill No. 531—An act authorizing the Director of the Department of Finance to lease certain lands situated in Siskiyou County.

Bill read second time, and ordered on file for third reading.

Assembly Bill No. 776—An act to adopt the California valley quail as the official State bird and avifaunal emblem of this State.

Bill read second time, and ordered on file for third reading.

Assembly Bill No. 1746—An act to amend section 1 of an act entitled "An act to establish a Legislative Counsel Bureau and making an appropriation therefor," approved May 23, 1913, as amended, relating to the Legislative Counsel of California.

Bill read second time, and ordered on file for third reading.

Assembly Bill No. 548—An act to amend sections 453a and section 462 of the Political Code, relating to funds in the State treasury, and to provide for the transfer of special deposits made to the General Fund.

Bill read second time, and ordered on file for third reading.

Assembly Bill No. 1242—An act to amend section 2 of chapter 213, Statutes of 1901, entitled "An act to create a State Board of Accountancy and prescribe its duties and powers; to provide for the examination of and issuance of certificates to qualified applicants, with the designation of certified public accountant; and to provide the grade of penalty for violations of the provisions hereof," approved March 23, 1901, as amended, relating to the State Board of Accountancy and the powers and duties thereof.

Bill read second time, and ordered on file for third reading.

Assembly Bill No. 1682—An act to amend sections 8 and 10 of chapter 323, Statutes 1927, entitled "An act to insure the better education of practitioners of veterinary medicine, and to regulate the practice of veterinary medicine in the State of California, to provide for the creation of a board of five members who shall act under and in accordance with the provisions of this act; to provide for their appointment and define their powers, duties and compensation, to define offenses committed by acts done contrary to the provisions of this act, and providing penalties for the violation thereof; providing for the revocation or suspension, in certain cases, of licenses issued hereunder, and to repeal an act entitled 'An act to regulate the practice of veterinary medicine and surgery in the State of California,' approved March 23, 1893, and all other acts and parts of acts in conflict herewith," approved May 5, 1927, relating to license fees.

Bill read second time, and ordered on file for third reading.

Assembly Bill No. 1899—An act authorizing and directing the Director of Education, with the approval of the Director of Finance, to

grant to the Central Pacific Railway Company certain lands belonging to the State of California situated in Siskiyou County; and to repeal an act entitled "An act authorizing the State Department of Education, with the approval of the State Board of Control, to grant to the California Highway Commission certain lands belonging to the State of California situated in Siskiyou County," approved June 3, 1927.

Bill read second time, and ordered on file for third reading.

SPECIAL ORDER RESET.

On motion of Senator Sharkey, the further consideration of Senate Bill No. 362, heretofore set as a special order for this time, was reset as a special order for two o'clock p.m., Thursday, April 30, 1931.

SPECIAL ORDER.

Senator Sharkey moved that Senate Bill No. 363 be made a special order immediately following Senate Bill No. 362.

Motion carried.

MOTION TO RECONSIDER.

Pursuant to his notice given on a previous day, Senator Inman moved to reconsider the vote whereby Senate Constitutional Amendment No. 20—A resolution to propose to the people of the State of California an amendment to the constitution of the State of California, by amending article VI thereof by adding thereto a new section to be known as and numbered section 8½, relating to the retirement of judicial officers, and their designation for service thereafter as extra service judges—was refused adoption.

The question being on the motion to reconsider.

The roll was called, and the motion to reconsider the vote whereby Senate Constitutional Amendment No. 20 was refused adoption lost by the following vote:

AYES—Senators Breed, Carter, Cassidy, Christian, Crittenden, Edwards, Inman, Jones, Maloney, McCormack, McKinley, Mixer, Nelson, Riley, Tubbs, Williams, and Young—17.

NOES—Senators Allen, Baker, Bush, Cleveland, Clock, Deuel, Fellom, Harper, Hays, Ingels, Moran, Rich, Rochester, Schottky, Slater, Swing, Treacy, and Wagy—18.

CONSIDERATION OF DAILY FILE.

UNFINISHED BUSINESS.

Senate Bill No. 542—An act to amend the title and sections 1, 3, 5 and 7a of chapter 551, Statutes of 1919, as amended, entitled "An act to conserve the fish supply in California by empowering the Fish and Game Commission to regulate and control the handling of fish and other fishery products for the purpose of preventing deterioration or waste; to establish grades to which the fish or other fishery products offered for delivery to canners or preservers or to the fresh fish markets must conform; to make regulations to insure the proper handling and delivery of fish or fishery products to canners, preservers or fresh fish dealers; to regulate and control the use of fish or other fishery products for reduction purposes, and to provide penalties for any violation of any of the provisions of this act," approved May 25, 1919, relating to the canning of sardines.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Senate Bill No. 542 passed by the following vote:

AYES—Senators Allen, Breed, Bush, Carter, Cassidy, Christian, Cleveland, Clock, Crittenden, Deuel, Edwards, Fellom, Harper, Hays, Ingels, Inman, Jones, Maloney, McCormack, McKinley, Mixer, Moran, Nelson, Rich, Riley, Schottky, Slater, Swing, Treacy, Tubbs, Waggy, Williams, and Young—33.

NOES—Senator Rochester—1.

NOTICE OF MOTION TO RECONSIDER.

Senator Carter gave notice that on the next legislative day he would move to reconsider the vote by which Senate Bill No. 542 was passed.

RESOLUTION OF RESPECT.

The following resolution was offered:

By Senator Jones:

WHEREAS, The Angel of Death has called from our midst our beloved fellow citizen, Dr. Henry Meade Bland, who two years ago was made Poet Laureate of California by resolution of this Legislature; and

WHEREAS, He filled this position with grace and with credit to the State; and

WHEREAS, He was filled with a passionate love of the history and romance of California and of its wonders of nature; and

WHEREAS, He was an example of devotion to the beauty and nobility of life; and

WHEREAS, During his long career as an educator he led the youth of California to an appreciation of poetry, and advanced popular interest in literature; and

WHEREAS, His philosophy of life was one of wholesomeness, kindliness, optimism and quiet courage, summarized in his own words—

"Though you blue ridge may be the last,

I keep a'climbing."

Therefore, be it

Resolved by the Senate of California, That we pay this tribute to the character and work of Dr. Bland; and be it further

Resolved, That when the Senate adjourns this day that it do so out of respect for his memory.

Resolution read, and on motion of Senator Jones unanimously adopted.

CONSIDERATION OF DAILY FILE.

THIRD READING OF SENATE BILLS.

Senate Bill No. 189—An act to amend section 690 of the Code of Civil Procedure, relating to property exempt from execution.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Senate Bill No. 189 refused passage by the following vote:

AYES—Senators Carter, Crittenden, Fellom, Harper, Jones, Maloney, Pedrotti, Rochester, Swing, Treacy, Tubbs, and Young—12.

NOES—Senators Allen, Baker, Breed, Bush, Christian, Clock, Deuel, Duval, Edwards, Hays, Ingels, Inman, McCormack, McKinley, Mixer, Moran, Nelson, Rich, Riley, Schottky, Slater, Waggy, and Williams—23.

Senate Bill No. 9—An act declaring the bridge across the Yuba River at the city of Marysville and the bridge across the Feather River between the city of Marysville and the city of Yuba City to be State highways and parts of the State highway system.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Senate Bill No. 9 passed by the following vote:

AYES—Senators Allen, Baker, Breed, Bush, Carter, Christian, Cleveland, Clock, Crittenden, Deuel, Duval, Edwards, Evans, Fellom, Harper, Hays, Jones, Maloney,

McKinley, Mixter, Moran, Nelson, Rich, Riley, Rochester, Schottky, Slater, Swing, Treacy, Tubbs, Wag, and Williams—32.

NOES—None.

Title read and approved.

Bill ordered transmitted to the Assembly.

Senate Bill No. 459—An act to amend section 667 of the Penal Code, relating to punishment for second offenses.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Senate Bill No. 459 passed by the following vote:

AYES—Senators Allen, Baker, Breed, Bush, Carter, Cassidy, Christian, Cleveland, Clock, Deuel, Duval, Edwards, Fellom, Harper, Hays, Inman, Jones, McCormack, McKinley, Mixter, Pedrotti, Rich, Riley, Schottky, Slater, Swing, Treacy, Tubbs, Wag, and Williams—30.

NOES—None.

Title read and approved.

Bill ordered transmitted to the Assembly.

SPECIAL ORDER.

Senator Fellom moved that Senate Bill No. 138 be made a special order, immediately following Senate Bills Nos. 362 and 363, heretofore set as special order for two o'clock this afternoon.

Motion carried.

SPECIAL ORDER.

Senator Crittenden moved that Senate Bill No. 683 be made a special order, immediately following Senate Bills Nos. 362, 363 and 138, heretofore set as special order for this afternoon.

Motion carried.

RECESS.

On motion of Senator Breed, at twelve o'clock and forty-two minutes p.m., the President of the Senate declared recess until two o'clock p.m.

RECONVENED.

At two o'clock p.m., the Senate reconvened.

Lieutenant Governor Frank F. Merriam, President of the Senate, in the chair.

Secretary Joseph A. Beek at the desk.

REPORTS OF STANDING COMMITTEES—(RESUMED).

The following reports of standing committees were received and read:

ON JUDICIARY.

SENATE CHAMBER, SACRAMENTO, April 30, 1931.

MR. PRESIDENT: Your Committee on Judiciary, to which was referred Senate Bill No. 628—An act to amend sections 37 and 40 of chapter 176, Statutes of 1913, known as the "Workmen's Compensation Insurance and Safety Act," approved May 26, 1913, as amended, relating to fixation of rates for workmen's compensation insurance—has had the same under consideration, and respectfully reports the same back, and recommends that the bill be re-referred to the Committee on Insurance. Committee membership—17.

CHRISTIAN, Chairman.

Senate Bill No. 628 ordered re-referred to Committee on Insurance. Also:

MR. PRESIDENT: Your Committee on Judiciary, to which was referred Senate Bill No. 630—An act to amend section 2 of an act entitled "An act providing for the

regulation and supervision of companies, brokers, agents, and sales of securities as the same are therein defined, and to prevent fraud in the sale of securities; providing for the enforcement of said act and penalties for the violation thereof; and creating a State Corporation Department and the office of Commissioner of Corporations," approved May 18, 1917, as amended, relating to fees—has had the same under consideration, and respectfully reports the same back, and recommends that the bill be re-referred to the Committee on Mines and Mining.

Committee membership—17; committee vote: Ayes—8; noes—4; absent—5.

CHRISTIAN, Chairman.

Senate Bill No. 630 ordered re-referred to Committee on Mines and Mining.

Also:

MR. PRESIDENT: Your Committee on Judiciary, to which was referred Assembly Bill No. 755—An act to amend section 832 of the Civil Code, relating to lateral and subjacent support and excavations;

Also: Assembly Bill No. 645—An act to amend section 661 of the Code of Civil Procedure, relating to the judge before whom motions for new trial shall be acquired;

Also: Assembly Bill No. 278—An act to amend section 103 of the Code of Civil Procedure, relating to justices of the peace, justices' courts and to salaries of certain justices of the peace;

Has had the same under consideration, and respectfully reports the same back, and recommends that they do pass.

Committee membership—17; committee vote: Ayes—14; absent—3.

CHRISTIAN, Chairman.

Assembly Bills Nos. 755, 645 and 278 ordered on file for second reading.

Also:

MR. PRESIDENT: Your Committee on Judiciary, to which was referred Assembly Bill No. 205—An act to amend section 1425 of the Penal Code, relating to the criminal jurisdiction of justices' courts;

Also: Assembly Bill No. 1058—An act to add a new section to the Code of Civil Procedure, to be numbered section 1455, providing that surviving heirs may collect, by affidavit and suit, if necessary, and without procuring letters of administration, unpaid wages due deceased persons and giving them the same rights and privileges as wage claimants that the decedent would have were he or she alive;

Has had the same under consideration, and respectfully reports the same back with amendments, and recommends that the amendments be adopted and the bills be re-referred to this committee.

Committee membership—17; committee vote: Ayes—14; absent—3.

CHRISTIAN, Chairman.

CONSIDERATION OF COMMITTEE AMENDMENTS.

Pursuant to the report of the Committee on Judiciary, the following amendments to Assembly Bill No. 205 were read and adopted:

AMENDMENT NUMBER ONE.

Strike out the title of the printed bill, and insert in lieu thereof the following: "An act to amend sections 1425 and 1431 of the Penal Code, relating to the trial of criminal cases in justices' courts."

AMENDMENT NUMBER TWO.

On page 1 of the printed bill, immediately following line 18, insert the following:

"SEC. 2. Section 1431 of the Penal Code is amended to read as follows:

1431. If the action or proceeding is in a justice's court, a change of the place of trial may be had at any time before the trial commences:

1. When it appears from the affidavit of the defendant that he has reason to believe, and does believe, that he can not have a fair and impartial trial before the justice about to try the case, by reason of the prejudice or bias of such justice, the cause must be transferred to another justice of the same or an adjoining township:

2. When it appears from affidavits that the defendant can not have a fair and impartial trial, by reason of the prejudice of the citizens of the township, the cause must be transferred to a justice of a township where the same prejudice does not exist.

3. When the defendant so requests, in person or by counsel, the cause must be transferred to a justice of the township where the offense is alleged to have been committed."

Bill ordered to print, and re-referred to Committee on Judiciary.

CONSIDERATION OF COMMITTEE AMENDMENT.

Pursuant to the report of the Committee on Judiciary, the following amendment to Assembly Bill No. 1058 was read and adopted:

AMENDMENT NUMBER ONE.

Strike out the entire bill, except the words "An act", and insert in lieu thereof the following: "to amend sections 630 and 631 of the Probate Code so as to permit the surviving heirs to collect wages due deceased persons, without the necessity of administration.

The people of the State of California do enact as follows:

SECTION 1. Section 630 of the Probate Code is hereby amended to read as follows:

630. When a decedent leaves no real property in this state, and no personal property in this state other than money in bank, property in boxes and vaults of banks and safe deposit companies, shares of the capital stock of corporations, money due from building and loan associations in this state, including money invested in or represented by shares of stock, membership shares, investment certificates, promissory notes and other evidences of indebtedness standing in his name on the books and records of such associations at the time of his death, money due the decedent as wages, and money due the decedent as an heir or legatee of a person whose estate is in probate, and the total value of the decedent's property in this state does not exceed one thousand dollars, the surviving spouse, the children, the parent, the brother or sister of the decedent, or the guardian of the estate of any minor or insane or incompetent person bearing such relationship to the decedent, if such person has a right to succeed to the property of the decedent, or is the sole beneficiary under the last will and testament of the decedent, may, without procuring letters of administration, or awaiting the probate of the will, collect such money and receive such property from such bank, company, corporation, association, employer, or the executor or administrator of the estate in probate, and have such capital stock transferred to him by such corporation, upon furnishing such bank, company, corporation, association, employer, or executor or administrator, with an affidavit showing the right of the affiant or affiants to receive such money or property or to have such capital stock transferred.

SEC. 2. Section 631 of the Probate Code is hereby amended to read as follows:

631. The receipt of such affiant or affiants shall constitute sufficient acquittance therefor and shall fully discharge such bank, company, corporation, association, employer or personal representative from any further liability with reference thereto, without the necessity of inquiring into the truth of any of the facts stated in the affidavit, except that such personal representative of an estate in probate shall first present said affidavit to the judge of the superior court in which the estate is being probated and the judge shall direct him to pay to said affiant or affiants, upon distribution, the sum to which such deceased heir or legatee is entitled under the will or the laws of succession. But such payment or transfer shall not preclude administration when necessary to enforce payment of the decedent's debts.

SEC. 3. This act shall take effect at the same time as, and shall be construed as an amendment of, the Probate Code, enacted by the Legislature at its forty-ninth session."

Bill ordered to print, and re-referred to Committee on Judiciary.

ON MUNICIPAL CORPORATIONS.

SENATE CHAMBER, SACRAMENTO, April 30, 1931.

MR. PRESIDENT: Your Committee on Municipal Corporations, to which was referred Senate Bill No. 85—An act to amend section 2 of chapter 620, Statutes of 1915, entitled "An act authorizing any city, city and county, county, town, municipality or other political subdivision to acquire certain liens or property offered for sale for the nonpayment of certain assessments," approved June 4, 1915, relating to the disposal of such lien or property;

Also: Senate Bill No. 418—An act to amend section 777 and 874 of an act entitled "An act to provide for the organization, incorporation and government of municipal corporations," approved March 13, 1883, as amended, relating to the cities of the fifth and sixth class;

Has had the same under consideration, and respectfully reports the same back with amendments, and recommends that the amendments be adopted, and that they do pass as amended.

Committee membership—10; committee vote: Ayes—8; absent—2.

HARPER, Chairman.

Senate Bills Nos. 85 and 418 ordered on file for second reading.

Also:

MR. PRESIDENT: Your Committee on Municipal Corporations, to which was referred Assembly Bill No. 486—An act to amend "An act to provide for the organi-

zation, incorporation and government of municipal corporations." approved March 13, 1883, as amended, by adding a new section thereto to be known as section 887, making it unlawful for any municipality to levy license taxes or fees against the business of, or instrumentalities used in, the sale or delivery of merchandise to retailers for retail purposes;

Also: Assembly Bill No. 345—An act to amend section 1151 of the Political Code, relating to boards for municipal elections;
Has had the same under consideration, and respectfully reports the same back, and recommends that they do pass.

Committee membership—10; committee vote: Ayes—6; noes—2; absent—2.

HARPER, Chairman.

Assembly Bills Nos. 486 and 345 ordered on file for second reading.

ON REVENUE AND TAXATION.

SENATE CHAMBER, SACRAMENTO, April 30, 1931.

MR. PRESIDENT: Your Committee on Revenue and Taxation, to which was referred Senate Bill No. 404—An act to amend section 3664aa of the Political Code, relating to taxation of highway transportation companies—has had the same under consideration, and respectfully reports the same back with amendments, and recommends that the amendments be adopted, and that same do pass as amended.

Committee membership—13; committee vote: Ayes—7; noes—3; absent—3.

NELSON, Chairman.

Senate Bill No. 404 ordered on file for second reading.

Also:

MR. PRESIDENT: Your Committee on Revenue and Taxation, to which was referred Senate Bill No. 948—An act amending section 1 of an act entitled "An act to authorize and empower boards of supervisors to levy a tax for advertising, exploiting, promoting and aiding measures designed to preserve, aid or develop the agricultural, horticultural, viticultural and water resources and advantages of their several counties," approved April 17, 1929, relating to investigation of matters affecting the economic welfare of counties and their inhabitants—has had the same under consideration, and respectfully reports the same back, and recommends that it do pass.

Committee membership—13; committee vote: Ayes—10; absent—3.

NELSON, Chairman.

Senate Bill No. 948 ordered on file for second reading.

Also:

MR. PRESIDENT: Your Committee on Revenue and Taxation, to which was referred Assembly Bill No. 1931—An act to amend section 3897a of the Political Code, relating to the termination of the right of redemption of tax-deeded lands, and the disposition thereof—has had the same under consideration, and respectfully reports the same back with amendments, and recommends that the amendments be adopted, and be re-referred to this committee.

(Signed out)

NELSON, Chairman.
BREED.
CARTER.
CRITTENDEN.
FELLOM.
HAYS.
MCKINLEY.
SWING.

CONSIDERATION OF COMMITTEE AMENDMENTS.

Pursuant to the report of the Committee on Revenue and Taxation, the following amendments to Assembly Bill No. 1931 were read and adopted:

AMENDMENT NUMBER ONE.

In line 1 of the title of the printed amended bill, strike out the word "section", and insert in lieu thereof "sections 3897 and".

AMENDMENT NUMBER TWO.

In line 1 of the title of the printed amended bill, after the comma, insert "and to add a new section thereto to be numbered 3897b."

AMENDMENT NUMBER THREE.

In line 3 of the title of the printed amended bill, strike out the word "and".

AMENDMENT NUMBER FOUR.

In line 3 of the title of the printed amended bill, strike out the period, and insert in lieu thereof a comma and the following: "and the sale of property for delinquent taxes."

AMENDMENT NUMBER FIVE.

On page 1 of the printed amended bill, following the enacting clause, insert a new section to read as follows:

"SECTION 1. Section 3897 of the Political Code is hereby amended to read as follows:

3897. Except when otherwise disposed of as provided in section 3897a and 3897b of this code, whenever the state shall have become the owner of any property sold for taxes and the deed to the state has been filed with the controller as provided in section 3785, the controller may thereupon by a written authorization direct the tax collector of the county or city and county to sell the property or any part thereof as in his judgment he shall deem advisable in the manner following:

He must give notice of such sale by first publishing a notice for at least three successive weeks in some newspaper published in the county or city and county, or if there be no newspaper published therein, then by posting a notice in three conspicuous places in the county or city and county, one of which shall be at the United States post office, nearest the land, in addition to a notice conspicuously posted on the land itself for the same period. Such notices must state specifically the place of and the day and hour of sale and shall contain a description of the property to be sold and shall also contain a detailed statement of all the delinquent taxes, penalties, costs, interest, graduated penalties required under section 3817 as if redemption were to be made, and expenses up to the date of such sale and shall give the name of the person to whom the property was assessed for each year on which there may be delinquent taxes against said property or any part thereof and said notice shall embody a copy of the authorization received from the controller. It shall be the duty of the tax collector to mail within five days after the publication of said notice of sale a copy of said notice, postage thereon prepaid and registered, to the party to whom the land was last assessed next before the sale, at his last known post-office address twenty-one days before the date of sale thereunder.

At the time set for such sale, the tax collector must sell the property described in the controller's authorization and said notices, at public auction to the highest bidder for cash in lawful money of the United States;

But no bid shall be received or accepted at such sale for less than the amount of all the taxes levied upon such property and all costs and penalties for every year delinquent as shown by the delinquent rolls for said years and also all tax liens up to the date of the execution of the deed to the state and all expenses accrued to the date of the sale under this section, together with interest at seven per cent per annum and also the graduated redemption penalties required under section 3817 computed upon the aggregate amount of the taxes for each year delinquent from the first day of July following delinquency in each of said years to the date of the sale hereunder; *provided, however*, that if the board of supervisors of the county, or city and county, in which any such property is situate, shall, by resolution entered upon their minutes, declare that, in their judgment, the property so owned by the state, and particularly described in said resolution, is not at that time of value great enough that it can be sold by the state for a sum equal to the amount of all taxes levied upon said property, and all interests, costs and penalties and expenses up to the date of such sale, and that it would be to the best interest of the state to sell the said property for a sum to be stated in said resolution, less than the sum above named, upon receipt of a copy of said resolution, certified by the clerk of said board of supervisors, the state controller may thereupon, by written authorization, direct the tax collector of the county, or city and county, to sell the said property so described in said resolution for a sum not less than the sum so stated in said resolution, together with expenses of sale.

The expense of giving the notice herein required shall be a charge against the property so advertised, and shall be collected by the collector, and no redemption of such property before said sale may be had without payment of such cost of advertising; and to secure the payment of such advertising cost the collector shall demand in advance from the party or parties seeking to purchase, a deposit with said officer of a sum sufficient to defray such cost of advertising, which deposit shall be forfeited in the event said party or parties fail or refuse to purchase at such sale; *provided*, that if the party or parties so depositing fail to secure such property on their bid, such deposit shall be returned, and such advertising cost shall be collected from the successful purchaser; *provided also*, that if the board of supervisors of the county, or city and county, in which the property is situated shall by resolution entered upon the minutes, direct the tax collector to apply for an authorization of sale of any property which has been deeded to the state, and shall authorize him to order the necessary advertising to be done at county expense, the tax collector shall thereupon proceed as though a deposit had been made to cover advertising costs, and shall add a proportionate part of the total expense of advertising to the amount of taxes, penalties and interest chargeable against each tract

or parcel sold. In any case in which no sale is made, the advertising shall be charged and paid as are other county charges."

AMENDMENT NUMBER SIX.

On page 1, line 1, of the printed amended bill, strike out the numeral "1", and insert in lieu thereof the numeral "2".

AMENDMENT NUMBER SEVEN.

On page 2, line 50, of the printed amended bill, following the comma after the word "city", insert "county".

AMENDMENT NUMBER EIGHT.

On page 4, line 23, of the printed amended bill, following the period, add a new section to read as follows:

"SEC. 3. A new section is hereby added to the Political Code to be numbered 3897b and to read as follows:

3897b. Whenever the legislative body of any city, county, or city and county, shall declare by resolution spread upon its minutes, and file with the county tax collector two certified copies thereof, that certain property described therein, lying within the territorial boundaries of said city, county, or city and county, which shall have been deeded to the state for delinquent taxes, is suitable and desired for public purposes, setting forth the purposes, requesting the tax collector to apply to the state for authority to sell such property in accordance with the provisions hereof, and shall direct the auditor to draw his warrant in favor of, and deposit same with, said tax collector for an amount sufficient to pay all delinquent taxes levied against such property, and all delinquent installments of special assessments charged on the tax roll, together with all penalties and charges imposed by section 3756 hereof, and expenses of notice herein required; said tax collector shall forward to the state controller one of such certified copies of such resolution, upon which he shall have noted that such deposit has been made, and the state controller may thereupon, by written authorization, direct said tax collector to sell the property described in such resolution in the manner hereinafter provided. It shall thereupon be the duty of said tax collector to give notice by publication, posting, and mailing, in the same manner as is required by section 3897 hereof, that unless sooner redeemed, the property described in said authorization will be sold by said tax collector, at the time and place therein mentioned, for such delinquency.

Such notice shall contain a detailed statement of the moneys required by section 3817 of this code to be paid to effect a redemption of the property, including expenses to the date of such sale; shall give the name of the person to whom the property was assessed for each year on which there may be delinquent taxes against said property, or any part thereof, and shall embody a copy of the authorization received from the controller.

At the time set for such sale, unless the property shall have been redeemed prior thereto, a sale of said property shall be, and shall be deemed to have been, consummated to said city, county, or city and county, and said tax collector shall thereupon execute his deed therefor to such city, county, or city and county, or to the officer, board or commission authorized by law to take title thereto, conveying the property described in such authorization.

Such deed shall be in substantially the following form:

"This indenture, made the _____ day of _____ 19____, between _____, as tax collector of the county of _____, State of California, first party, and the _____ of _____ State of California, (or the officer, board or commission authorized by law to take title to the property involved) second party.

Witnesseth: that,

WHEREAS, The real property hereinafter described was duly sold and conveyed to the State of California for the nonpayment of taxes which had been legally levied and which were a lien upon said property under and in accordance with law; and

WHEREAS, The period of five years has elapsed since said sale and no person has redeemed said property; and

WHEREAS, In conformity with law, the State of California, acting by and through _____ tax collector as aforesaid, did sell such property to said second party for the sum of \$_____;

Now, therefore, said first party, in consideration of the premises and in pursuance of the statute in such case made and provided, does hereby grant to said second party, its successors and assigns, that certain real property hereinbefore referred to, and situate in the _____ county of _____, State of California, more particularly described as follows, to wit:

In witness whereof, said first party has hereunto set his hand the day and year first above written.

As tax collector of the county of _____."

Said tax collector shall thereupon present such deed to the county recorder and it shall be the duty of such recorder to receive and record the same.

Except as against actual fraud, such deed, duly acknowledged, shall be conclusive evidence of the regularity of all proceedings, from the assessment of the assessor to and including the execution of such deed, and title to the lands described therein will vest absolutely in the grantee thereof, subject to any lien for special assessments which shall have theretofore attached.

No action, suit or proceeding to set aside, cancel, or question the validity of any proceeding instituted under the provisions of this section to quiet title of any lands affected thereby, shall be instituted or maintained unless the same shall have been commenced within three months after the date of the execution of such deed, and thereafter all persons shall be barred from commencing or prosecuting any such action, or maintaining any defense in any action, based upon the alleged invalidity of, or any alleged irregularity in, such proceeding.

If a sale is consummated hereunder, said tax collector shall apply the amount deposited as the purchase price at said sale. The deposit and distribution of the amount thereof, the settlements therefor, and the duties of the tax collector, recorder and assessor shall be made and performed as provided in section 3898 of this code.

If redemption of such property is made, such deposit shall be returned to the depositor thereof."

Bill ordered to print, and re-referred to Committee on Revenue and Taxation.

ON GOVERNMENTAL EFFICIENCY.

SENATE CHAMBER, SACRAMENTO, April 29, 1931.

MR. PRESIDENT: Your Committee on Governmental Efficiency, to which was referred Assembly Bill No. 1073—An act to amend sections 5 and 9 of and to add sections 10a and 18a to the State Civil Service Act, as amended, relating to examinations—has had the same under consideration, and respectfully reports the same back with amendments, and recommends that the amendments be adopted, and that it do pass as amended.

Committee membership—11; committee vote: Ayes—9; absent—2.

CRITTENDEN, Chairman.

Assembly Bill No. 1073 ordered on file for second reading.

ON COMMERCE AND NAVIGATION.

SENATE CHAMBER, SACRAMENTO, April 30, 1931.

MR. PRESIDENT: Your Committee on Commerce and Navigation, to which was referred Assembly Bill No. 1151—An act providing for the formation, government and operation of harbor districts, the calling and conducting of elections in such districts of harbor commissioners, defining their powers and duties, and providing for the issuance and disposal of bonds of such harbor districts, and providing for the assessment, levy and collection of taxes for the payment of such bonds and for the ordinary annual expenses of such harbor districts—has had the same under consideration, and respectfully reports the same back with amendments, and recommends that the amendments be adopted, and that it do pass as amended.

(Signed out)

CLEVELAND, Chairman.

BAKER.

HARPER.

INGELS.

INMAN.

SWING.

Assembly Bill No. 1151 ordered on file for second reading.

ON REVENUE AND TAXATION.

SENATE CHAMBER, SACRAMENTO, April 30, 1931.

MR. PRESIDENT: Your Committee on Revenue and Taxation, to which was referred Senate Constitutional Amendment No. 31—A resolution to propose to the people of the State of California an amendment of the constitution of said State by amending section 6 of article IX thereof, relating to the support of the school system—has had the same under consideration, and respectfully reports the same back with amendments, and recommends that the amendments be adopted, and that same be adopted, as amended.

Committee membership—13; committee vote: Ayes—10; absent—3.

NELSON, Chairman.

Senate Constitutional Amendment No. 31 ordered on file.

ON JUDICIARY.

SENATE CHAMBER, SACRAMENTO, April 30, 1931.

MR. PRESIDENT: Your Committee on Judiciary, to which was referred Assembly Bill No. 818—An act providing for the recovery of damages by persons bitten by dogs and creating a liability of the owners of such dogs—has had the same under consideration, and respectfully reports the same back, and recommends that it do pass. Committee membership—17; committee vote: Ayes—9; noes—4; absent—4.

CHRISTIAN, Chairman.

Assembly Bill No. 818 ordered on file for second reading.

Also:

MR. PRESIDENT: Your Committee on Judiciary, to which was referred Assembly Bill No. 76—An act to amend sections 2, 4, 5, 13, 14, 16, 22 and 23, and to repeal section 24 of chapter 530, Statutes of 1929, entitled "An act to provide for the protection, welfare and assistance of aged persons in need and resident in the State of California, providing the method therefor, making an appropriation therefor, and prescribing penalties for the violation of the provisions of this act," approved May 28, 1929, and to add thereto new sections to be numbered 2½ and 18½, relating to the protection, welfare and assistance of aged persons in need, and resident in the State of California:

Also: Assembly Bill No. 570—Add a new section to the Civil Code to be known as section 1190a, prescribing the form of certificate of acknowledgment of an instrument executed by a partnership;

Also: Assembly Bill No. 1013—An act to amend section 3336 of the Civil Code, relating to damages for the wrongful conversion of personal property;

Also: Assembly Bill No. 1310—An act to amend section 831d of the Code of Civil Procedure, relating to pleadings and practice in municipal courts;

Also: Assembly Bill No. 1302—An act to amend section 29 of an act entitled "An act authorizing the establishment of municipal courts, prescribing their constitution, regulation, government, procedure and jurisdiction, and providing for the election and appointment of the judges, clerks and other attaches of such courts, their terms of office, qualifications and compensation and for the selection of jurors therein," approved May 23, 1925, as amended, relating to civil jurisdiction of said court; Has had the same under consideration, and respectfully reports the same back, and recommends that they do pass.

Committee membership—17; committee vote: Ayes—14; absent—3.

CHRISTIAN, Chairman.

Assembly Bills Nos. 76, 570, 1013, 1310 and 1302 ordered on file for second reading.

Also:

MR. PRESIDENT: Your Committee on Judiciary, to which was referred Assembly Bill No. 941—An act authorizing suits against the State of California concerning the use and occupation of and the title to the real property described in an act entitled "An act to provide for the disposition of certain property of the State of California," passed March 26, 1851, and purchased under the provisions of an act entitled "An act to provide for the sale of the interest of the State of California within the water line front of the city of San Francisco, as defined in and by the act entitled 'An act to provide for the disposition of certain property of the State of California, passed March 26, 1851,' passed May 18, 1853," and of an act entitled "An act supplementary to and amendatory of 'An act to provide for the sale of the interest of the State of California, within the water line front of the city of San Francisco, as defined in and by the act entitled 'An act to provide for the disposition of certain property of the State of California,' passed March 26, 1851,' passed May 18, 1853," approved May 1, 1855, or any of the acts supplementary thereto and amendatory thereof, and regulating procedure therein;

Also: Assembly Bill No. 942—An act authorizing suits against the State to quiet title against it to real property purchased under the provisions of an act entitled "An act to survey and dispose of certain marsh and tidelands belonging to the State of California," approved March 30, 1868, or any of the acts supplementary to and amendatory of an act supplementary thereto, and amendatory thereof, and regulating the procedure therein;

Also: Assembly Bill No. 1569—An act to amend section 15 of the Workmen's Compensation, Insurance and Safety Act of 1917, approved May 23, 1917, as amended by making further and different provisions regarding notice of injury;

Also: Assembly Bill No. 890—An act to validate all orders appointing or conferring powers upon special administrators;

Has had the same under consideration, and respectfully reports the same back, and recommends that they do pass.

Committee membership—17; committee vote: Ayes—14; absent—3.

CHRISTIAN, Chairman.

Assembly Bills Nos. 941, 942, 1569 and 890 ordered on file for second reading.

Also:

MR. PRESIDENT: Your Committee on Judiciary, to which was referred Assembly Bill No. 1091—An act to amend section 4014 of the Political Code, relating to justices of the peace;

Also: Assembly Bill No. 1092—An act to amend section 103c of the Code of Civil Procedure, providing for justices' clerks and deputy clerks;

Also: Assembly Bill No. 1093—An act amending section 103 of the Code of Civil Procedure, relating to justices' courts in townships and cities;

Also: Assembly Bill No. 1423—An act to amend section 2168 of the Political Code, relating to arrest and commitment of insane persons;

Has had the same under consideration, and respectfully reports the same back with amendments, and recommends that the amendments be adopted, and that they do pass as amended.

Committee membership—17; committee vote: Ayes—14; absent—3.

CHRISTIAN, Chairman.

Assembly Bills Nos. 1091, 1092, 1093 and 1423 ordered on file for second reading.

Also:

MR. PRESIDENT: Your Committee on Judiciary, to which was referred Senate Bill No. 523—An act to require display of the flag of the United States and the State flag of California in all courtrooms where courts of record are held under the laws of California and providing for the purchase thereof—has had the same under consideration, and respectfully reports the same back, and recommends that it do pass.

Committee membership—17; committee vote: Ayes—14; absent—3.

CHRISTIAN, Chairman.

Senate Bill No. 523 ordered on file for second reading.

Also:

MR. PRESIDENT: Your Committee on Judiciary, to which was referred Senate Bill No. 77—An act to amend section 963 of the Code of Civil Procedure, relative to interlocutory decrees of divorce;

Also: Senate Bill No. 78—An act to amend sections 61 and 131 of the Civil Code and to repeal section 132 of the Civil Code, relating to interlocutory decrees for divorce;

Has had the same under consideration, and respectfully reports the same back, and recommends that they do pass.

Committee membership—17; committee vote: Ayes—10; noes—4; absent—3.

CHRISTIAN, Chairman.

Senate Bills Nos. 77 and 78 ordered on file for second reading.

ON GOVERNMENTAL EFFICIENCY.

SENATE CHAMBER, SACRAMENTO, April 27, 1931.

MR. PRESIDENT: Your Committee on Governmental Efficiency, to which was referred Senate Bill No. 955—An act to amend section 736b and repeal section 736c of the Political Code, relating to salaries of judges of the superior court and to make an appropriation to cover increases in the payments by the State therefor—has had the same under consideration, and respectfully reports the same back, and recommends that it be re-referred to Committee on Finance.

Committee membership—11.

(Signed out)

CRITTENDEN, Chairman.

BAKER.

BREED.

FELLOW.

MALONEY.

McCORMACK.

McKINLEY.

MIXTER.

TUBBS.

Senate Bill No. 955 ordered re-referred to Committee on Finance.

ON REVISION OF CRIMINAL LAW AND PROCEDURE.

SENATE CHAMBER, SACRAMENTO, April 30, 1931.

MR. PRESIDENT: Your Committee on Revision of Criminal Law and Procedure, to which was referred Senate Bill No. 952—An act to amend section 1228 of the Penal Code, relating to capital punishment—has had the same under consideration, and respectfully reports the same back, and recommends that it do pass.

Committee membership—9.

(Signed out)

ROCHESTER, Chairman.
BUSH.
CASSIDY.
CHRISTIAN.
CLEVELAND.
CLOCK.
MALONEY.
RICH.

Senate Bill No. 952 ordered on file for second reading.

ON ENGROSSMENT, ENROLLMENT AND PRINTING.

SENATE CHAMBER, SACRAMENTO, April 30, 1931.

MR. PRESIDENT: Your Committee on Engrossment, Enrollment and Printing has examined Senate Bill No. 504—An act to amend section 394 of the Code of Civil Procedure, relating to the place of trial of actions or proceedings to which a county, city and county, city, or public or municipal corporation, is a party, and providing for the attendance of witnesses, payment of costs, and the assignment of judges in certain cases;

Also: Senate Bill No. 901—An act to amend section 45 of the California Vehicle Act, relating to chattel mortgages on motor vehicles or any other vehicle defined by said act, providing for the filing of a certified copy thereof with the Division of Motor Vehicles, registration of the holder as legal owner and the same being constructive notice of said mortgage and contents, excepting chattel mortgages from the provisions of sections 2957, 2959 and 2965 of the Civil Code;

Also: Senate Bill No. 947—An act to amend section 1510 of the Penal Code, relating to the duties of the coroner;

And reports that the same have been correctly engrossed.

DEUEL, Vice Chairman.

Also:

MR. PRESIDENT: Your Committee on Engrossment, Enrollment and Printing has examined Senate Bill No. 434—An act to make an appropriation to pay the claim of the Comptroller of the State Compensation Insurance Fund against the State of California;

Also: Senate Bill No. 950—An act to amend article IX of chapter I of part III of division IV of the School Code, embracing sections 4.380 to 4.384, inclusive, and to repeal chapter 709, Statutes of 1929, all relating to financial reports of school districts;

And reports that the same have been correctly re-engrossed.

DEUEL, Vice Chairman.

Also:

MR. PRESIDENT: Your Committee on Engrossment, Enrollment and Printing has examined Senate Bill No. 18—An act to revise and consolidate the law relating to probate, including the custody, disposal by will, succession, administration and distribution of estates of decedents, the custody and administration of estates of persons under guardianship, and the custody of persons under guardianship; to repeal certain provisions of law therein revised and consolidated and therein specified; and to establish a Probate Code;

Also: Senate Bill No. 30—An act to amend section 831 of the Code of Civil Procedure, relating to change of place of trial;

Also: Senate Bill No. 47—An act to add section 5.128 to the School Code, relating to the requirements to be met by persons applying for credentials for employment in the public schools;

Also: Senate Bill No. 89—An act to amend section 15 of chapter 755 of the Statutes of 1915, entitled "Los Angeles County Flood Control Act," approved June 12, 1915, as amended, relating to contracts for work, materials and supplies;

Also: Senate Bill No. 126—An act to provide for the recall of elective officers of incorporated cities and towns, and to repeal chapter 32, Statutes of 1911, extra session, entitled "An act to provide for the recall of elective officers of incorporated cities and towns," approved January 2, 1912;

Also: Senate Bill No. 150—An act confirming and validating the formation or organization and existence of reclamation districts;

And reports that the same have been correctly enrolled and presented to the Governor on the thirtieth day of April, at eleven o'clock and thirty minutes a.m.

DEUEL, Vice Chairman.

Also:

MR. PRESIDENT: Your Committee on Engrossment, Enrollment and Printing has examined Senate Bill No. 151—An act to validate bonds, including refunding bonds, of reclamation districts and all proceedings relative thereto, and to provide for the levy and collection of taxes to pay the principal and interest on such bonds;

Also: Senate Bill No. 182—An act to authorize the counties of the State of California to establish systems for the retirement and pension of certain county and township officers and employees, namely county peace officers as defined in the act, and to provide certain benefits for their dependents, and empowering county boards of supervisors to levy a special tax;

Also: Senate Bill No. 264—An act to add new sections to chapter 7 of title XIV of part II of the Code of Civil Procedure to be numbered 1043 and 1044, relating to the appointment and qualification of executors, administrators, guardians, assignees, receivers, depositaries and trustees;

Also: Senate Bill No. 265—An act to repeal section 92 of chapter 76, Statutes of 1909, entitled "An act to define and regulate the business of banking," approved March 1, 1909;

Also: Senate Bill No. 266—An act to amend sections 4181 and 4182 of the Political Code, relating to the duties of the public administrator;

Also: Senate Bill No. 289—An act to amend chapter 207, Statutes of 1921, entitled "An act to authorize counties to cooperate with the Secretary of Agriculture of the United States for the survey, construction and maintenance of roads and trails, and to pay part of the expenses thereof, pursuant to the provisions of section 8 of the act of Congress approved July 11, 1916, entitled 'An act to provide that the United States shall aid the states in the construction of rural post roads and for other purposes'," approved May 23, 1921, relating to roads and trails;

And reports that the same have been correctly enrolled and presented to the Governor on the thirtieth day of April, at eleven o'clock and thirty minutes a.m.

DEUEL, Vice Chairman.

Also:

MR. PRESIDENT: Your Committee on Engrossment, Enrollment and Printing has examined Senate Bill No. 345—An act to amend section 2 of chapter 591, Statutes of 1915, entitled "An act to create a reclamation district to be called 'Reclamation District No. 1660,' and providing for the control and management thereof,";

Also: Senate Bill No. 367—An act to amend section 37a of chapter 25, Statutes of 1911, extra session, entitled the "Reclamation Board Act," approved December 24, 1911, as amended, relating to the application of moneys released, reimbursed, or appropriated under and pursuant to chapter 176, California Statutes of 1925 and the War Department Appropriations Act of Congress of the United States for the fiscal year ending June 30, 1930, being Public Law No. 843, Seventieth Congress, approved February 28, 1929;

Also: Senate Bill No. 382—An act to amend the California Irrigation District Act by amending sections 31 and 32a thereof, and adding four new sections thereto, to be designated respectively 32b, 32c, 32d, and 32e, relating to the issuance of bonds of irrigation districts, including funding or refunding bonds, prescribing the form and manner of execution of such bonds and the procedure for the payment and retirement thereof, providing for the adoption of plans for funding or refunding bonds of such districts and for the incurring of indebtedness for the purpose of carrying out such plans, prescribing the terms and conditions upon which bonds may be issued by such districts authorizing limitations and conditions upon the payment of the principal and/or interest, or any part thereof, of any such bonds, providing for the designation of paying agents of such districts for the purpose of receiving funds thereof and applying the same to the payment of the principal and/or interest of any bonds of such districts and declaring this act to be an urgency measure;

Also: Senate Bill No. 403—An act to provide for the inspection and certification of liquid eggs, frozen eggs, and dried eggs and any other egg products produced in the State of California and within the United States and imported into the State of California from without the United States for the purpose of human consumption; to prescribe certain powers and duties of the State Department of Public Health with respect thereto, and to provide penalties for violations of the provisions of this act;

And reports that the same have been correctly enrolled and presented to the Governor on the thirtieth day of April, at eleven o'clock and thirty minutes a.m.

DEUEL, Vice Chairman.

Also:

MR. PRESIDENT: Your Committee on Engrossment, Enrollment and Printing has examined Senate Bill No. 423—An act to amend section 5.21 of the School Code, relating to the management and control of funds of state teachers colleges;

Also: Senate Bill No. 425—An act to add a new section to be numbered 74 to chapter 358, Statutes of 1925, entitled "An act authorizing the establishment of

municipal courts, prescribing their constitution, regulation, government, procedure and jurisdiction, and providing for the election and appointment of the judges, clerks and other attaches of such courts, their terms of office, qualification and compensation and for the selection of jurors therein," relating to pensions for marshals and deputy marshals;

Also: Senate Bill No. 430—An act to add a new section to be numbered 7b to chapter 648, Statutes of 1909, entitled "An act to form agricultural districts, to provide for the formation, organization and powers, of agricultural associations therein and for the management and control of the same by the State, and repealing all acts and portions of acts in conflict with this act," as amended, relating to the use and disposition of moneys and funds of district agricultural associations;

Also: Senate Bill No. 491—An act to amend section 384 of the Penal Code, relating to fires;

Also: Senate Bill No. 508—An act to amend section 626a of the Penal Code, relating to the protection of fish and game;

And reports that the same have been correctly enrolled and presented to the Governor on the thirtieth day of April, at eleven o'clock and thirty minutes a.m.

DEUEL, Vice Chairman.

Also:

MR. PRESIDENT: Your Committee on Engrossment, Enrollment and Printing has examined Senate Bill No. 681—An act to promote the development of the California ripe olive industry and to prevent deception in the packing and sale of canned ripe olives by establishing and defining certain standards for canned ripe olives, defining the powers and duties of the director of the Department of Agriculture in relation hereto including the collection of fees, creating a Board of Appeal and defining its powers and duties in relation hereto and fixing the compensation of the members thereof, prescribing penalties for violations hereof and making an appropriation to carry out the provisions hereof;

Also: Senate Bill No. 772—An act to amend section 21, chapter 914, Statutes of 1921, known as "California Water Storage District Act," approved June 3, 1921, as amended, relating to the collection of unpaid assessments, the sale of property for delinquent assessments and the redemption of said property;

Also: Senate Bill No. 863—An act to amend section 16-36 of the Weights and Measures Act, relating to sealers of weights and measures in counties of the thirty-sixth class;

Also: Senate Bill No. 866—An act to amend section 2322-36 of the Political Code, relating to the office of agricultural commissioner in counties of the thirty-sixth class;

Also: Senate Bill No. 867—An act to add section 19-36 to the Juvenile Court Law, relating to probation officers in counties of the thirty-sixth class;

Also: Senate Constitutional Amendment No. 8—A resolution to propose to the people of the State of California to amend the constitution of said State by amending section 7 1/2 of article XI, relating to charters of counties and the election of officers thereunder;

And reports that the same have been correctly enrolled and presented to the Governor on the thirtieth day of April, at eleven o'clock and thirty minutes a.m.

DEUEL, Vice Chairman.

Also:

MR. PRESIDENT: Your Committee on Engrossment, Enrollment and Printing has examined Senate Bill No. 773—An act to amend chapter 387, Statutes of 1913, entitled "An act providing for the organization of water districts by the board of supervisors of the different counties of the State upon petition therefor by the landowners; providing for the joint government and control thereof by the landowners thereof and the board of supervisors of the county in which the same are formed; providing for the duties in connection therewith of the county officials of each county in which any of the lands contained in said district are located; providing for the acquisition and construction by said district of irrigation works, for the irrigation of the lands embraced therein and for the distribution thereby of water for irrigation purposes; providing for the payment of the debts thereof by a tax levied on the lands embraced therein; providing for the issuance and sale of bonds thereby; providing for the transfer of the properties of such districts to any reclamation, drainage or irrigation project and the extension of contracts providing for such transfer in exchange for the right to receive and use water; providing for the approval of the California Bond Certification Commission of such contracts or transfers; providing that said bonds and contracts or transfers may be investigated by the California Bond Certification Commission; providing for the approval of said bonds and such transfers, or contracts providing therefor by the California Bond Certification Commission in case said investigation is favorably reported and that thereafter said bonds may be lawfully purchased, or received in pledge as security for any money or deposits or for the performance of any act, by banks, banking institutions, insurance companies, trust companies, guardians, executors, administrators and special administrators; providing in certain cases for the transfer of

districts from the supervision of one county board of supervisors to another; providing for the dissolution of said districts for nonuse of corporate power; and providing for the annexation of lands to and the exclusion of lands from such districts, approved June 13, 1913, as amended, by amending the title and sections 2, 2b, 2d, 4, 5, 8, 9, 10, 11, 13, 14, 15, 17, 19, 20, 21, 23, 30, 31, 36, 39 and 49 and by adding a new section thereto to be numbered section 60, relating to the organization, functions, purposes, powers, duties, government, dissolution and control of water districts; the election, appointment, qualifications, compensation, tenure, functions, powers, duties and jurisdiction of the officers and employees thereof; the jurisdiction and supervision of county boards of supervisors thereover; fees of county officers; the assessment, fixing of rate, levy and collection of taxes therefor; issuance, approval and sale of bonds; receipt and disposition of moneys; incurrence, payment and discharge of debts and obligations; the acquisition, transfer, disposition and sale of property and property rights thereof and the making of contracts, leases and agreements in respect thereto; the annexation and exclusion of lands; the office of the district; the securing, use, distribution and apportionment of water for irrigation purposes and the irrigation of lands therein; the obtaining, maintaining, operating, using and constructing of irrigation works; and providing a short title for this act—and reports that the same has been correctly enrolled and presented to the Governor on the thirtieth day of April, at eleven o'clock and thirty minutes a.m.

DEVEL, Vice Chairman.

ON RULES.

SENATE CHAMBER, SACRAMENTO, April 29, 1931.

MR. PRESIDENT: Your Committee on Rules, to which was referred the request of Senator Rochester to introduce a bill entitled—An act to amend section 337a of the Penal Code, relating to gambling—has had the same under consideration, and respectfully reports the same back, and recommends that said request be granted.

Committee membership—5; committee vote: Ayes—5.

BREED, Chairman.

The question being on the adoption of the report.

The roll was called in accordance with the provisions of section 2 of article IV of the constitution, and the report adopted by the following vote:

AYES—Senators Allen, Baker, Breed, Carter, Cassidy, Cleveland, Clock, Crittenden, Deuel, Edwards, Evans, Harner, Hays, Ingels, Inman, Jones, Maloney, McCormack, McKinley, Mixer, Moran, Pedrotti, Rich, Riley, Rochester, Schottky, Sharkey, Slater, Treacy, Waggy, Williams, and Young—32.

NOES—None.

INTRODUCTION, FIRST READING AND REFERENCE OF BILLS.

The following bill was introduced:

By Senator Rochester: Senate Bill No. 958—An act to amend section 337a of the Penal Code, relating to gambling.

Senate Bill No. 958 read first time, and referred to Committee on Public Morals.

REQUEST FOR PERMISSION TO INTRODUCE A BILL.

The following request for permission to introduce a bill was presented: By Senator Ingels:

SENATE CHAMBER, SACRAMENTO, April 30, 1931.

MR. PRESIDENT: In accordance with the provisions of section 2, article IV of the constitution, I request permission to introduce a bill, the title of which is set forth below:

An act adding section 3714b to the Political Code, relating to emergency reductions of county expenditures.

Request referred to Committee on Rules.

MESSAGES FROM THE ASSEMBLY.

The following messages from the Assembly were received and read:

ASSEMBLY CHAMBER, SACRAMENTO, April 30, 1931.

MR. PRESIDENT: I am directed to inform your honorable body that the Assembly on this day passed Senate Bill No. 679—An act to provide for the sanitary inspection of slaughterhouses, the inspection of animals or meats intended for human consumption, to provide rules and regulations therefor, to provide penalties for the

violation thereof and to repeal the California Meat Inspection Law, approved June 3, 1921.

ARTHUR A. OHNIMUS, Chief Clerk.
By FRED J. DESCH, Assistant Clerk.

Senate Bill No. 679 ordered to enrollment.

Also:

ASSEMBLY CHAMBER, SACRAMENTO, April 23, 1931.

MR. PRESIDENT: I am directed to inform your honorable body that the Assembly amended, and on this day passed as amended, Senate Bill No. 371—An act to amend sections 2 and 13 of chapter 774, Statutes of 1927, entitled "Sacramento and San Joaquin Drainage District Refunding Act," approved May 26, 1927, as amended, relating to the maintenance and operation of certain flood control project works and to the payment of assessments—and respectfully requests your honorable body to concur in said amendments.

ARTHUR A. OHNIMUS, Chief Clerk.
By C. W. BOOTH, Assistant Clerk.

CONSIDERATION OF ASSEMBLY AMENDMENT.

The Senate took up for consideration Assembly amendment to Senate Bill No. 371—An act to amend sections 2 and 13 of chapter 774, Statutes of 1927, entitled "Sacramento and San Joaquin Drainage District Refunding Act," approved May 26, 1927, relating to the maintenance and operation of certain flood control project works and to the payment of assessments.

ASSEMBLY AMENDMENT TO SENATE BILL NUMBER THREE HUNDRED SEVENTY-ONE.

AMENDMENT NUMBER ONE.

In line 3 of the title of the printed bill, as amended in Senate March 26, 1931, after the comma following "May 26, 1927", insert the following: "as amended."

The question being: Shall the Senate concur in Assembly amendment to Senate Bill No. 371?

The roll was called, and Assembly amendment to Senate Bill No. 371 concurred in by the following vote:

AYES—Senators Allen, Baker, Breed, Carter, Cassidy, Christian, Cleveland, Clock, Crittenden, Deuel, Duval, Evans, Harper, Hays, Ingels, Inman, Maloney, McCormack, McKinley, Mixer, Moran, Pedrotti, Rich, Riley, Rochester, Schottky, Sharkey, Slater, Treacy, Waggy, and Young—31.

NOES—None.

Senate Bill No. 371 ordered to print, and enrollment.

Also:

ASSEMBLY CHAMBER, SACRAMENTO, April 23, 1931.

MR. PRESIDENT: I am directed to inform your honorable body that the Assembly amended, and on this day passed as amended, Senate Bill No. 274—An act to amend the Political Code by amending sections 3456, 3460, 3462, 3465, 3466, and 3480, relating to reclamation districts, and adding three new sections thereto, to wit: A new section to be numbered 3466a, relating to sales and leasing of lands sold and held by reclamation districts or county treasurers as trustees; a new section to be numbered 3480b providing means whereby two or more issues of bonds of a reclamation district with outstanding warrants thereof may be refunded with a single issue of bonds based upon a single assessment; and a new section to be numbered 3457b, relating to payment of warrants of reclamation districts and the stopping of interest thereon—and respectfully requests your honorable body to concur in said amendments.

ARTHUR A. OHNIMUS, Chief Clerk.
By C. W. BOOTH, Assistant Clerk.

CONSIDERATION OF ASSEMBLY AMENDMENTS.

The Senate took up for consideration Assembly amendments to Senate Bill No. 274—An act to amend the Political Code by amending sections 3456, 3460, 3462, 3465, 3466, and 3480, relating to reclamation districts and adding three new sections thereto, to wit: A new section to be

numbered 3466a, relating to sales and leasing of lands sold and held by reclamation districts or county treasurers as trustees; a new section to be numbered 3480b providing means whereby two or more issues of bonds of a reclamation district with outstanding warrants thereof may be refunded with a single issue of bonds based upon a single assessment; and a new section to be numbered 3457b, relating to payment of warrants of reclamation districts and the stopping of interest thereon.

ASSEMBLY AMENDMENTS TO SENATE BILL NUMBER TWO HUNDRED SEVENTY-FOUR.

AMENDMENT NUMBER ONE.

On page 3, line 46, of the printed bill, as amended in Senate March 26, 1931, add after the word "provided," a new sentence reading as follows: "Incidental expenses, as used in this section and in section 3480a of the Political Code are hereby declared to include, among other things, the difference in amount between the par value of refunding bonds sold pursuant to section 3480a of this act and the amount less than par for which said bonds may be sold, and also the amount necessary to be made available for the payment of interest upon said refunding bonds directed to be sold from the date of sale thereof to the date of maturity of the bonds to be refunded out of the proceeds of such sale."

AMENDMENT NUMBER TWO.

On page 21, line 2, of the printed bill, as amended in Senate March 26, 1931, after the period following the word "them", insert a new sentence as follows: "No parcel shall be sold for an amount less than the fair market value thereof as such value shall be ascertained by the board of trustees."

The question being: Shall the Senate concur in Assembly amendments to Senate Bill No. 274?

The roll was called, and Assembly amendments to Senate Bill No. 274 concurred in by the following vote:

AYES—Senators Allen, Baker, Breed, Carter, Cassidy, Christian, Cleveland, Clock, Crittenden, Deuel, Duval, Evans, Harper, Hays, Ingels, Inman, Jones, Maloney, McCormack, McKinley, Mixter, Moran, Pedrotti, Rich, Riley, Rochester, Schottky, Sharkey, Slater, Treacy, Waggy, Williams, and Young—33.

NOES—None.

Senate Bill No. 274 ordered to print, and enrollment.

Also:

ASSEMBLY CHAMBER, SACRAMENTO, April 30, 1931.

MR. PRESIDENT: I am directed to inform your honorable body that the Assembly on April 29, 1931, passed Assembly Bill No. 12—An act to amend section 4300a of the Political Code, relating to county clerk's fees.

ARTHUR A. OHNIMUS, Chief Clerk.
By FRED J. DESCH, Assistant Clerk.

Assembly Bill No. 12 read first time, and referred to Committee on Judiciary.

Also:

ASSEMBLY CHAMBER, SACRAMENTO, April 28, 1931.

MR. PRESIDENT: I am directed to inform your honorable body that the Assembly amended, and on this day passed as amended, Senate Bill No. 490—An act defining the civil liability for failure to control fire—and respectfully requests your honorable body to concur in said amendments.

ARTHUR A. OHNIMUS, Chief Clerk.
By FRED J. DESCH, Assistant Clerk.

CONSIDERATION OF ASSEMBLY AMENDMENTS.

The Senate took up for consideration Assembly amendments to Senate Bill No. 490—An act defining the civil liability for failure to control fire.

ASSEMBLY AMENDMENTS TO SENATE BILL NUMBER FOUR HUNDRED NINETY.

AMENDMENT NUMBER ONE.

On page 2, line 3, of the printed bill, strike out "3", and insert in lieu thereof the following: "4".

AMENDMENT NUMBER TWO.

On page 1, line 7, of the printed bill, strike out the comma, and "or", and insert in lieu thereof the following: "the property, whether privately or public owned, of another, is liable to the owner of such property for the damages thereto caused by such fire."

AMENDMENT NUMBER THREE.

On page 1, line 12, of the printed bill, strike out "(4)", and insert in lieu thereof the following:

"SEC. 2. Any person who".

AMENDMENT NUMBER FOUR.

On page 1 of the printed bill, strike out line 13, and in line 14, strike out "owned", and in lieu thereof insert the following: "to the property, whether privately or publicly owned, of another".

AMENDMENT NUMBER FIVE.

On page 1, line 16, of the printed bill, after the period following "fire", insert the following: "A showing that the property from which the fire escaped was, at the time of such fire, protected by, or included in an area protected by, a contract for fire protection with the state division of forestry, or any agency approved by such division, shall constitute prima facie evidence of the due diligence required by this section."

AMENDMENT NUMBER SIX.

On page 1, line 24, of the printed bill, strike out "2", and insert in lieu thereof the following: "3".

AMENDMENT NUMBER SEVEN.

On page 1, line 15, of the printed bill, strike out "A showing that the", also strike out lines 16 to 20, inclusive.

AMENDMENT NUMBER EIGHT.

On page 2 of the printed bill, after line 6, add the following:

"SEC. 5. Section 3344 of the Political Code is hereby repealed".

The question being: Shall the Senate concur in Assembly amendments to Senate Bill No. 490?

The roll was called, and the Senate refused to concur in Assembly amendments to Senate Bill No. 490 by the following vote:

AYES—None.

NOES—Senators Allen, Breed, Carter, Cassidy, Christian, Cleveland, Clock, Crittenden, Deuel, Duval, Evans, Harper, Hays, Ingels, Inman, Jones, Maloney, McKinley, Mixter, Moran, Pedrotti, Riley, Rochester, Schottky, Sharkey, Slater, Treacy, Waggy, Williams, and Young—30.

Also:

ASSEMBLY CHAMBER, SACRAMENTO, April 30, 1931.

MR. PRESIDENT: I am directed to inform your honorable body that the Assembly on this day adopted Assembly Constitutional Amendment No. 14. A resolution to propose to the people of the State of California an amendment to the constitution of said State by adding a new section thereto to be known as and numbered section 31a of article IV of the State of California, relating to the ownership by a municipal corporation of stock in a mutual water company.

ARTHUR A. OHNIMUS, Chief Clerk.

By FRED J. DESCH, Assistant Clerk.

Assembly Constitutional Amendment No. 14 read, and referred to Committee on Constitutional Amendments.

Also:

ASSEMBLY CHAMBER, SACRAMENTO, April 30, 1931.

MR. PRESIDENT: I am directed to inform your honorable body that the Assembly on this day adopted the report of the Committee on Free Conference concerning Assembly Bill No. 568—An act to amend section 1723 of the Code of Civil Procedure, relating to the termination of certain interests in property.

ARTHUR A. OHNIMUS, Chief Clerk.

By C. W. BOOTH, Assistant Clerk.

Also:

ASSEMBLY CHAMBER, SACRAMENTO, April 30, 1931.

MR. PRESIDENT: I am directed to inform your honorable body that the Assembly on this day passed Assembly Bill No. 822—An act to amend section 4014 of the Political Code, relating to township officers;

Also: Assembly Bill No. 1550—An act to add a new section to the Political Code to be numbered 2906a and relating to the granting of authority to a city, city and county, person or corporation to construct recreational wharves on certain State lands;

Also: Assembly Bill No. 756—An act to amend section 5.615 of the School Code, and to repeal section 5.614 thereof, relating to the expenses of joint teachers institutes;

Also: Assembly Bill No. 453—An act providing for the granting of franchises in counties or cities and counties for the disposal or destruction, or both, of garbage and other waste, and declaring same an urgency measure, and repealing an act entitled "An act providing for the granting of franchises in counties or cities and counties for the disposal or destruction, or both, of garbage and other waste, and declaring same an urgency measure," approved April 17, 1931;

Also: Assembly Bill No. 322—An act to amend section 158 of the Code of Civil Procedure, relating to judges of the superior court.

ARTHUR A. OHNIMUS, Chief Clerk.
By FRED J. DESCH, Assistant Clerk.

Assembly Bills Nos. 822 and 1550 read first time, and referred to Committee on County Government.

Assembly Bill No. 756 read first time, and referred to Committee on Education.

Assembly Bills Nos. 453 and 322 read first time, and referred to Committee on Judiciary.

Also:

ASSEMBLY CHAMBER, SACRAMENTO, April 30, 1931.

MR. PRESIDENT: I am directed to inform your honorable body that the Assembly on April 29, 1931, passed Assembly Bill No. 709—An act to add a new section to the Penal Code, to be numbered 383c, relating to the sale or storage of certain articles in places where food is kept.

ARTHUR A. OHNIMUS, Chief Clerk.
By FRED J. DESCH, Assistant Clerk.

Assembly Bill No. 709 read first time, and referred to Committee on Public Health and Quarantine.

Also:

ASSEMBLY CHAMBER, SACRAMENTO, April 30, 1931.

MR. PRESIDENT: I am directed to inform your honorable body that the Assembly on this day passed Assembly Bill No. 1437—An act to amend section 683 of the Code of Civil Procedure, relating to executions;

Also: Assembly Bill No. 1136—An act to amend section 4236a of the Political Code, relating to county and township officers in counties of the seventh class, the assistants, deputies, and other employees of said officers, and providing for the compensation of said officers and said assistants, deputies, and other employees;

Also: Assembly Bill No. 1925—An act to amend section 1 of an act entitled "An act providing for the creation of revolving funds in the counties of the State," approved May 9, 1923, as amended, relating to the persons for whom revolving funds may be established;

Also: Assembly Bill No. 153—An act to amend section 412 of the Political Code, relating to appointees of the Secretary of State;

Also: Assembly Bill No. 249—An act to amend section 439 of the Political Code, relating to employees in Controller's office.

ARTHUR A. OHNIMUS, Chief Clerk.
By FRED J. DESCH, Assistant Clerk.

Assembly Bill No. 1437 read first time, and referred to Committee on Judiciary.

Assembly Bills Nos. 1136 and 1925 read first time, and referred to Committee on County Government.

Assembly Bills Nos. 153 and 249 read first time, and referred to Committee on Governmental Efficiency.

REPORT OF COMMITTEE ON FREE CONFERENCE.

The following report was received and read:

SENATE CHAMBER, SACRAMENTO, April 29, 1931.

MR. PRESIDENT: Your Committee on Free Conference concerning Assembly Bill No. 568—An act to amend section 1723 of the Code of Civil Procedure, relating to the termination of certain interests in property—reports that it has met a like committee of the Assembly, consisting of Assemblymen Hoffman, Cobb and Houser, and reports that the Committee on Free Conference has agreed to recommend the following: That the Assembly concur in the Senate amendments, and that the bill be further amended as follows:

AMENDMENT NUMBER ONE.

On page 1, line 6, of the printed bill, following the comma, insert the following: "may, and a surviving joint tenant or surviving joint tenants".

AMENDMENT NUMBER TWO.

On page 1, line 6, of the printed bill, following the word "must", insert a comma.

CHRISTIAN,
PEDROTTI,
SCHOTTKY,

Senate Committee on Free Conference.

COBB,
HOFFMAN,
HOUSER,

Assembly Committee on Free Conference.

The question being on the adoption of the report of the Committee on Free Conference and the amendments.

The roll was called, and the report of Committee on Free Conference and the amendments adopted by the following vote:

AYES—Senators Allen, Baker, Breed, Bush, Carter, Cassidy, Christian, Cleveland, Clock, Crittenden, Duval, Duval, Edwards, Evans, Fellom, Harper, Hays, Ingels, Inman, Jones, McCormack, McKinley, Mixer, Moran, Pedrotti, Riley, Rochester, Schottky, Sharkey, Slater, Tracy, Wagy, Williams, and Young—34.

NOES—None.

RESOLUTION.

The following resolution was offered:

By Senator Breed:

WHEREAS, The Hon. Herbert Hoover, President of the United States, has seen fit to designate a distinguished Californian and a member of the Senate of the State of California to represent this country at the coming International Conference on Narcotics in Geneva, Switzerland, in the person of the Hon. Sanborn Young, of Santa Clara County; and

WHEREAS, In so doing President Hoover has conferred signal honor upon Senator Young, recognizing his distinguished ability and his long and tireless efforts in behalf of legislation to cope with the narcotic evil; and

WHEREAS, President Hoover's selection of Senator Young likewise confers an honor upon this body of which Senator Young is a member; now, therefore, be it

Resolved, That the Senate of the State of California hereby expresses its sincere good wishes to Senator and Mrs. Young, for a most happy and successful trip to Geneva; and be it further

Resolved, That he be assured of our regret at his early departure from our midst, as well as our earnest desire that the full objectives of his journey and attendance at the conference may be accomplished

Resolution read, and on motion of Senator Breed, seconded by Senators Slater and Jones, adopted by a rising vote of the Senate.

CONSIDERATION OF SPECIAL ORDER.

The hour having arrived for the consideration of Senate Bill No. 362, heretofore set as a special order for two o'clock p.m., Thursday, April 30, 1931, the same was taken up for consideration.

Senate Bill No. 362—An act to prohibit the production of crude petroleum oil so as to constitute waste; to define waste; to provide for a determination of waste and the allocation of production to the several

sources of supply and the several properties therein and to provide penalties for a violation of said law.

Bill read third time, previously.

MOTION TO REFER TO SPECIAL COMMITTEE OF ONE.

During third reading of the bill, Senator Inman moved to refer Senate Bill No. 362 to Senator Jones, as a Special Committee of One, to amend as follows:

AMENDMENT NUMBER ONE.

On page 4, line 15, of the printed amended bill, after the word "be", strike out the rest of the page.

AMENDMENT NUMBER TWO.

On page 5 of the printed amended bill, strike out lines 1 to 30, inclusive, and insert in lieu thereof the following: "appointed by the governor of the State of California, and the term of office of each of said commissioners shall be for one (1) year. Each of said commissioners shall receive a salary of three thousand six hundred dollars per annum, payable out of the petroleum oil and gas fund."

AMENDMENT NUMBER THREE.

On page 5, line 31, of the printed amended bill, strike out the word "elected", and insert in lieu thereof the word "appointed".

AMENDMENT NUMBER FOUR.

On page 5, line 32, of the printed amended bill, strike out the word "election", and insert in lieu thereof the word "appointment".

AMENDMENT NUMBER FIVE.

On page 5 of the printed amended bill, strike out lines 35 to 47, inclusive, and in lieu thereof insert the following:

"In case of vacancy arising in said oil conservation commission said vacancy shall be filled by appointment by the governor of the State of California."

AMENDMENT NUMBER SIX.

On page 6 of the printed amended bill, strike out lines 16 to 52, inclusive.

AMENDMENT NUMBER SEVEN.

On page 7 of the printed amended bill, strike out lines 1 to 9, inclusive.

AYES AND NOES DEMANDED.

A roll call was demanded by Senators Inman, Jones and Riley on Senator Inman's motion to refer Senate Bill No. 362 to Senator Jones, as a Special Committee of One, for amendment.

The roll was called and Senator Inman's motion carried by the following vote:

AYES—Senators Allen, Bush, Carter, Cassidy, Christian, Cleveland, Crittenden, Hays, Ingels, Inman, Jones, Maloney, McCormack, McKinley, Riley, Rochester, Schottky, Slater, and Treacy—19.

NOES—Senators Baker, Breed, Clock, Deuel, Duval, Edwards, Evans, Harper, Mixer, Moran, Nelson, Pedrotti, Rich, Sharkey, Waggy, Williams, and Young—17.

REPORT OF SPECIAL COMMITTEE OF ONE.

SENATE CHAMBER, SACRAMENTO, April 29, 1931.

MR. PRESIDENT: Your Special Committee of One, to which was referred Senate Bill No. 362, with instructions to amend, respectfully reports the same back, amended as per instructions.

JONES, Committee.

Report read, and on motion of Senator Inman adopted.

RECESS.

On motion of Senator Inman, at three o'clock and fifty-five minutes p.m., the President of the Senate declared recess until four o'clock p.m., to hear remarks by Senator Rich and others from Marysville.

RECONVENED.

At four o'clock p.m., the Senate reconvened.

Lieutenant Governor Frank F. Merriam, President of the Senate, in the chair.

Secretary Joseph A. Beek at the desk.

MOTION TO REFER TO SPECIAL COMMITTEE OF ONE.

During third reading of the bill, Senator Riley moved to refer Senate Bill No. 362 to Senator Inman, as a Special Committee of One, to amend as follows:

AMENDMENT NUMBER ONE.

On page 2, line 14, of the printed bill, after "its", insert the following: "refined".

AMENDMENT NUMBER TWO.

On page 2, line 17, of the printed bill, after "its", insert the following: "refined".

AMENDMENT NUMBER THREE.

On page 2, line 19, of the printed bill, after "its", insert the following: "refined".

AMENDMENT NUMBER FOUR.

On page 2, line 23, of the printed bill, after "its", insert the following: "refined".

AMENDMENT NUMBER FIVE.

On page 7, line 12, of the printed bill, after "oil", insert a comma, and the following: "and the amount of crude petroleum oil and/or its refined products in storage".

AMENDMENT NUMBER SIX.

On page 7, line 37, of the printed bill, after "its", insert the following: "refined".

AMENDMENT NUMBER SEVEN.

On page 7, line 39, of the printed bill, after "its", insert the following: "refined".

AMENDMENT NUMBER EIGHT.

On page 10, line 42, of the printed bill, after "oil", insert a comma, and the following: "and/or refined products".

Motion carried.

REPORT OF SPECIAL COMMITTEE OF ONE.

SENATE CHAMBER, SACRAMENTO, April 30, 1931.

MR. PRESIDENT: Your Special Committee of One, to which was referred Senate Bill No. 362, with instructions to amend, respectfully reports the same back, amended as per instructions.

INMAN, Committee.

Report read, and on motion of Senator Riley adopted.

MOTION TO REFER TO SPECIAL COMMITTEE OF ONE.

During third reading of the bill, Senator Inman moved to refer Senate Bill No. 362 to Senator Jones, as a Special Committee of One, to amend as follows:

AMENDMENT NUMBER ONE.

On page 10 of the printed bill, between lines 39 and 40, insert the following:

"SEC. 9a. Whenever crude oil of an average Baume gravity of all California producing fields shall have attained an unreasonable wholesale price f.o.b. well, or wells, and gasoline shall have attained an unreasonable wholesale price f.o.b. refinery, or either of them, upon complaint made in writing to the oil conservation commission, of any person, firm, company, corporation or syndicate, said commission shall at once order a hearing to be held in the county from which said complaint was made. Said hearing to be held in the same manner as is provided for the hearing upon the complaint that waste of crude petroleum oil is being committed in this state. The commission shall determine whether or not in the interest of public policy, restrictions and proration then in effect on crude oil production in California shall, in full or in part, at once be suspended. If upon the hearing the commission finds that it would be beneficial in interest of public policy to suspend restrictions and proration, in full or in part, then said commission shall at once promulgate an order, such order to be made in the same manner and to have the same authority as is provided in the case of any other order of the commission, making effective its decision which order shall remain in full force and effect until such time as both crude and gasoline prices have respectively reached a reasonable price per barrel f.o.b. well and f.o.b. refinery, at which time prior restrictions and proration orders as affecting crude oil production shall be restored to full force and effect."

UNANIMOUS CONSENT REFUSED.

Senator Inman asked unanimous consent to withdraw his amendment as offered in his motion to refer Senate Bill No. 362 to Senator Jones, as a Special Committee of One, for amendment, and that the Secretary submit the amendment to the Attorney General for an opinion as to its constitutionality.

Unanimous consent refused.

MOTION BY SENATOR INMAN.

Senator Inman moved, seconded by Senator Carter, that he be permitted to withdraw his amendments, as offered in his motion to refer Senate Bill No. 362 to Senator Jones, as a Special Committee of One, for amendment, and that the Secretary be instructed to submit the amendments immediately to the Attorney General for an opinion as to their constitutionality.

Motion lost.

WITHDRAWAL OF AMENDMENTS.

Senator Inman asked for, and was granted, unanimous consent to withdraw his amendments, as offered in his motion to refer Senate Bill No. 362 to Senator Jones, as a Special Committee of One, for amendment.

MOTION TO REFER TO SPECIAL COMMITTEE OF ONE.

During third reading of the bill, Senator Carter moved to refer Senate Bill No. 362 to Senator Edwards, as a Special Committee of One, to amend as follows:

AMENDMENT NUMBER ONE.

On page 7, line 42, of the printed bill, as amended in Senate April 21, 1931, after the word "Act", insert the following:

"Every corporation, joint stock company, partnership, or other person, claiming or exercising the right to carry or transport crude oil or petroleum or any of the products thereof, by pipe line for hire or otherwise, within the limits of this state, as allowed by, and upon compliance with the requirements of this article, as owner, lessee, licensee, or by virtue of any other right or claim, which is engaged in the business of purchasing crude oil or petroleum therein, shall be deemed a common purchaser thereof, and shall purchase all of the petroleum in the vicinity of, or which may be reasonably reached by its pipe lines, or gathering branches, without discriminating in favor of one producer, or one person as against another, and shall fully perform all the duties of a common purchaser; but if it shall be unable to perform the same, or shall be legally excusable from purchasing and transporting all of the petroleum produced, then it shall purchase and transport petroleum from each person and producer ratably, in proportion to the average daily allowable production of the seller as determined by the commission; and such common purchasers are hereby expressly prohibited from discriminating in price or amount for like grades of oil, or facilities as between producers or persons; and in the event such purchaser is likewise a producer, it is hereby prohibited from discriminating in favor of its production, or storage, or production or storage, in which it may be interested, directly or indirectly, in whole or in part, and its own production and storage shall be treated as that of any other person or producer."

AYES AND NOES DEMANDED.

A roll call was demanded by Senators Inman, Sharkey and Carter, on Senator Carter's motion to refer Senate Bill No. 362 to Senator Edwards, as a Special Committee of One, for amendment.

The roll was called.

CALL OF THE SENATE.

Pending the announcement of the vote, Senator Carter moved a call of the Senate.

Motion carried.

The Secretary was directed to call the roll.

The roll was called, and the following answered to their names:

Senators Allen, Baker, Breed, Carter, Cleveland, Clock, Duval, Edwards, Harper, Hays, Inman, Jones, Maloney, McKinley, Nelson, Pedrotti, Riley, Rochester, Sharkey, Slater, Treacy, Tubbs, and Wagye—23.

The Secretary announced the absentees.

Time, four o'clock and fifty-two minutes p.m.

The President directed the Sergeant-at-Arms to close the doors.

The Sergeant-at-Arms, having been furnished with the names of the absentees, was directed to bring them to the bar of the Senate.

PROCEEDINGS UNDER CALL OF THE SENATE.

REQUEST FOR PERMISSION TO INTRODUCE A BILL.

The following request for permission to introduce a bill was presented:

By Senator McKinley:

SENATE CHAMBER, SACRAMENTO, April 30, 1931.

MR. PRESIDENT: In accordance with the provisions of section 2, article IV of the constitution, I request permission to introduce a bill, the title of which is set forth below:

An act to amend section 3664aa of the Political Code, relating to the taxation of highway transportation companies.

Request referred to Committee on Rules.

REPORTS OF STANDING COMMITTEES—(RESUMED).

The following reports of standing committees were received and read:

ON DRAINAGE, SWAMP AND OVERFLOWED LANDS.

SENATE CHAMBER, SACRAMENTO, April 30, 1931.

MR. PRESIDENT: Your Committee on Drainage, Swamp and Overflowed Lands, to which was referred Senate Bill No. 479—An act providing for study of the flood problems of the Mohave River and Santa Ana River system, the preparation of plans and specifications in connection therewith, providing for study of rainfall penetration in connection therewith, and establishment and maintenance of gauging stations, providing for the cooperation by interested counties and districts, and directing the Division of Engineering and Irrigation, Department of Public Works, to provide for the carrying on of said work under its own direction or under the direction of the Department of Agriculture of the United States, and relating thereto—has had the same under consideration, and respectfully reports the same back with amendments, and recommends that the amendments be adopted, and the bill be re-referred to Committee on Finance.

Committee membership—5.

(Signed out)

MCCORMACK, Chairman.
CRITTENDEN.
EVANS.
MORAN.
SWING.

CONSIDERATION OF COMMITTEE AMENDMENTS.

Pursuant to the report of the Committee on Drainage, Swamp and Overflowed Lands, the following amendments to Senate Bill No. 479 were read and adopted:

AMENDMENT NUMBER ONE.

In line 1 of the title of the printed bill, following the first word "of", strike out the remainder of line 1, all of lines 2 and 3, and the words "for study of", at the beginning of line 4, and the words "in connection therewith", at the end of line 4.

AMENDMENT NUMBER TWO.

On page 1, line 1, of the printed bill, strike out the word "five".

AMENDMENT NUMBER THREE.

On page 1, line 4, of the printed bill, at the end of the line following the last word "the", add the following: "water conservation and".

AMENDMENT NUMBER FOUR.

On page 1, line 5, of the printed bill, strike out all of said line following the word "river", and the word "system", in line 6.

AMENDMENT NUMBER FIVE.

On page 1, line 6, of the printed bill, after the word "penetration", add the following: "in the coastal area of Orange, Riverside, San Bernardino and Los Angeles counties,".

AMENDMENT NUMBER SIX.

On page 1, line 6, of the printed bill, strike out the words "in connection", and the word "therewith", in line 7.

AMENDMENT NUMBER SEVEN.

On page 1, line 8, of the printed bill, strike out the words "upon said rivers".

AMENDMENT NUMBER EIGHT.

On page 1, line 9, of the printed bill, strike out all of said line commencing with the word "engineering", and all of line 10, to and including the word "conjunction", and insert in lieu thereof the following: "water resources, department of public works, or in cooperation".

AMENDMENT NUMBER NINE.

On page 1, line 12, of the printed bill, strike out the words "such sum", and insert in lieu thereof the word "moneys".

AMENDMENT NUMBER TEN.

On page 1, line 14, of the printed bill, strike out the word "five".

Bill ordered to print, and re-referred to Committee on Finance.

ON JUDICIARY.

SENATE CHAMBER, SACRAMENTO, April 30, 1931.

MR. PRESIDENT: Your Committee on Judiciary, to which was referred Assembly Bill No. 1574—An act to amend section 11 of the Workmen's Compensation, Insurance and Safety Act of 1917, approved May 23, 1917, as amended, by making additional provisions regarding serious and wilful misconduct and regarding employees who are totally disabled and bedridden;

Also: Assembly Bill No. 1174—An act to amend section 4190 of the Political Code, relating to establishment and government and the creation of a fund for a Law Library;

Has had the same under consideration, and respectfully reports the same back with amendments, and recommends that the amendments be adopted, and that they do pass as amended.

Committee membership—17; committee vote: Ayes—14; absent—3.

CHRISTIAN, Chairman.

Assembly Bills Nos. 1574 and 1174 ordered on file for second reading.

FURTHER PROCEEDINGS UNDER CALL OF THE SENATE DISPENSED WITH.

At four o'clock and fifty-seven minutes p.m., further proceedings under the call of the Senate were dispensed with, on motion of Senator Carter.

The Secretary was directed to call the roll on Senator Carter's motion to refer Senate Bill No. 362 to Senator Edwards, as a Special Committee of One, for amendment.

The roll was called, and Senator Carter's motion lost by the following vote:

AYES—Senators Allen, Carter, Cleveland, Edwards, Inman, Jones, McCormack, Riley, and Swing—9.

NOES—Senators Baker, Breed, Clock, Duval, Fellom, Harper, Hays, Ingels, Maloney, McKinley, Nelson, Pedrotti, Rochester, Sharkey, Slater, Treacy, Waggy, and Young—18.

SPECIAL ORDER.

Senator Carter moved that further consideration of Senate Bill No. 362 be made a special order for eleven o'clock and fifteen minutes a.m., Monday, May 4th.

MOTION TO AMEND.

Senator Maloney moved to amend the motion of Senator Carter to make Senate Bill No. 362 a special order for eleven o'clock a.m., Friday, May 1st.

AYES AND NOES DEMANDED.

A roll call was demanded by Senators Maloney, Duval and Evans on Senator Maloney's motion to amend Senator Carter's motion to make Senate Bill No. 362 a special order for eleven o'clock a.m., Friday, May 1st.

The roll was called, and Senator Maloney's motion to amend Senator Carter's motion carried by the following vote:

AYES—Senators Allen, Bush, Carter, Cleveland, Crittenden, Duval, Edwards, Evans, Harper, Hays, Inman, Jones, Maloney, McCormack, McKinley, Mixter, Riley, Schottky, Sharkey, Slater, Swing, Treacy, Waggy, Williams, and Young—25.

NOES—Senators Baker, Breed, Cassidy, Christian, Clock, Deuel, Fellom, Ingels, Moran, Nelson, Rich, Rochester, and Tubbs—13.

SPECIAL ORDER.

The question being on Senator Carter's motion, as amended by Senator Maloney, to make Senate Bill No. 362 a special order for eleven o'clock a.m., Friday, May 1st.

Motion carried, and such was the order.

COMMUNICATION.

The following communication was received, and ordered printed in the Journal:

By Senator Crittenden.

CALIFORNIA STATE EMPLOYEES' ASSOCIATION,
SACRAMENTO, CALIFORNIA, April 30, 1931.

To the Legislature of the State of California.

GENTLEMEN: In pursuance with an understanding had with the Senate Finance Committee at the time Senate Bill No. 683 was passed out by the committee with recommendation for passage, we, the undersigned, officers of the California State Employees' Association and of the State Employees Retirement Campaign Committee, hereby give our assurance that no request will be made by the State Employees' Association to increase the rates of contribution on the part of the State for the purpose of carrying out the retirement system provided in Senate Bill No. 683, as amended in the Senate on April 9, 1931, to the State Legislature at the next session in 1933. We believe that the act as submitted is actuarially sound, and that it is a fair agreement between the State and its employees.

Respectfully submitted.

THOS. E. STANTON, JR., President,
California State Employees' Association, and Chairman,
State Employees Retirement Campaign Committee.

E. J. CALLAN, Vice President,
California State Employees' Association, and Vice Chairman,
State Employees Retirement Campaign Committee.

EARL W. CHAPMAN, Secretary,
California State Employees' Association.

F. A. TAYLOR, Secretary,
State Employees Retirement Campaign Committee.

CONSIDERATION OF DAILY FILE.

THIRD READING OF ASSEMBLY BILLS.

Assembly Bill No. 1225—An act to amend section 644 of the Penal Code, relating to the punishment of habitual criminals.

Bill read third time.

MOTION TO REFER TO SPECIAL COMMITTEE OF ONE.

During third reading of the bill, Senator Rochester moved to refer Assembly Bill No. 1225 to Senator Hays, as a Special Committee of One, to amend as follows:

AMENDMENT NUMBER ONE.

On page 1, line 15, of the printed bill, strike out "or any of them,".

AMENDMENT NUMBER TWO.

On page 1, line 21, of the printed bill, strike out the word "thereof", and insert in lieu thereof the following: "therefor".

AMENDMENT NUMBER THREE.

On page 2, line 10, of the printed bill, strike out "inflicting such punishment of" and insert in lieu thereof the following: "punishable by".

Motion carried.

REPORT OF SPECIAL COMMITTEE OF ONE.

SENATE CHAMBER, SACRAMENTO, April 30, 1931.

MR. PRESIDENT: Your Special Committee of One, to which was referred Assembly Bill No. 1225, with instructions to amend, respectfully reports the same back, amended as per instructions.

HAYS, Committee.

Report read, and on motion of Senator Rochester adopted.

Bill ordered to print.

Assembly Bill No. 1000—An act substituting for the existing title I of part IV of division I of the Civil Code of the State of California a new title I of said part IV consisting of 16 chapters which shall supersede said existing title I and sections numbered consecutively 1227 to 1235, both numbers included, of the Code of Civil Procedure of California, all relating to corporations.

Bill read third time.

MOTION TO REFER TO SPECIAL COMMITTEE OF ONE.

During third reading of the bill, Senator Nelson moved to refer Assembly Bill No. 1000 to Senator Breed, as a Special Committee of One, to amend as follows:

AMENDMENT NUMBER ONE.

On page 1, line 3, of the printed bill, after "title", strike out "first", and insert in lieu thereof the following: "one".

AMENDMENT NUMBER TWO.

On page 1, line 3, of the printed bill, after "division", strike out "one", and insert in lieu thereof the following: "first".

AMENDMENT NUMBER THREE.

On page 3, line 52, of the printed bill, strike out "or", and insert in lieu thereof the following: "of".

AMENDMENT NUMBER FOUR.

On page 8, line 44, of the printed bill, strike out "other than officers or directors thereof".

AMENDMENT NUMBER FIVE.

On page 8, lines 45 and 46, of the printed bill, strike out "other than their officers and directors".

AMENDMENT NUMBER SIX.

On page 9 of the printed bill, strike out lines 13 to 17, inclusive.

AMENDMENT NUMBER SIX A.

On page 9, line 22, of the printed bill, after "or", insert the following: "amounts".

AMENDMENT NUMBER SEVEN.

On page 15, line 32, of the printed bill, strike out "any", and insert in lieu thereof the following: "Any".

AMENDMENT NUMBER SEVEN *a*.

On page 24, line 39, of the printed bill, strike out "creditor's bill", and insert in lieu thereof the following: "action".

AMENDMENT NUMBER EIGHT.

On page 34, line 43, of the printed bill, strike out "Notice of appeal from court order", and insert in lieu thereof the following: "Transfers pursuant to judgment or court order".

AMENDMENT NUMBER NINE.

On page 34, line 44, of the printed bill, strike out "an", and insert in lieu thereof the following: "a judgment or".

AMENDMENT NUMBER TEN.

On page 35, line 3, of the printed bill, after "such", insert the following: "judgment or".

AMENDMENT NUMBER ELEVEN.

On page 35 of the printed bill, strike out line 9, and insert in lieu thereof the following: "such judgment or order of court was given or made, showing that the judgment or order of court".

AMENDMENT NUMBER TWELVE.

On page 38, line 29, of the printed bill, strike out "article", and insert in lieu thereof the following: "chapter".

AMENDMENT NUMBER THIRTEEN.

On page 40, line 22, of the printed bill, strike out "300", and insert in lieu thereof the following: "300b".

AMENDMENT NUMBER FOURTEEN.

On page 43, line 8, of the printed bill, after "contributed", insert the following: "surplus".

AMENDMENT NUMBER FIFTEEN.

On page 49, line 31, of the printed bill, immediately before "shall", insert the following: "of each corporation".

AMENDMENT NUMBER SIXTEEN.

On page 50, line 6, of the printed bill, strike out "certificate", and insert in lieu thereof the following: "certificates".

AMENDMENT NUMBER SEVENTEEN.

On page 53, line 24, of the printed bill, strike out the following: "362b. Procedure to amend articles."

AMENDMENT NUMBER EIGHTEEN.

On page 53, line 35, of the printed bill, before the word "After", insert the following: "362b. Certificate of amendment."

AMENDMENT NUMBER EIGHTEEN *a*.

On page 54, line 49, of the printed bill, strike out "director", and insert in lieu thereof the following: "directors".

AMENDMENT NUMBER NINETEEN.

On page 60, line 43, of the printed bill, strike out "charter", and insert in lieu thereof the following: "existence".

AMENDMENT NUMBER TWENTY.

On page 60, line 50, of the printed bill, following the period after "thereof", insert the following: "No action or proceeding to which a corporation is a party shall abate by the dissolution of such corporation."

AMENDMENT NUMBER TWENTY-ONE.

On page 61 of the printed bill, strike out lines 20 and 21, and insert in lieu thereof the following: "president or vice president, and secretary or an assistant secretary, or by authority of a majority of the directors or trustees. Any act authorized".

AMENDMENT NUMBER TWENTY-TWO.

On page 61 of the printed bill, strike out all of lines 27 to 32, inclusive, and insert in lieu thereof the following:

"Any deed executed in the name of a corporation, heretofore dissolved, by the president or a vice president, and the secretary or an assistant secretary, or by authority of a majority of the directors or trustees after dissolution thereof, duly recorded, in".

AMENDMENT NUMBER TWENTY-THREE.

On page 61, line 46, of the printed bill, strike out "and", and insert in lieu thereof the following: "and/or".

AMENDMENT NUMBER TWENTY-FOUR.

On page 61, line 50, of the printed bill, strike out "be wound up", and insert in lieu thereof the following: "elect to wind up and/or dissolve".

AMENDMENT NUMBER TWENTY-FIVE.

On page 62, line 23, of the printed bill, strike out "filing".

AMENDMENT NUMBER TWENTY-SIX.

On page 62, line 28, of the printed bill, strike out "dissolution", and insert in lieu thereof the following: "winding up".

AMENDMENT NUMBER TWENTY-SEVEN.

On page 62, lines 31 and 32, of the printed bill, strike out "Unless other persons are appointed by the court on good cause shown, the", and insert in lieu thereof the following: "The".

AMENDMENT NUMBER TWENTY-EIGHT.

On page 62, line 35, of the printed bill, strike out "Persons so", and also strike out lines 36 and 37, inclusive.

AMENDMENT NUMBER TWENTY-NINE.

On page 67 of the printed bill, strike out line 9, and insert in lieu thereof the following: "for whose identity or whereabouts can".

AMENDMENT NUMBER THIRTY.

On page 67, line 10, of the printed bill, strike out "have", and insert in lieu thereof the following: "has".

AMENDMENT NUMBER THIRTY-ONE.

On page 67, line 11, of the printed bill, strike out "have", and insert in lieu thereof the following: "has".

AMENDMENT NUMBER THIRTY-TWO.

On page 67, line 14, of the printed bill, strike out "conduct the", and insert in lieu thereof the following: "act as director or trustee in".

AMENDMENT NUMBER THIRTY-THREE.

On page 67, line 15, of the printed bill, strike out "and complete the liquidation of".

AMENDMENT NUMBER THIRTY-FOUR.

On page 67 of the printed bill, strike out lines 16 to 24, inclusive, and insert in lieu thereof the following: "corporation."

AMENDMENT NUMBER THIRTY-FIVE.

On page 67, line 25, of the printed bill, strike out the following: "shall be cumulative, and".

AMENDMENT NUMBER THIRTY-SIX.

On page 67, line 30, of the printed bill, immediately before "property", insert the following: "known".

AMENDMENT NUMBER THIRTY-SEVEN.

On page 67, line 33, of the printed bill, after the comma following "court", insert the following: "a majority of".

AMENDMENT NUMBER THIRTY-EIGHT.

On page 67 of the printed bill, strike out lines 36 to 42, inclusive, and insert in lieu thereof the following:

"(2) A copy of such order certified by the clerk of court shall be filed in the office of the secretary of state and of the county clerk in which the principal office of the corporation is located unless the original order is on file therein. Such certificate of winding up shall be filed in the office of the secretary of state, and a copy, certified by him, shall be filed in the office of the county clerk of the county in which the principal office of the corporation is located. Thereupon all corporate activities shall terminate except for purposes of further winding up if needed."

AMENDMENT NUMBER THIRTY-NINE.

On page 69, line 5, of the printed bill, strike out "and", each time it appears in said line, and in each case insert in lieu thereof the following: "or".

AMENDMENT NUMBER FORTY.

On page 69, line 44, of the printed bill, strike out the following: "has ceased to exist or".

AMENDMENT NUMBER FORTY-ONE.

On page 70, line 6, of the printed bill, strike out the period at the end of said line, and insert in lieu thereof the following: "or may order that such corporation be wound up by its board of directors as in case of voluntary dissolution."

AMENDMENT NUMBER FORTY-TWO.

On page 70 of the printed bill, strike out all of lines 7 to 12, inclusive, and insert in lieu thereof the following:

"404c. Filing copy of decree. Whenever a corporation is dissolved or its existence forfeited by decree or judgment of court, a copy of the decree or judgment, certified by the clerk of court, shall be forthwith filed in the office of the secretary of state and in the office of the county clerk of the county in which the principal office of the corporation was located, unless the original is already on file therein."

AMENDMENT NUMBER FORTY-THREE.

On page 71, line 14, of the printed bill, strike out "reserve", and insert in lieu thereof the following: "reserved".

AMENDMENT NUMBER FORTY-FOUR.

On page 72, line 20, of the printed bill, strike out "triplicate", and insert in lieu thereof the following: "duplicate".

Motion carried.

REPORT OF SPECIAL COMMITTEE OF ONE.

SENATE CHAMBER, SACRAMENTO, April 30, 1931.

MR. PRESIDENT: Your Special Committee of One, to which was referred Assembly Bill No. 1000, with instructions to amend, respectfully reports the same back, amended as per instructions.

BREED, Committee.

Report read, and on motion of Senator Nelson adopted.

Bill ordered to print.

REPORTS OF STANDING COMMITTEES—(RESUMED).

The following reports of standing committees were received and read:

ON IRRIGATION.

SENATE CHAMBER, SACRAMENTO, April 30, 1931.

MR. PRESIDENT: Your Committee on Irrigation, to which was referred Assembly Bill No. 650—An act to amend an act entitled "An act to provide for the organization and government of irrigation districts, and to provide for the acquisition or construction thereby of works for the irrigation of lands embraced within such districts, and, also, to provide for the distribution of water for irrigation purposes," approved March 31, 1897, as amended, by adding a new section thereto to be numbered 93a, to provide for the fixing of conditions upon inclusion of lands before calling an election upon such inclusion—has had the same under consideration, and respectfully reports the same back, and recommends that it do pass.

Committee membership—7.

(Signed out)

MIXTER, Chairman.
BUSH.
CRITTENDEN.
HAYS.
SCHOTTKY.
WAGY.
YOUNG.

Assembly Bill No. 650 ordered on file for second reading.

ON INSURANCE.

SENATE CHAMBER, SACRAMENTO, April 30, 1931.

MR. PRESIDENT: Your Committee on Insurance, to which was referred Assembly Bill No. 264—An act to amend section 1 of an act entitled "An act to provide whole family protection for members of fraternal benefit societies," approved April 20, 1917, as amended, relating to the payment of death and annuity benefits upon the lives of children;

Also; Assembly Bill No. 1730—An act to amend an act entitled "An act to provide for proceedings against and liquidation of delinquent insurance corporations and associations," approved April 30, 1919, by amending sections 2 and 2a thereof, relating to the powers and duties of the Insurance Commissioner, and repealing section 5 thereof;

Also; Assembly Bill No. 1732—An act to amend section 594c of the Political Code, relating to the sale and issuance of securities of companies organized for the purpose of transacting an insurance business;

Has had the same under consideration, and respectfully reports the same back, and recommends that they do pass.

Committee membership—11; committee vote: Ayes—8; absent—3.

TUBBS, Chairman.

Assembly Bills Nos. 264, 1730 and 1732 ordered on file for second reading.

Also:

MR. PRESIDENT: Your Committee on Insurance, to which was referred Assembly Bill No. 263—An act to amend sections 1, 2, 5, 6, 9, 10 and 11 and to repeal section 7 of an act entitled "An act for the regulation and control of fraternal benefit societies," approved May 1, 1911, as amended, relating to the definitions of fraternal benefit society, lodge system, representative form of government, the maintenance and disbursement of funds and the payment of benefits;

Also: Assembly Bill No. 257—An act to amend section 1 of chapter 359, Statutes of 1903, entitled "An act to provide for the payment by the state or counties, or school districts, or other special districts or cities, or cities and counties, of the premium or charge on official bonds when given by surety companies," approved March 25, 1903, as amended;

Also: Assembly Bill No. 691—An act to add a new section to the Political Code to be known as section 595b, relating to the retirement of corporations from the title insurance business;

Has had the same under consideration, and respectfully reports the same back with amendments, and recommends that the amendments be adopted, and that they do pass as amended.

Committee membership—11; committee vote: Ayes—8; absent—3.

TUBBS, Chairman.

Assembly Bills Nos. 263, 257 and 691 ordered on file for second reading.

ADJOURNMENT.

At five o'clock and twenty-two minutes p.m., on motion of Senator Breed, the President declared the Senate adjourned out of respect to the memory of Dr. Henry Meade Bland, Poet Laureate of California, until ten o'clock a.m., Friday, May 1, 1931.

HAROLD J. POWERS, Minute Clerk.

IN SENATE.

SENATE CHAMBER,

SACRAMENTO, Friday, May 1, 1931.

The Senate met at ten o'clock a.m.

Lieutenant Governor Frank F. Merriam, President of the Senate, in the chair.

Secretary Joseph A. Beek at the desk.

ROLL CALL.

The roll was called, and the following answered to their names:

Senators Allen, Baker, Breed, Bush, Carter, Cassidy, Cleveland, Clock, Crittenden, Deuel, Duval, Edwards, Evans, Fellom, Harper, Hays, Inman, Jones, Maloney, McCormack, McKinley, Mixer, Moran, Nelson, Pedrotti, Rich, Riley, Rochester, Schottky, Slater, Swing, Treacy, Tubbs, Waggy, and Williams—35.

Quorum present.

PRAYER.

Prayer was offered by the Chaplain, Rev. Sherman L. Divine.

READING OF THE JOURNAL.

During the reading of the Journal of Thursday, April 30, 1931, the further reading was dispensed with, on motion of Senator Slater.

LEAVES OF ABSENCE.

Senator Young was, on motion of Senator Jones, granted leave of absence for the remainder of this legislative session.

Senators Christian and Sharkey were, on motion of Senator Breed, seconded by Senator Carter, granted leave of absence for this day.

Senator Ingels was, on motion of Senator Deuel, granted leave of absence for this day.

Senator Swing was, on motion of Senator Treacy, granted leave of absence for this afternoon session.

PRIVILEGE OF THE FLOOR OF SENATE EXTENDED.

On request of Senator Rochester, the privilege of the floor of the Senate Chamber for this day was unanimously extended to Frances and Marjorie Terry, and Henry Clock of Long Beach, California.

On request of Senator Allen, the privilege of the floor of the Senate Chamber for this day was unanimously extended to Surprise Valley Union High School, Cedarville, Modoc County, California; those in charge: Charles A. Moore, principal; C. H. Eahart, music director; Thomas J. Wylie, Walter Huusa, Raymond Turner, Frank Wheeler and Walter G. Rea; and students as follows: Anola Hapgood, Trilma McCulley, Frankie Gooch, Margaret Powers, Janie Espil, Jean Benner, Katherine Gooch, Vernie Muzzey, Lucile Cramton, Edith Page, Geraldine Wheeler, Robert Allenwood, Melvin Bailey, Albert Turner, James Hill, William Gooch, Dean Wylie, John Bacon, Willis Warren, Dan Hill, Walter Huusa, Willard Hill, Raymond Rinchart, Barbara Hapgood, Wilma Rea and Robert McCulley.

MESSAGES FROM THE ASSEMBLY.

The following messages from the Assembly were received and read:

ASSEMBLY CHAMBER, SACRAMENTO, April 30, 1931.

MR. PRESIDENT: I am directed to inform your honorable body that the Assembly on this day passed Assembly Bill No. 438—An act to provide for the funding and refunding of the indebtedness of, and for the issue and sale or exchange of funding bonds and the retirement of outstanding bonds of districts organized under and in pursuance of the Acquisition and Improvement Act of 1925, and to provide for payment of such bonds and for proceedings to test the validity of the same, and for such funding or refunding to levy assessments and reassessments and enforce the liens thereof;

Also: Assembly Bill No. 1474—An act to add a new section to an act entitled "An act to provide for the acquisition of, including the laying out, opening, extending, widening, straightening, and acquiring in any manner, in whole or in part, and for the improvement of and work upon public highways, roads, streets, avenues, boulevards, lanes, alleys, courts, places, parks, pleasure grounds, commons, and all public ways and other property and rights of way of the public, including any property over which possession and right of use have been obtained under the provisions of section 14 of article I of the constitution of the State of California, in whole or in part, whether lying entirely within unincorporated territory of a county or the territory of a municipality, or lying within such unincorporated territory and one or more municipalities, or lying within two or more municipalities, or forming the exterior boundary of any municipality where the same joins unincorporated territory of a county or the territory of another municipality, whether partly or wholly within or without said boundary, and the establishment and change of grade thereof; and providing for the payment of the costs and expenses of such acquisitions and such work and improvements, and the issuance and effect of bonds therefor and the payment of such bonds by special assessment taxes raised in assessment districts established for that purpose, and the enforcement of such bonds and taxes; and providing for aid from counties and municipalities in such acquisitions, work and improvements; and providing for the establishment and administration of revolving funds to assist in the carrying out of such acquisitions, work and improvements."

approved May 23, 1925, to be numbered 41a, relating to the payment of assessments with bonds or interest coupons.

ARTHUR A. OHNIMUS, Chief Clerk.
By FRED J. DESCH, Assistant Clerk.

Assembly Bill No. 438 read first time, and referred to Committee on Municipal Corporations.

Assembly Bill No. 1474 read first time, and referred to Committee on County Government.

Also:

ASSEMBLY CHAMBER, SACRAMENTO, April 30, 1931.

MR. PRESIDENT: I am directed to inform your honorable body that the Assembly on this day passed Assembly Bill No. 1152—An act making an appropriation to pay the claim of the Lassen Advocate against the State of California;

Also: Assembly Bill No. 1679—An act appropriating money to pay the claim of Harold E. Smith against the State of California;

Also: Assembly Bill No. 1739—An act to pay the claim of Vermont Marble Company against the State of California;

Also: Assembly Bill No. 136—An act making an appropriation to pay the claim of J. H. Briney against the State of California;

Also: Assembly Bill No. 164—An act to appropriate money to pay the claim of J. M. Ocheltree against the State of California;

Also: Assembly Bill No. 173—An act appropriating money to pay the claim of Yoshio Matsui against the State of California.

ARTHUR A. OHNIMUS, Chief Clerk.
By FRED J. DESCH, Assistant Clerk.

Assembly Bills Nos. 1152, 1679, 1739, 136, 164 and 173 read first time, and referred to Committee on Finance.

Also:

ASSEMBLY CHAMBER, SACRAMENTO, April 30, 1931.

MR. PRESIDENT: I am directed to inform your honorable body that the Assembly on this day passed Assembly Bill No. 710—An act making an appropriation to pay the claim of the heirs of James C. Flynn, deceased, against the State of California;

Also: Assembly Bill No. 705—An act to pay the claim of B. J. Humphreys against the State of California;

Also: Assembly Bill No. 1775—An act to amend section 2322r16 of the Political Code, relating to the salary of the county agricultural commissioner, his deputies and inspectors, in counties of the sixteenth class;

Also: Assembly Bill No. 329—An act making an appropriation to provide for the extermination of rough fish in Clear Lake, to take effect immediately;

Also: Assembly Bill No. 154—An act providing for the preparation and printing of a Cumulative Supplement to the Index of the Laws of California and a statutory record, and making an appropriation therefor.

ARTHUR A. OHNIMUS, Chief Clerk.
By FRED J. DESCH, Assistant Clerk.

Assembly Bills Nos. 710 and 705 read first time, and referred to Committee on Finance.

Assembly Bill No. 1775 read first time, and referred to Committee on County Government.

Assembly Bill No. 329 read first time, and referred to Committee on Fish and Game.

Assembly Bill No. 154 read first time, and referred to Committee on Governmental Efficiency.

Also:

ASSEMBLY CHAMBER, SACRAMENTO, April 30, 1931.

MR. PRESIDENT: I am directed to inform your honorable body that the Assembly on this day passed Assembly Bill No. 1374—An act to amend section 737w of the Political Code, relating to the salary of the superior judges in and for the county of Sonoma;

Also: Assembly Bill No. 1534—An act to amend section 737ddd of the Political Code, relating to the salary of the judge of the superior court in and for the county of Ventura;

Also: Assembly Bill No. 1892—An act relating to the salary of the judge of the superior court in and for the county of Marin.

ARTHUR A. OHNIMUS, Chief Clerk.
By FRED J. DESCH, Assistant Clerk.

Assembly Bills Nos. 1374, 1534 and 1892 read first time, and referred to Committee on Governmental Efficiency.

Also:

ASSEMBLY CHAMBER, SACRAMENTO, April 30, 1931.

MR. PRESIDENT: I am directed to inform your honorable body that the Assembly on this day passed Assembly Bill No. 1337—An act to add a new section to chapter 266, Statutes of 1923, known as the California Vehicle Act, approved May 30, 1923, as amended, to be known as section 151a, relating to the transportation of animals on motor vehicles:

Also: Assembly Bill No. 1307—An act to add a new section to the Penal Code, to be numbered 367b, relating to the printing, publishing or sale of copyrighted musical compositions;

Also: Assembly Bill No. 1917—An act to add a new section to the Penal Code to be numbered 1381, providing for the time within which a defendant must be brought to trial upon a pending indictment or information after such defendant's conviction on another charge;

Also: Assembly Bill No. 1014—An act to amend section 1980 of the Civil Code, relating to contracts for personal service.

ARTHUR A. OHNIMUS, Chief Clerk.
By FRED J. DESCH, Assistant Clerk.

Assembly Bill No. 1337 read first time, and referred to Committee on Motor Vehicles.

Assembly Bills Nos. 1307, 1917 and 1014 read first time, and referred to Committee on Judiciary.

Also:

ASSEMBLY CHAMBER, SACRAMENTO, April 30, 1931.

MR. PRESIDENT: I am directed to inform your honorable body that the Assembly on this day passed Assembly Bill No. 1752—An act to amend an act to create the office of State Fire Marshal, to provide for his powers and duties, and to repeal all acts or parts of acts inconsistent therein:

Also: Assembly Bill No. 914—An act to amend section 30 of the California Vehicle Act, relating to the appointment of inspectors, captains, traffic officers and clerks;

Also: Assembly Bill No. 1060—An act to amend section 3 of chapter 202, Statutes of 1919, entitled "An act to regulate the payment of wages or compensation for labor or service in private employments, establishing regular pay days providing penalties for the violation of its provisions, authorizing the commissioner of the Bureau of Labor Statistics to enforce this act, defining the duties of district attorneys relative to its enforcement, providing for the collection of certain penalties by civil action at the direction of said commissioner and for the disposition of penalties so collected; repealing an act entitled "An act providing for the time of payment of wages," approved May 1, 1911, as amended April 28, 1915, and repealing an act entitled "An act to regulate the payment of wages or compensation of employees in private employments; to provide for regular pay days in such employments; providing a penalty for the violation thereof; and authorizing the commissioner of the Bureau of Labor Statistics to enforce the provisions of this act," approved June 8, 1915," approved May 6, 1919, as amended, relating to the scope of the said act and providing that the terms thereof can not be contravened by a private agreement;

Also: Assembly Bill No. 1398—An act to recognize the right of the United States Commissioner of Fisheries and his duly authorized agent to conduct fish hatching, fish culture, and all operations connected therewith in this State.

ARTHUR A. OHNIMUS, Chief Clerk.
By FRED J. DESCH, Assistant Clerk.

Assembly Bill No. 1752 read first time, and referred to Committee on Insurance.

Assembly Bill No. 914 read first time, and referred to Committee on Motor Vehicles.

Assembly Bill No. 1060 read first time, and referred to Committee on Labor and Capital.

Assembly Bill No. 1398 read first time, and referred to Committee on Fish and Game.

Also:

ASSEMBLY CHAMBER, SACRAMENTO, April 30, 1931.

MR. PRESIDENT: I am directed to inform your honorable body that the Assembly on this day passed Assembly Bill No. 1475—An act to provide for the funding and refunding of the indebtedness of districts organized under and in pursuance of the Road District Improvement Act of 1907 and to provide for the levy of assessments and reassessments for such refunding, and to enforce the liens of said assessments and reassessments, and for the issue and sale or exchange of refunding bonds and the retirement of the unpaid bonds of said districts, and to provide for the payment of bonds and for proceedings to test the validity of such refunding and reassessment;

Also: Assembly Bill No. 195—An act making an appropriation to pay the claim of Samuel F. Miles against the State of California;

Also: Assembly Bill No. 321—An act making an appropriation to pay the claim of Hugo Miehler against the State of California;

Also: Assembly Bill No. 407—An act making an appropriation to pay the claim of C. O. DeLand against the State of California.

Also: Assembly Bill No. 553—An act making an appropriation to pay the claim of More Mercantile Company against the State of California.

ARTHUR A. OHNIMUS, Chief Clerk.

By FRED J. DESCH, Assistant Clerk.

Assembly Bill No. 1475 read first time, and referred to Committee on County Government.

Assembly Bills Nos. 195, 321, 407 and 553 read first time, and referred to Committee on Finance.

Also:

ASSEMBLY CHAMBER, SACRAMENTO, April 30, 1931.

MR. PRESIDENT: I am directed to inform your honorable body that the Assembly on this day passed Assembly Bill No. 578—An act making an appropriation to pay the claim of Sarah G. White against the State of California;

Also: Assembly Bill No. 594—An act appropriating money to pay the claim of the county of Ventura against the State of California;

Also: Assembly Bill No. 823—An act appropriating money to pay the claim of city of Los Angeles against the State of California;

Also: Assembly Bill No. 835—An act making an appropriation to pay the claim of The Atchison, Topeka and Santa Fe Railway Company against the State of California;

Also: Assembly Bill No. 836—An act making an appropriation to pay the claim of Minneapolis Steel and Machinery Company against the State of California;

Also: Assembly Bill No. 837—An act making an appropriation to pay the claim of Martha Alice McCartea against the State of California.

ARTHUR A. OHNIMUS, Chief Clerk.

By FRED J. DESCH, Assistant Clerk.

Assembly Bills Nos. 578, 594, 823, 835, 836 and 837 read first time, and referred to Committee on Finance.

Also:

ASSEMBLY CHAMBER, SACRAMENTO, April 30, 1931.

MR. PRESIDENT: I am directed to inform your honorable body that the Assembly on this day passed Assembly Bill No. 838—An act making an appropriation to pay the claim of Frank Rose against the State of California;

Also: Assembly Bill No. 839—An act making an appropriation to pay the claim of the Assistant Controller General of the United States against the State of California;

Also: Assembly Bill No. 840—An act making an appropriation to pay the claim of Charles Skelton against the State of California;

Also: Assembly Bill No. 841—An act making an appropriation to pay the claim of John F. Ottoboni against the State of California;

Also: Assembly Bill No. 842—An act making an appropriation to pay the claim of Superior Farms, Incorporated, against the State of California.

ARTHUR A. OHNIMUS, Chief Clerk.

By FRED J. DESCH, Assistant Clerk.

Assembly Bills Nos. 838, 839, 840, 841 and 842 read first time, and referred to Committee on Finance.

Also:

ASSEMBLY CHAMBER, SACRAMENTO, April 30, 1931.

MR. PRESIDENT: I am directed to inform your honorable body that the Assembly on this day passed Assembly Bill No. 843—An act making an appropriation to pay the claim of Tony Taix, Jr., against the State of California;

Also: Assembly Bill No. 844—An act making an appropriation to pay the claim of Redd and Holden against the State of California;

Also: Assembly Bill No. 845—An act making an appropriation to pay the claim of Mabel Campbell against the State of California;

Also: Assembly Bill No. 846—An act making an appropriation to pay the claim of Felix Cross Company against the State of California;

Also: Assembly Bill No. 847—An act making an appropriation to pay the claim of Gordon's Sea Food Grotto against the State of California.

ARTHUR A. OHNIMUS, Chief Clerk.

By FRED J. DESCH, Assistant Clerk.

Assembly Bills Nos. 843, 844, 845, 846 and 847 read first time, and referred to Committee on Finance.

Also:

ASSEMBLY CHAMBER, SACRAMENTO, April 30, 1931.

MR. PRESIDENT: I am directed to inform your honorable body that the Assembly on this day passed Assembly Bill No. 848—An act making an appropriation to pay the claim of Union Fish Company against the State of California;

Also: Assembly Bill No. 849—An act making an appropriation to pay the claim of J. D. Fabris against the State of California;

Also: Assembly Bill No. 850—An act making an appropriation to pay the claim of United Ship Repair Company against the State of California;

Also: Assembly Bill No. 851—An act making an appropriation to pay the claim of Associated Oil Company against the State of California;

Also: Assembly Bill No. 852—An act making an appropriation to pay the claim of Gordon's Sea Food Grotto against the State of California.

ARTHUR A. OHNIMUS, Chief Clerk.

By FRED J. DESCH, Assistant Clerk.

Assembly Bills Nos. 848, 849, 850, 851 and 852 read first time, and referred to Committee on Finance.

Also:

ASSEMBLY CHAMBER, SACRAMENTO, April 30, 1931.

MR. PRESIDENT: I am directed to inform your honorable body that the Assembly on this day passed Assembly Bill No. 853—An act making an appropriation to pay the claim of Veterans' Bureau of United States Government against the State of California;

Also: Assembly Bill No. 855—An act making an appropriation to pay the claim of Kimball-Upson Company against the State of California;

Also: Assembly Bill No. 856—An act making an appropriation to pay the claim of Joseph E. Painter against the State of California;

Also: Assembly Bill No. 857—An act making an appropriation to pay the claim of Bertha A. Wilkie against the State of California;

Also: Assembly Bill No. 858—An act making an appropriation to pay the claim of Frankie M. C. Joseph against the State of California.

ARTHUR A. OHNIMUS, Chief Clerk.

By FRED J. DESCH, Assistant Clerk.

Assembly Bills Nos. 853, 855, 856, 857 and 858 read first time, and referred to Committee on Finance.

Also:

ASSEMBLY CHAMBER, SACRAMENTO, April 30, 1931.

MR. PRESIDENT: I am directed to inform your honorable body that the Assembly on this day passed Assembly Bill No. 860—An act making an appropriation to pay the claim of San Rafael Freight and Transfer Company against the State of California;

Also: Assembly Bill No. 861—An act making an appropriation to pay the claim of B. Grant Taylor against the State of California;

Also: Assembly Bill No. 863—An act making an appropriation to pay the claim of M. H. Iverson against the State of California;

Also: Assembly Bill No. 865—An act making an appropriation to pay the claim of Joseph L. Wilcox against the State of California;

Also: Assembly Bill No. 968—An act making an appropriation to pay the claim of the city auditor of the city of Stockton against the State of California.

ARTHUR A. OHNIMUS, Chief Clerk.
By FRED J. DESCH, Assistant Clerk.

Assembly Bills Nos. 860, 861, 863, 865 and 968 read first time, and referred to Committee on Finance.

Also:

ASSEMBLY CHAMBER, SACRAMENTO, April 30, 1931.

MR. PRESIDENT: I am directed to inform your honorable body that the Assembly on this day passed Assembly Bill No. 197—An act making an appropriation to pay the claim of W. R. Whyte against the State of California;

Also: Assembly Bill No. 478—An act appropriating money to pay the claim of the disbursing officer of the Division of Highways, State Department of Public Works, against the State of California;

Also: Assembly Bill No. 859—An act making an appropriation to pay the claim of Charles Evans Skidmore against the State of California;

Also: Assembly Bill No. 864—An act making an appropriation to pay the claim of Harold E. Smith against the State of California;

Also: Assembly Bill No. 1033—An act appropriating money to pay the claim of J. Charles Jones against the State of California;

Also: Assembly Bill No. 1884—An act making an appropriation to pay the claim of Walter E. Evans and Miles H. Ledbetter against the State of California.

ARTHUR A. OHNIMUS, Chief Clerk.
By FRED J. DESCH, Assistant Clerk.

Assembly Bills Nos. 197, 478, 859, 864, 1033 and 1884 read first time, and referred to Committee on Finance.

Also:

ASSEMBLY CHAMBER, SACRAMENTO, April 30, 1931.

MR. PRESIDENT: I am directed to inform your honorable body that the Assembly on this day passed Assembly Bill No. 299—An act to amend section 737ss of the Political Code, relating to the salary of the judge of the superior court, Shasta County;

Also: Assembly Bill No. 315—An act relating to the judges of the superior court in and for the county of Santa Barbara, increasing the number and prescribing the salaries thereof;

Also: Assembly Bill No. 359—An act to amend section 737kk of the Political Code, relating to the salaries of the superior judges of the superior court in and for the county of San Diego;

Also: Assembly Bill No. 688—An act to amend section 737jj of the Political Code, relating to the annual salary of judges of the superior court in and for the county of San Bernardino;

Also: Assembly Bill No. 751—An act to amend section 737uu of the Political Code, relating to salary of superior court judges.

ARTHUR A. OHNIMUS, Chief Clerk.
By FRED J. DESCH, Assistant Clerk.

Assembly Bills Nos. 299, 315, 359, 688 and 751 read first time, and referred to Committee on Governmental Efficiency.

REPORTS OF STANDING COMMITTEES.

The following reports of standing committees were received and read:

ON LABOR AND CAPITAL.

SENATE CHAMBER, SACRAMENTO, April 30, 1931.

MR. PRESIDENT: Your Committee on Labor and Capital, to which was referred Senate Bill No. 534—An act to declare provisions in contracts of employment whereby either party undertakes not to join, become or remain a member of a labor union or of any organization of employers or undertakes in such event to withdraw from the contract of employment, to be against public policy and void—has had the same under consideration, and respectfully reports the same back, and recommends that it do pass.

Committee membership—9; committee vote: Ayes—5; noes—3; absent—1.

MALONEY, Chairman.

Senate Bill No. 534 ordered on file for second reading.

Also:

MR. PRESIDENT: Your Committee on Labor and Capital, to which was referred Senate Bill No. 381—An act providing that any person, firm, association, or corporation, agent, superintendent or manager thereof, employing special agents, detectives or so-called spotters, before disciplining or discharging any employee upon a report by such special agent, detective or so-called spotters, give notice and accord a hearing to such employee upon his request therefor, and providing for the punishment for the violation thereof, and repealing chapter 65, Statutes of 1915, entitled "An act providing that any public service corporation, agent, superintendent, or manager thereof, employing special agents, detectives, or so-called spotters shall, before disciplining or discharging any employee upon a report by such special agent, detective, or so-called spotters, give notice and accord a hearing to such employee upon his request therefor, and providing for the punishment for the violation thereof," approved April 14, 1915, as amended—has had the same under consideration, and respectfully reports the same back with amendments, and recommends that the amendments be adopted, and that it do pass as amended.

Committee membership—9; committee vote: Ayes—5; noes—3; absent—1.

MALONEY, Chairman.

Senate Bill No. 381 ordered on file for second reading.

ON ENGROSSMENT, ENROLLMENT AND PRINTING.

SENATE CHAMBER, SACRAMENTO, May 1, 1931.

MR. PRESIDENT: Your Committee on Engrossment, Enrollment and Printing has examined Senate Bill No. 679—An act to provide for the sanitary inspection of slaughterhouses, the inspection of animals or meats intended for human consumption, to provide rules and regulations therefor, to provide penalties for the violation thereof and to repeal the California Meat Inspection Law, approved June 3, 1921—and reports that the same has been correctly enrolled and presented to the Governor on the thirtieth day of April, at five o'clock and thirty minutes p.m.

RILEY, Chairman.

Also:

MR. PRESIDENT: Your Committee on Engrossment, Enrollment and Printing has examined Senate Bill No. 571—An act providing for investigation of and report upon certain matters relating to crime, criminals and penal laws, including particularly the cost of crime to the State, defining the powers and duties of the State Director of Finance and other public officers in relation thereto, and making an appropriation therefor—and reports that the same has been correctly engrossed.

RILEY, Chairman.

ON GOVERNMENTAL EFFICIENCY.

SENATE CHAMBER, SACRAMENTO, May 1, 1931.

MR. PRESIDENT: Your Committee on Governmental Efficiency, to which was referred Senate Bill No. 894—An act to amend sections 9 and 10 of, and to add new sections numbered 9a and 10a, to chapter 791, Statutes of 1929, entitled "An act providing for the registration of contractors, and defining the term contractor; providing the method of obtaining licenses to engage in the business of contracting, and fixing the fees for such licenses; providing the method of suspension and cancellation of such licenses; and prescribing the punishment for violation of the provisions of this act," approved June 13, 1929, relating to the powers and duties of the registrar of contractors and proceedings for suspension or revocation of licenses—has had the same under consideration, and respectfully reports the same back with amendments, and recommends that the amendments be adopted, and be re-referred to this committee.

Committee membership—11; committee vote: Ayes—8; absent—3.

CRITTENDEN, Chairman.

CONSIDERATION OF COMMITTEE AMENDMENTS.

Pursuant to the report of the Committee on Governmental Efficiency, the following amendments to Senate Bill No. 894 were read and adopted:

AMENDMENT NUMBER ONE.

Strike out all of the title of the printed bill, and insert in lieu thereof the following: "An act to amend section 653c of the Penal Code, relating to the hours of labor on public works."

AMENDMENT NUMBER TWO.

On page 1 of the printed bill, strike out lines 1 to 19, inclusive, strike out all of pages 2, 3, 4 and 5, and insert in lieu thereof the following:

"SECTION 1. Section 653c of the Penal Code, is amended to read as follows:

653c. The time of service of any laborer, workman, or mechanic employed upon any of the public works of the State of California, or of any political subdivision or

district thereof, or upon work done for or by the authority of said state, or any county, city and county, city, town, township, district, or any other political subdivision thereof, whether said work is done by contract or otherwise, is hereby limited and restricted to eight hours during any one calendar day; and it shall be unlawful for any officer or agent of said state, or of any political subdivision or district thereof, or for any contractor or subcontractor doing work under contract upon any public works aforesaid, who employs, or who directs or controls the work of any laborer, workman, or mechanic, employed as herein aforesaid, to require or permit such laborer, workman, or mechanic, to labor more than eight hours during any one calendar day, except in cases of extraordinary emergency, caused by fire, flood, or danger to life or property or except to work upon public military or naval defenses or works in time of war; *provided, however*, that within thirty days after any employee is permitted to work over eight hours in one calendar day due to such an extraordinary emergency, the contractor doing the work, or his duly authorized agent, shall file with the officer, board or commission awarding the contract a report, verified by his oath, setting forth the nature of the said emergency, which report shall contain the name of the said worker and the hours worked by him on the said day, and failure to file the said report within the said time shall be prima facie evidence that no extraordinary emergency existed. Such contractor and each subcontractor shall also keep an accurate record showing the names and actual hours worked of all workers employed by him, in connection with the said public work, which record shall be open at all reasonable hours to the inspection of the officer, board or commission awarding the contract, or their deputies or agents, and to the chief of the division of labor statistics and law enforcement of the department of industrial relations, his deputies or agents.

Any officer or agent of the State of California, or of any political subdivision or district thereof, making or awarding, as such officer or agent, any contract, the execution of which involves or may involve the employment of any laborer, workman, or mechanic upon any of the public works, or upon any work herein mentioned, shall cause to be inserted therein a stipulation which shall provide that the contractor to whom said contract is awarded shall forfeit as a penalty, to the state or political subdivision or district in whose behalf the contract is made and awarded, ten dollars for each laborer, workman, or mechanic employed, in the execution of said contract, by him, or by any subcontractor under him, upon any of the public works, or upon any work herein mentioned, for each calendar day during which such laborer, workman or mechanic is required or permitted to labor more than eight hours in violation of the provisions of this section, and it shall be the duty of such officer or agent to take cognizance of all violations of the provisions of this section committed in the course of the execution of said contract, and to report the same to the representative of the state or political subdivision or district, party to the contract, authorized to pay to the contractor moneys becoming due to him under said contract, and said representative, when making payments of moneys thus due, shall withhold and retain therefrom all sums and amounts which shall have been forfeited pursuant to the herein said stipulation, and the terms of this act; *provided, however*, that no sum shall be so withheld, retained or forfeited, except from the final payment without a full investigation by either the division of labor statistics and law enforcement of the state department of industrial relations or by said awarding body, and *provided, further*, that in all cases of contracts with assessment or improvement districts where the full payment is made in the form of a single warrant, or other evidence of full payment, after the completion and acceptance of the work, the awarding body shall accept from the contractor in cash a sum equal to, and in lieu of, any amount required to be withheld or retained under the provisions of this section, and said awarding body shall then release the final warrant or payment in full. It shall be lawful for any contractor to withhold from any subcontractor under him sufficient sums to cover any penalties withheld from him by the awarding body on account of the said subcontractor's failure to comply with the terms of this act, and if payment has already been made to him the contractor may recover from him the amount of the penalty or forfeiture in a suit at law.

Any officer, agent or representative of the State of California or of any political subdivision or district thereof, who shall violate, or omit to comply with, any of the provisions of this section, and any contractor, or agent or representative of any contractor, or any subcontractor under him doing public work as aforesaid, who shall neglect to keep an accurate record of the names and actual hours worked by the workers employed by him, in connection with the said public work, or who shall refuse to allow access to same at any reasonable hour by any person authorized to inspect same under this section, shall be guilty of a misdemeanor, and shall upon conviction be punished by a fine not exceeding five hundred dollars, or by imprisonment for not exceeding six months, or by both such fine and imprisonment, in the discretion of the court.

Work done for irrigation, utility, reclamation and improvement districts, and other districts of this type, as well as street, sewer or other improvement work done under the direction and supervision of the state, or of any political subdivision or district thereof, whether such political subdivision or district operates under a free-

holders' charter or not, shall be held to come under the provisions of this section; *provided, however*, that nothing in this section shall apply to the operation of the irrigation or drainage system of any irrigation or reclamation district."

Bill ordered to print, and re-referred to Committee on Governmental Efficiency.

INTRODUCTION, FIRST READING AND REFERENCE OF BILLS.

The following amendment was offered:

By Senators Clock and Rochester: Senate Constitutional Amendment No. 32—A resolution to propose to the people of the State of California an amendment of the constitution of said State by amending section 24 of article VI thereof, relating to the salaries of judges of the Supreme Court and of the District Courts of Appeal, and providing when written opinions shall or may be filed.

Referred to Committee on Constitutional Amendments.

RESOLUTION.

Senator Breed offered the following resolution, and gave notice that on the next legislative day he would move its adoption:

WHEREAS, The approach of adjournment of the Legislature sine die requires the time of the Legislature be conserved to the utmost; therefore, be it

Resolved, That from and after this date, speeches on the floor of the Senate be limited to ten minutes in length for opening speeches and five minutes for all other speeches. Extensions of time beyond said periods may be granted only by unanimous consent.

CONSIDERATION OF DAILY FILE.

SECOND READING OF SENATE BILLS.

Senate Bill No. 85—An act to amend section 2 of chapter 620, Statutes of 1915, entitled "An act authorizing any city, city and county, county, town, municipality or other political subdivision to acquire certain liens or property offered for sale for the nonpayment of certain assessments," approved June 4, 1915, relating to the disposal of such lien or property.

COMMITTEE AMENDMENT.

During the second reading of the bill, the following committee amendment was offered:

AMENDMENT NUMBER ONE.

On page 1, line 19, of the printed bill, strike out the period following "incurred", and insert in lieu thereof the following: "*; provided, however*, that if any such lien or property can not after public notice as provided by law, be sold for the amounts and charges computed as herein provided, the legislative body of any such city, city and county, or county may by a four-fifths vote of such body sell any such lien or property for the best price obtainable."

Amendment adopted.

Bill read second time, ordered to print, engrossment, and on file for third reading.

Senate Bill No. 418—An act to amend sections 777 and 874 of an act entitled "An act to provide for the organization, incorporation and government of municipal corporations," approved March 13, 1883, as amended, relating to the cities of the fifth and sixth class.

COMMITTEE AMENDMENTS.

During the second reading of the bill, the following committee amendments were offered:

AMENDMENT NUMBER ONE.

Strike out the title of the printed bill, and insert in lieu thereof the following:

"An act to add a new section to an act entitled "An act to provide for the organization, incorporation, and government of municipal utility districts, authorizing such districts to incur bonded indebtedness for the acquisition and construction of works and property, and to levy and collect taxes to pay the principal and interest thereon," approved May 23, 1921, to be known as section 16a, providing an alternate method for procuring funds for the acquisition, construction, completion, operation, extension or repair by municipal utility districts of works for developing or for acquiring a water supply for domestic, municipal or irrigation purposes."

Amendment adopted.

AMENDMENT NUMBER TWO.

On page 1 of the printed bill, strike out lines 1 to 26, inclusive, and all of page 2, and insert in lieu thereof the following:

"SECTION 1. A new section is hereby added to an act entitled "An act to provide for the organization, incorporation and government of municipal utility districts, authorizing such districts to incur bonded indebtedness for the acquisition and construction of works and property, and to levy and collect taxes to pay the principal and interest thereon," approved May 23, 1921, to be known as section 16a, and to read as follows:

Sec. 16a. In lieu of submitting a proposition or propositions to the electors of the district for a creation of a bonded indebtedness secured by taxation, as provided in sections 15, 15a and 16 of this act, the board of directors of the district shall have the power at its option to enter into contracts with public or private corporations or individuals, to finance the district so that it may acquire, construct, complete, extend, operate or repair the whole or any portion of any utility or works for developing or acquiring a water supply for domestic, municipal and irrigation purposes, and to that end may make and execute leases, contracts or agreements, and issue bonds, debentures or other evidence of indebtedness, the repayment of all moneys expended or advanced thereunder to be secured by the works, lands, structures, rights or other property to be acquired or constructed by the moneys so advanced, and by the present or prospective revenues of the district other than by taxation; *provided*, that any such contract, agreement or hypothecation of revenues shall not be for a period longer than forty years from the date thereof, during which period the whole amount of the moneys so advanced or expended, with interest thereon shall be repaid out of the revenues of said district derived other than by taxation, together with the payment of all operation and maintenance costs; *provided, further*, that no indebtedness incurred by the district under this section shall bear interest greater than six per cent per annum nor shall any discount be allowed for advances or loans in an amount exceeding ten per cent thereof; *provided, further*, that in the event possession or control of the utility or utilities covered by any lease, contract or agreement, made pursuant to the provisions of this section, shall be surrendered or given by the district pending the carrying out of the provisions of said lease, contract or agreement the district shall have the right at any time after the expiration of twenty years from the date of said contract to retake possession and control of said utility or utilities upon the payment of the balance of the unpaid principal and the accrued interest due from the district, pursuant to the terms of said contract, without the payment of any premium thereon, funds for which to be provided either out of revenues, or by sale of bonds duly authorized and issued in accordance with the provisions of sections 15, 15a and 16 of this act. The district shall also have the right to retake possession or control before the expiration of said twenty years upon the payment of a premium, the amount of which must be specified in said contract. Rates for utility service provided under this section shall be established which will be sufficient to entirely repay all indebtedness incurred hereunder, with interest, within forty years from the date of incurring such indebtedness, together with all operation and maintenance costs of the utility so provided.

No restrictions contained in this act relative to incurring indebtedness or the payment thereof other than as expressed in this section shall apply to any indebtedness incurred pursuant to the provisions of this section.

Notwithstanding any other provisions of this section, no municipal utility district shall have the power to issue any bonds, notes or other evidence of indebtedness under the provisions of this section which are to be offered for sale to the general public, without first having procured from the railroad commission of the State of California an authorization for the issuance of the same, and the provisions of section 52 of the public utilities act, as said section was amended in 1925, are hereby made applicable to and shall control all issues of evidence of indebtedness which are to be offered for sale to the general public. Any issue of serial bonds, serial notes or serial debentures under the provisions of this section by any municipal utility district shall be deemed to be for the purpose of being sold to the general public, and shall be void if issued without the authorization above required. Should this paragraph be held to be unconstitutional, such decision shall not affect the

validity of the remaining portions of this act. The Legislature hereby declares that it would have passed this act and each sentence, clause and phrase hereof, irrespective of the fact that this paragraph be declared unconstitutional."

Amendment adopted.

Bill read second time, ordered to print, engrossment, and on file for third reading.

Senate Bill No. 404—An act to amend section 3664aa of the Political Code, relating to taxation of highway transportation companies.

COMMITTEE AMENDMENTS.

During the second reading of the bill, the following committee amendments were offered:

AMENDMENT NUMBER ONE.

On page 1, line 26, of the printed bill, strike out the period after "state", and insert in lieu thereof a comma and the following: "*provided, however*, that money received from the United States government as payments under contract for the carriage of United States mails shall not be included in the gross receipts subject to taxation under the provisions of this section."

Amendment adopted.

AMENDMENT NUMBER TWO.

On page 2, line 11, of the printed bill, strike out the period after "state", and insert in lieu thereof a comma and the following: "*provided, however*, that money received from the United States government as payments under contract for the carriage of United States mails shall not be included in the gross receipts subject to taxation under the provisions of this section."

Amendment adopted.

AMENDMENT NUMBER THREE.

On page 2 of the printed bill, insert after line 38, the following:
"Sec. 2. If any section, subsection, sentence, clause or phrase of this act is for any reason held to be unconstitutional, such decision shall not affect the validity of the remaining portion of this act. The Legislature hereby declares that it would have passed this act irrespective of the fact that any one or more sections, subsections, sentences, clauses or phrases be declared unconstitutional."

Amendment adopted.

Bill read second time, ordered to print, engrossment, and on file for third reading.

Senate Bill No. 948—An act amending section 1 of an act entitled "An act to authorize and empower boards of supervisors to levy a tax for advertising, exploiting, promoting and aiding measures designed to preserve, aid or develop the agricultural, horticultural, viticultural and water resources and advantages of their several counties," approved April 17, 1929, relating to investigation of matters affecting the economic welfare of counties and their inhabitants.

Bill read second time, ordered engrossed, and on file for third reading.

Senate Constitutional Amendment No. 31—A resolution to propose to the people of the State of California an amendment of the constitution of said State by amending section 6 of article IX thereof, relating to the support of the school system.

COMMITTEE AMENDMENT.

During the second reading of Senate Constitutional Amendment No. 31, the following committee amendment was offered:

AMENDMENT NUMBER ONE.

On page 2, line 35, of the printed constitutional amendment, strike out the word "sixty", and insert in lieu thereof the word "thirty".

Amendment adopted.

Senate Constitutional Amendment No. 31 read, ordered to print, engrossment, and on third reading file.

Senate Bill No. 523—An act to require display of the flag of the United States and the State flag of California in all courtrooms where courts of record are held under the laws of California and providing for the purchase thereof.

Bill read second time, ordered engrossed, and on file for third reading.

Senate Bill No. 77—An act to amend section 963 of the Code of Civil Procedure, relative to interlocutory decrees of divorce.

Bill read second time, ordered engrossed, and on file for third reading.

Senate Bill No. 78—An act to amend sections 61 and 131 of the Civil Code and to repeal section 132 of the Civil Code, relating to interlocutory decrees for divorce.

Bill read second time, ordered engrossed, and on file for third reading.

Senate Bill No. 952—An act to amend section 1228 of the Penal Code, relating to capital punishment.

Bill read second time, ordered engrossed, and on file for third reading.

CONSIDERATION OF DAILY FILE.

SECOND READING OF ASSEMBLY BILLS.

Assembly Bill No. 1124—An act to amend sections 3, 4, 5, 6, 8, 9, 10, and 12 of chapter 612 of the Statutes of 1911, entitled "An act relating to lakes and streams, the waters of which contain minerals in commercial quantities; withdrawing State lands within the meander lines thereof from sale; prescribing conditions for taking such minerals from said waters and lands, and providing for the leasing of lands uncovered by the recession of the waters of such lakes and streams," approved April 27, 1911.

Bill read second time, and ordered on file for third reading.

Assembly Bill No. 755—An act to amend section 832 of the Civil Code, relating to lateral and subjacent support and excavations.

Bill read second time, and ordered on file for third reading.

Assembly Bill No. 645—An act to amend section 661 of the Code of Civil Procedure, relating to the judge before whom motions for new trial shall be acquired.

Bill read second time, and ordered on file for third reading.

Assembly Bill No. 278—An act to amend section 103 of the Code of Civil Procedure, relating to justices of the peace, justices' courts and to salaries of certain justices of the peace.

Bill read second time, and ordered on file for third reading.

Assembly Bill No. 486—An act to amend "An act to provide for the organization, incorporation and government of municipal corporations," approved March 13, 1883, as amended, by adding a new section

thereto to be known as section 887, making it unlawful for any municipality to levy license taxes or fees against the business of, or instrumentalities used in, the sale or delivery of merchandise to retailers for retail purposes.

Bill read second time, and ordered on file for third reading.

Assembly Bill No. 345—An act to amend section 1151 of the Political Code, relating to boards for municipal elections.

Bill read second time, and ordered on file for third reading.

Assembly Bill No. 1073—An act to amend sections 5 and 9 of and to add sections 10a and 18a to the State Civil Service Act, as amended, relating to examinations.

COMMITTEE AMENDMENTS.

During the second reading of the bill, the following committee amendments were offered:

AMENDMENT NUMBER ONE.

In lines 1 and 2 of the title of the printed bill, strike out "sections 10a and", and insert in lieu thereof the following: "section".

Amendment adopted.

AMENDMENT NUMBER TWO.

On page 2 of the printed bill, strike out lines 5 to 10, inclusive.

Amendment adopted.

AMENDMENT NUMBER THREE.

On page 5 of the printed bill, strike out lines 5 to 9, inclusive.

Amendment adopted.

AMENDMENT NUMBER FOUR.

On page 5, line 10, of the printed bill, strike out "Sec. 3.", and insert in lieu thereof the following: "Sec. 2."

Amendment adopted.

AMENDMENT NUMBER FIVE.

On page 5, line 12, of the printed bill, strike out "fifteen", and insert in lieu thereof the following: "thirty".

Amendment adopted.

AMENDMENT NUMBER SIX.

On page 5, line 19, of the printed bill, strike out "Sec. 4.", and insert in lieu thereof the following: "Sec. 3."

Amendment adopted.

Bill read second time, ordered to print, and on file for third reading.

Assembly Bill No. 1151—An act providing for the formation, government and operation of harbor districts, the calling and conducting of elections in such districts of harbor commissioners, defining their powers and duties, and providing for the issuance and disposal of bonds of such harbor districts, and providing for the assessment, levy and collection of taxes for the payment of such bonds and for the ordinary annual expenses of such harbor districts.

COMMITTEE AMENDMENTS.

During the second reading of the bill, the following committee amendments were offered:

AMENDMENT NUMBER ONE.

On page 1 of the printed bill, strike out line 5, and insert in lieu thereof the following: "river, channel, slough, or arm of the sea, in which the tides of the

Pacific ocean ebb and flow or in which tides are affected by the Pacific ocean, may be formed into a harbor".

Amendment adopted.

AMENDMENT NUMBER TWO.

On page 1 of the printed bill, strike out lines 12 and 13, and also strike out in line 14 "ebb and flow.", and insert in lieu thereof the following: "The word "harbor" means any bay, harbor, inlet, river, channel, slough, or arm of the sea, in which the tides of the Pacific ocean ebb and flow or in which tides are affected by the Pacific ocean, may be formed."

Amendment adopted.

Bill read second time, ordered to print, and on file for third reading.

Assembly Bill No. 818—An act providing for the recovery of damages by persons bitten by dogs and creating a liability of the owners of such dogs.

Bill read second time, and ordered on file for third reading.

Assembly Bill No. 76—An act to amend sections 2, 4, 5, 13, 14, 16, 22 and 23, and to repeal section 24 of chapter 530, Statutes of 1929, entitled "An act to provide for the protection, welfare and assistance of aged persons in need and resident in the State of California, providing the method therefor, making an appropriation therefor, and prescribing penalties for the violation of the provisions of this act," approved May 28, 1929, and to add thereto new sections to be numbered 2½ and 18½, relating to the protection, welfare and assistance of aged persons in need, and resident in the State of California.

Bill read second time, and ordered on file for third reading.

Assembly Bill No. 570—An act to add a new section to the Civil Code to be known as section 1190a, prescribing the form of certificate of acknowledgment of an instrument executed by a partnership.

Bill read second time, and ordered on file for third reading.

Assembly Bill No. 1013—An act to amend section 3336 of the Civil Code, relating to damages for the wrongful conversion of personal property.

Bill read second time, and ordered on file for third reading.

Assembly Bill No. 1310—An act to amend section 831d of the Code of Civil Procedure, relating to pleadings and practice in municipal courts.

Bill read second time, and ordered on file for third reading.

Assembly Bill No. 1302—An act to amend section 29 of an act entitled "An act authorizing the establishment of municipal courts, prescribing their constitution, regulation, government, procedure and jurisdiction, and providing for the election and appointment of the judges, clerks and other attaches of such courts, their terms of office, qualifications and compensation and for the selection of jurors therein," approved May 23, 1925, as amended, relating to civil jurisdiction of said court.

Bill read second time, and ordered on file for third reading.

Assembly Bill No. 941—An act authorizing suits against the State of California concerning the use and occupation of and the title to the real property described in an act entitled "An act to provide for the disposition of certain property of the State of California," passed

March 26, 1851, and purchased under the provisions of an act entitled "An act to provide for the sale of the interest of the State of California within the water line front of the city of San Francisco, as defined in and by the act entitled 'An act to provide for the disposition of certain property of the State of California, passed March 26, 1851,' passed May 18, 1853," and of an act entitled "An act supplementary to and amendatory of 'An act to provide for the sale of the interest of the State of California, within the water line front of the city of San Francisco, as defined in and by the act entitled 'An act to provide for the disposition of certain property of the State of California,' passed March 26, 1851,' passed May 18, 1853," approved May 1, 1855, or any of the acts supplementary thereto and amendatory thereof, and regulating procedure therein.

Bill read second time, and ordered on file for third reading.

Assembly Bill No. 942—An act authorizing suits against the State to quiet title against it to real property purchased under the provisions of an act entitled "An act to survey and dispose of certain marsh and tidelands belonging to the State of California," approved March 30, 1868, or any of the acts supplementary to and amendatory of an act supplementary thereto, and amendatory thereof, and regulating the procedure therein.

Bill read second time, and ordered on file for third reading.

Assembly Bill No. 1569—An act to amend section 15 of the Workmen's Compensation, Insurance and Safety Act of 1917, approved May 23, 1917, as amended, by making further and different provisions regarding notice of injury.

Bill read second time, and ordered on file for third reading.

Assembly Bill No. 890—An act to validate all orders appointing or conferring powers upon special administrators.

Bill read second time, and ordered on file for third reading.

Assembly Bill No. 1091—An act to amend section 4014 of the Political Code, relating to justices of the peace.

COMMITTEE AMENDMENTS.

During the second reading of the bill, the following committee amendments were offered:

AMENDMENT NUMBER ONE.

In line 2 of the title of the printed bill, as amended in Assembly March 4, 1931, strike out "justices of the peace", and insert in lieu thereof: "township officers".

Amendment adopted.

AMENDMENT NUMBER TWO.

On page 1, line 17, of the printed bill, strike out "being entirely within a", and insert in lieu thereof the following: "contained partly or entirely within".

Amendment adopted.

AMENDMENT NUMBER THREE.

On page 1, line 18, of the printed bill, strike out "city of the second and one-fourth", and insert in lieu thereof the following: "cities of the second and three-fourths class which have a population of more than forty-five thousand and less than forty-five thousand two hundred as shown by the federal census taken in the year 1920".

Amendment adopted.

Bill read second time, ordered to print, and on file for third reading.

Assembly Bill No. 1092—An act to amend section 103c of the Code of Civil Procedure, providing for justice's clerks and deputy clerks.

COMMITTEE AMENDMENTS.

During the second reading of the bill, the following committee amendments were offered:

AMENDMENT NUMBER ONE.

On page 1, line 8, of the printed amended bill, insert the word "justice's", before the word "clerk", and after the word "clerk", strike out the words "of the justice's court".

Amendment adopted.

AMENDMENT NUMBER TWO.

On page 1, line 9, of the printed amended bill, strike out the word "justices", and insert in lieu thereof the word "justice".

Amendment adopted.

AMENDMENT NUMBER THREE.

On page 1, line 10, of the printed amended bill, strike out the words "in the manner prescribed by law", and insert in lieu thereof the words "and who shall hold office at the pleasure of such justice of the peace".

Amendment adopted.

AMENDMENT NUMBER FOUR.

On page 1, line 22, of the printed amended bill, strike out the words "in addition", and strike out the word "clerical".

Amendment adopted.

AMENDMENT NUMBER FIVE.

On page 1, line 23, of the printed amended bill, strike out the words "in connection with the business of the court".

Amendment adopted.

AMENDMENT NUMBER SIX.

On page 1, line 24, of the printed amended bill, strike out the word "justices", and insert in lieu thereof the word "justice".

Amendment adopted.

AMENDMENT NUMBER SEVEN.

On page 2, line 16, of the printed amended bill, insert the word "justice's", before the word "clerk".

Amendment adopted.

AMENDMENT NUMBER EIGHT.

On page 2, line 18, of the printed amended bill, insert the word "justice's", before the word "deputy".

Amendment adopted.

AMENDMENT NUMBER NINE.

On page 2, line 24, of the printed amended bill, strike out the word "justices", and insert in lieu thereof the word "justice".

Amendment adopted.

AMENDMENT NUMBER TEN.

On page 1, line 20, of the printed amended bill, strike out the word "other".

Amendment adopted.

AMENDMENT NUMBER ELEVEN.

On page 3, line 1, of the printed amended bill, after the word "peace", insert the words: "or justices, if more than one,"; also strike out the words "in the".

Amendment adopted.

AMENDMENT NUMBER TWELVE.

On page 3, line 2, of the printed amended bill, strike out the words "manner prescribed by law", and insert in lieu thereof the following: "and who shall hold office at the pleasure of such justice of the peace, or justices of the peace".

Amendment adopted.

AMENDMENT NUMBER THIRTEEN.

On page 2, line 50, of the printed amended bill, strike out the word "three", and insert in lieu thereof the word "two".

Amendment adopted.

AMENDMENT NUMBER FOURTEEN.

On page 3, line 18, of the printed amended bill, after the word "clerk", add the words: "and one justice's deputy clerk."

Amendment adopted.

AMENDMENT NUMBER FIFTEEN.

On page 3, line 19, of the printed amended bill, after the word "of", strike out the word "him", and insert in lieu thereof the word "them".

Amendment adopted.

AMENDMENT NUMBER SIXTEEN.

On page 3, line 20, of the printed amended bill, strike out the entire sentence commencing with the words, "The salary," and in lieu thereof insert, "The salary of each of said justice's clerks is hereby fixed at two thousand four hundred dollars per annum, payable in equal monthly installments out of the same fund and in the same manner and at the same time as the salary of the justice of the peace is paid, and said justice's deputy clerk shall receive no pay or compensation whatever from the said county or body politic."

Amendment adopted.

Bill read second time, ordered to print, and on file for third reading.

Assembly Bill No. 1093—An act amending section 103 of the Code of Civil Procedure, relating to justices' courts in townships and cities.

COMMITTEE AMENDMENTS.

During the second reading of the bill, the following committee amendments were offered:

AMENDMENT NUMBER ONE.

On page 2, line 52, and page 3, line 1, of the printed bill, strike out "; provided further than in", and insert in lieu thereof the following: A period and the word "In", which shall commence a new paragraph.

Amendment adopted.

AMENDMENT NUMBER TWO.

On page 3, line 20, of the printed bill, strike out the word "each", and insert in lieu thereof the following: "such".

Amendment adopted.

AMENDMENT NUMBER THREE.

On page 2, line 42, of the printed bill, strike out the words "in excess of four thousand", also in line 43, strike out the words "nine hundred", and insert in lieu thereof the following: "of six thousand", and following the word "dollars", insert the words "or more".

Amendment adopted.

AMENDMENT NUMBER FOUR.

On page 2, line 43, of the printed bill, strike out the words "from and after January 1," and in line 44, page 2, strike out the figures "1934".

Amendment adopted.

AMENDMENT NUMBER FIVE.

On page 2, line 49, of the printed bill, following the word "office:", insert the following: "provided, further, that any incumbent justice of the peace effected by the

inhibition against practicing law as herein provided, shall not be prohibited from such practice of law for a period of ninety days next succeeding the date he shall receive such salary;".

Amendment adopted.

AMENDMENT NUMBER SIX.

On page 2, line 8, of the printed bill, following the word "act", strike out the period, and insert a comma in lieu thereof, followed by the words "together with actual traveling expenses at the rate of twenty-five cents per mile, while traveling from his residence to the court and return therefrom."

Amendment adopted.

Bill read second time, ordered to print, and on file for third reading.

Assembly Bill No. 1423—An act to amend section 2168 of the Political Code, relating to arrest and commitment of insane persons.

COMMITTEE AMENDMENT.

During the second reading of the bill, the following committee amendment was offered :

AMENDMENT NUMBER ONE.

On page 3, line 18, of the printed bill, as amended, strike out the period, and insert in lieu thereof a semicolon and the following : "*provided, however,* that if the patient is too ill to appear in court, or if it would be detrimental to the mental or physical health of the patient, the judge may hold the necessary hearing at the bedside of the patient."

Amendment adopted.

Bill read second time, ordered to print, and on file for third reading.

Assembly Bill No. 1574—An act to amend section 11 of the Workmen's Compensation, Insurance and Safety Act of 1917, approved May 23, 1917, as amended, by making additional provisions regarding serious and wilful misconduct and regarding employees who are totally disabled and bedridden.

COMMITTEE AMENDMENTS.

During the second reading of the bill, the following committee amendments were offered :

AMENDMENT NUMBER ONE.

On page 2 of the printed bill, at the end of line 31, strike out the semicolon and insert in lieu thereof a period.

Amendment adopted.

AMENDMENT NUMBER TWO.

On page 3, line 31, of the printed bill, strike out the word "six", and insert in lieu thereof the word "twelve".

Amendment adopted.

Bill read second time, ordered to print, and on file for third reading.

Assembly Bill No. 1174—An act to amend section 4190 of the Political Code, relating to establishment and government and the creation of a fund for a Law Library.

COMMITTEE AMENDMENTS.

During the second reading of the bill, the following committee amendments were offered :

AMENDMENT NUMBER ONE.

On page 1, line 19, of the printed bill, strike out the comma after "costs", and insert in lieu thereof a period.

Amendment adopted.

AMENDMENT NUMBER TWO.

On page 1, line 20, of the printed bill, strike out "such", and insert in lieu thereof the following: "Such".

Amendment adopted.

Bill read second time, ordered to print, and on file for third reading.

Assembly Bill No. 650—An act to amend an act entitled "An act to provide for the organization and government of irrigation districts, and to provide for the acquisition or construction thereby of works for the irrigation of lands embraced within such districts, and, also, to provide for the distribution of water for irrigation purposes," approved March 31, 1897, as amended, by adding a new section thereto to be numbered 93a, to provide for the fixing of conditions upon inclusion of lands before calling an election upon such inclusion.

Bill read second time, and ordered on file for third reading.

Assembly Bill No. 264—An act to amend section 1 of an act entitled "An act to provide whole family protection for members of fraternal benefit societies," approved April 20, 1917, as amended, relating to the payment of death and annuity benefits upon the lives of children.

Bill read second time, and ordered on file for third reading.

Assembly Bill No. 1730—An act to amend an act entitled "An act to provide for proceedings against and liquidation of delinquent insurance corporations and associations," approved April 30, 1919, by amending sections 2 and 2a thereof, relating to the powers and duties of the Insurance Commissioner, and repealing section 5 thereof.

Bill read second time, and ordered on file for third reading.

Assembly Bill No. 1732—An act to amend section 594c of the Political Code, relating to the sale and issuance of securities of companies organized for the purpose of transacting an insurance business.

Bill read second time, and ordered on file for third reading.

Assembly Bill No. 263—An act to amend sections 1, 2, 5, 6, 9, 10 and 11 and to repeal section 7 of an act entitled "An act for the regulation and control of fraternal benefit societies," approved May 1, 1911, as amended, relating to the definitions of fraternal benefit society, lodge system, representative form of government, the maintenance and disbursement of funds and the payment of benefits.

COMMITTEE AMENDMENTS.

During the second reading of the bill, the following committee amendments were offered.

AMENDMENT NUMBER ONE.

On page 3, line 18, of the printed bill, as amended in the Assembly on April 13, 1931, strike out the words "upon a charitable institution such", and insert in lieu thereof the following: "persons dependent upon the member,".

Amendment adopted.

AMENDMENT NUMBER TWO.

On page 3, line 22, of the printed bill, as amended in the Assembly on April 13, 1931, strike out the word "depended", and insert in lieu thereof the word "dependent".

Amendment adopted.

Bill read second time, ordered to print, and on file for third reading.

Assembly Bill No. 257—An act to amend section 1 of chapter 359, Statutes of 1903, entitled "An act to provide for the payment by the State or counties, or school districts, or other special districts or cities, or cities and counties, of the premium or charge on official bonds when given by surety companies," approved March 25, 1903, as amended.

COMMITTEE AMENDMENTS.

During the second reading of the bill, the following committee amendments were offered:

AMENDMENT NUMBER ONE.

On page 1, line 10, of the printed bill, after "deputies", insert a comma and the following: "clerks, assistants or subordinate officers".

Amendment adopted.

AMENDMENT NUMBER TWO.

On page 1, line 19, of the printed bill, after "deputies", insert a comma and the following: "clerks, assistants or subordinate officers".

Amendment adopted.

Bill read second time, ordered to print, and on file for third reading.

Assembly Bill No. 691—An act to add a new section to the Political Code to be known as section 595*b*, relating to the retirement of corporations from the title insurance business.

COMMITTEE AMENDMENT.

During the second reading of the bill, the following committee amendment was offered:

AMENDMENT NUMBER ONE.

On page 6, line 36, of the printed bill, strike out the word "funds", and insert in lieu thereof the word "fund".

Amendment adopted.

Bill read second time, ordered to print, and on file for third reading.

RECONSIDERATION WAIVED.

Senator Carter waived his notice to reconsider the vote whereby Senate Bill No. 542 was passed.

Senate Bill No. 542 ordered transmitted to the Assembly.

SPECIAL ORDERS RESET.

On motion of Senator Breed, the consideration of Senate Bills Nos. 362 and 363, heretofore set as special orders for this time, were reset as special orders for eleven o'clock and thirty minutes a.m., Monday, May 4, 1931.

EXTRA COPIES OF SENATE BILL NUMBER NINE HUNDRED FORTY-FIVE.

Senator Inman moved that the Secretary be directed to order 2500 extra copies of Senate Bill No. 945.

Motion carried.

WITHDRAWAL OF ASSEMBLY BILL.

Senator Duval moved that Assembly Bill No. 425 be withdrawn from Committee on Commerce and Navigation, and re-referred to Committee on Conservation.

Motion carried, and such was the order.

CONSIDERATION OF DAILY FILE.
THIRD READING OF ASSEMBLY BILLS.

Assembly Bill No. 1318—An act to amend sections 1103, 1105, 1106, of the Political Code, relating to registration of electors and conduct of elections.

Bill read third time.

MOTION TO REFER TO SPECIAL COMMITTEE OF ONE.

During third reading of the bill, Senator Inman moved to refer Assembly Bill No. 1318 to Senator Jones, as a Special Committee of One, to amend as follows:

AMENDMENT NUMBER ONE.

On page 2, line 41, of the printed bill, strike out the words "with him", and in lines 43 and 44, strike out the words "by state registrar of vital statistics".

Motion carried.

REPORT OF SPECIAL COMMITTEE OF ONE.

SENATE CHAMBER, SACRAMENTO, May 1, 1931.

MR. PRESIDENT: Your Special Committee of One, to which was referred Assembly Bill No. 1318, with instructions to amend, respectfully reports the same back, amended as per instructions.

JONES, Committee.

Report read, and on motion of Senator Inman adopted.

Bill ordered to print.

REPORTS OF STANDING COMMITTEES—(RESUMED).

The following reports of standing committee were received and read:

ON RULES.

SENATE CHAMBER, SACRAMENTO, May 1, 1931.

MR. PRESIDENT: Your Committee on Rules, to which was referred the request of Senator Ingels to introduce a bill entitled: An act adding section 3714b to the Political Code, relating to emergency reductions of county expenditures—has had the same under consideration, and respectfully reports the same back, and recommends that said request be granted.

Committee membership—5; committee vote: Ayes—5.

BREED, Chairman.

The question being on the adoption of the report.

The roll was called in accordance with the provisions of section 2 of article IV of the constitution, and the report adopted by the following vote:

AYES—Senators Allen, Baker, Breed, Bush, Carter, Cassidy, Cleveland, Clock, Crittenden, Deuel, Evans, Fellom, Harper, Hays, Inman, Jones, Maloney, McCormack, McKinley, Mixer, Nelson, Pedrotti, Rich, Riley, Rochester, Schottky, Slater, Treacy, Tubbs, Waggy, and Williams—31.

NOES—None.

Also:

MR. PRESIDENT: Your Committee on Rules, to which was referred the request of Senator McKinley to introduce a bill entitled: An act to amend section 3664aa of the Political Code, relating to the taxation of highway transportation companies—has had the same under consideration, and respectfully reports the same back, and recommends that said request be granted.

Committee membership—5; committee vote: Ayes—5.

BREED, Chairman.

The question being on the adoption of the report.

The roll was called in accordance with the provisions of section 2 of article IV of the constitution, and the report adopted by the following vote:

AYES—Senators Allen, Baker, Breed, Bush, Carter, Cassidy, Cleveland, Clock, Crittenden, Deuel, Duval, Edwards, Evans, Fellom, Harper, Hays, Inman, Jones, Maloney, McCormack, McKinley, Mixer, Moran, Pedrotti, Rich, Rochester, Schottky, Slater, Treacy, Tubbs, Wagy, and Williams—32.

NOES—None.

Also:

MR. PRESIDENT: Your Committee on Rules, to which was referred the request of Senator Allen to introduce a bill entitled: An act to amend section 737*h* of the Political Code, relating to the salaries of the judges of the superior court—has had the same under consideration, and respectfully reports the same back, and recommends that said request be granted.

Committee membership—5; committee vote: Ayes—5.

BREED, Chairman.

The question being on the adoption of the report.

The roll was called in accordance with the provisions of section 2 of article IV of the constitution, and the report adopted by the following vote:

AYES—Senators Allen, Baker, Breed, Bush, Carter, Cassidy, Cleveland, Deuel, Duval, Evans, Fellom, Harper, Hays, Inman, Jones, Maloney, McCormack, McKinley, Mixer, Moran, Nelson, Pedrotti, Rich, Riley, Rochester, Schottky, Slater, Tubbs, Wagy, and Williams—30.

NOES—None.

INTRODUCTION, FIRST READING AND REFERENCE OF BILLS—(RESUMED).

The following bills were introduced:

By Senator Ingels: Senate Bill No. 959—An act adding section 3714*b* to the Political Code, relating to emergency reductions of county expenditures.

Senate Bill No. 959 read first time, and referred to Committee on Revenue and Taxation.

By Senator McKinley (by request): Senate Bill No. 960—An act to amend section 3664*aa* of the Political Code, relating to the taxation of highway transportation companies.

Senate Bill No. 960 read first time, and referred to Committee on Revenue and Taxation.

By Senator Allen: Senate Bill No. 961—An act to amend section 737*h* of the Political Code, relating to the salaries of the judges of the superior court.

Senate Bill No. 961 read first time, and referred to Committee on Governmental Efficiency.

CONSIDERATION OF DAILY FILE.

THIRD READING OF SENATE BILLS.

Senate Bill No. 138—An act to add a new article to chapter 3 of title I of part III of the Political Code, to be numbered article 11*a*, embracing sections 360 to 360*g*, both inclusive, and repealing sections 363*k*, 363*l* and 363*m* of the Political Code, relating to a Department of Motor Vehicles.

Bill read third time.

The question being on the passage of the bill.

The roll was called.

CALL OF THE SENATE.

Pending the announcement of the vote, Senator Fellom moved a call of the Senate.

Motion carried.

The Secretary was directed to call the roll.

The roll was called, and the following answered to their names:

Senators Allen, Baker, Breed, Bush, Carter, Cassidy, Cleveland, Clock, Crittenden, Deuel, Duval, Edwards, Evans, Fellom, Harper, Hays, Inman, Jones, Maloney, McCormack, McKinley, Mixter, Moran, Nelson, Pedrotti, Rich, Riley, Schottky, Slater, Swing, Treacy, Tubbs, Wagy, and Williams—34.

The Secretary announced the absentees.

Time, twelve o'clock and ten minutes p.m.

The President directed the Sergeant-at-Arms to close the doors.

The Sergeant-at-Arms, having been furnished with the names of the absentees, was directed to bring them to the bar of the Senate.

PROCEEDINGS UNDER CALL OF THE SENATE.

REPORTS OF STANDING COMMITTEES—(RESUMED).

The following report of standing committee was received and read:

ON ENGROSSMENT, ENROLLMENT AND PRINTING.

SENATE CHAMBER, SACRAMENTO, May 1, 1931.

MR. PRESIDENT: Your Committee on Engrossment, Enrollment and Printing has examined Senate Bill No. 825—An act to provide for the creation, organization and government of water conservation districts, defining their powers and prescribing the method of exercising the same, reenacting and continuing in force the provisions of chapter 166 of the Statutes of 1929, known as the Water Conservation Act of 1929, and validating and confirming all proceedings had and taken under the provisions of said act resulting in the organization of water conservation districts, and continuing such districts under the provisions of this act with the powers herein conferred—and reports that the same has been correctly re-engrossed.

RILEY, Chairman.

FURTHER PROCEEDINGS UNDER CALL OF THE SENATE DISPENSED WITH.

At twelve o'clock and fourteen minutes p.m., further proceedings under the call of the Senate were dispensed with, on motion of Senator Fellom.

The Secretary was directed to call the roll on the passage of Senate Bill No. 138.

The roll was called, and Senate Bill No. 138 refused passage by the following vote:

AYES—Senators Allen, Baker, Carter, Cassidy, Cleveland, Clock, Crittenden, Inman, Maloney, McCormack, Mixter, Pedrotti, Rochester, Swing, Treacy, Tubbs, and Wagy—17.

NOES—Senators Breed, Bush, Deuel, Duval, Edwards, Evans, Fellom, Harper, Hays, Jones, McKinley, Moran, Nelson, Rich, Riley, Schottky, Slater, and Williams—18.

NOTICE OF MOTION TO RECONSIDER.

Senator Fellom gave notice that on the next legislative day he would move to reconsider the vote by which Senate Bill No. 138 was refused passage.

REPORTS OF STANDING COMMITTEES—(RESUMED).

The following report of standing committee was received and read:

ON CONSERVATION.

SENATE CHAMBER, SACRAMENTO, April 30, 1931.

MR. PRESIDENT: Your Committee on Conservation, to which was referred Senate Constitutional Amendment No. 26—Proposed amendment adding article XXIX to the constitution, relative to the development, conservation, control, utilization and regulation of the water resources of the State—has had the same under consideration,

and respectfully reports the same back with amendments, and recommends that the amendments be adopted, and the bill be re-referred to this committee.

Committee membership—7; committee vote: Ayes—6; absent—1.

EVANS, Chairman.

CONSIDERATION OF COMMITTEE AMENDMENTS.

Pursuant to the report of the Committee on Conservation, the following amendments to Senate Constitutional Amendment No. 26 were read and adopted:

AMENDMENT NUMBER ONE.

On page 2, line 16, of the printed measure, after the word "aforesaid", insert the following: "but subject to the other provisions of this constitution."

AMENDMENT NUMBER TWO.

On page 2, line 28, of the printed measure, strike out the words "steam plants or other plants or".

AMENDMENT NUMBER THREE.

On page 2, line 29, of the printed measure, strike out the entire line.

AMENDMENT NUMBER FOUR.

On page 2, line 30, of the printed measure, strike out the words "mission lines for power distribution", and strike out the comma after the word "distribution".

AMENDMENT NUMBER FIVE.

On page 2, line 46, of the printed measure, after the word "works", insert the following: "under the direction of the water finance commission herein created".

AMENDMENT NUMBER SIX.

On page 3, line 3, of the printed measure, insert after the word "works", the following: "and in said water finance commission".

AMENDMENT NUMBER SEVEN.

On page 3, line 4, of the printed measure, after the word "agency", insert the following: "or agencies".

AMENDMENT NUMBER EIGHT.

On page 3 of the printed measure, strike out lines 25 and 26 and insert in lieu thereof the following: "tion. All employees and assistants so employed other than the secretary and executive officer shall be appointed and hold their positions pursuant to the laws establishing civil service regulations, and all salaries of".

AMENDMENT NUMBER NINE.

On page 3 of the printed measure, strike out all of lines 32 to 52, inclusive, on page 4 of the printed measure, strike out lines 1 to 52, inclusive, and on page 5 of the printed measure, strike out lines 1 to 14, inclusive, and insert in lieu thereof the following:

"SEC. 5. The term "watershed" as used in this article, is hereby defined to mean all the territory lying within the actual drainage basin of a stream, lake or other body of surface water, and all areas naturally overflowed therefrom, together with the areas lying below, or adjacent to such drainage basin and which can be served with water therefrom with reasonable convenience

The term "surplus water" as used in this article is hereby defined to mean the water of a watershed which at any time hereafter shall be determined, or which from time to time hereafter shall be redetermined, to be at such time or times in excess of the water which is then needed and sufficient to supply the requirements of such watershed without resorting to underground water; such requirements to include the anticipated increase in the use of water in such watershed during the five years ensuing thereafter.

Water may be transferred from one watershed to another area or watershed under the provisions of this article; but no water except surplus water shall ever be so transferred unless the water so transferred shall be replaced with an equivalent quantity of water of proper quality from another watershed under such terms, at such times, and in such manner as shall not be detrimental to the watershed wherein such exchange is made. No surplus water shall ever be transferred under the provisions of this article from any watershed unless and until a decree or judgment, determining the existence of such surplus water and the quantity thereof, and the times when, and the terms and conditions upon which the same may be transferred, shall have been duly made and entered and shall have become final.

The superior court of any county lying wholly or in part in a watershed wherein surplus water is alleged to exist shall, upon the application or complaint of the water finance commission or of any party interested in said matter, have jurisdiction to determine the existence and extent of such watershed, the existence and

quantity of such surplus water, if any, and to fix the times when and the terms and conditions upon which such surplus water or a part thereof may be transferred from such watershed, subject to other provisions of this article. All decrees and judgments determining the existence of surplus water shall be declaratory; and the court rendering any such decree or judgment shall have and retain at all times continuing jurisdiction in the action or proceeding wherein such judgment or decree was rendered; and upon application of any party interested in said matter and a hearing thereon, such court shall have power to redetermine the existence and extent of the watershed, the existence and quantity of surplus water, and the times when and the conditions and terms upon which such water should be transferred; it may modify such judgment or decree accordingly or in any respect; provided that no such redetermination or modification shall be made within five years after a previous determination or redetermination or modification of the same matter. Upon the entry of such judgment or decree or modification thereof by the trial court the transfer from the watershed of all water found by the court to be needed therein shall cease. Such judgment, decree or order shall not be suspended nor the enforcement thereof be stayed during any proceedings for a new trial or during any appeal. The Legislature is hereby authorized to enact all legislation necessary to provide for the actions and proceedings specified in this article, including provision for actions in rem to determine the existence of surplus water, and to provide for the expeditious hearing and determination thereof. An appeal may be taken to the supreme court in any of the actions or proceedings mentioned in this article. No exchange of water under the provisions of this article shall be made unless and until the right to make such exchange shall be acquired from the owner of the water to be taken on the exchange either by contract, purchase or proceedings in eminent domain. In such proceedings the court rendering the decree or judgment shall have jurisdiction to fix and determine the terms and conditions upon which such exchange shall be made. No lapse of time shall ever bar the right to bring an action or proceeding or an application for a redetermination of any matter authorized by this article. In all such actions or proceedings the burden of proof shall, irrespective of parties plaintiff or defendant, always rest upon the party seeking to establish the existence of surplus water. Neither the transfer by the state hereunder of any water from a watershed into another area nor the use of any such water in any area into which it is taken shall ever create or vest any right whatever to such water as against the watershed from which it was taken, or the lands or inhabitants thereof. No water shall be transferred from a watershed upon terms or conditions or at times which are detrimental to the watershed from which such water is taken. The state shall preserve for every watershed from which water is transferred under the provisions of this article a full and adequate supply of water for its requirements when and as they arise. And no grant or power contained in this article shall limit such obligation of the state."

AMENDMENT NUMBER TEN.

On page 5, line 47, of the printed measure, after the word "and", insert "/or", and strike out the words "the generation of power", and insert in lieu thereof the words "any and all purposes".

AMENDMENT NUMBER ELEVEN.

On page 6, line 2, of the printed measure, strike out the period and insert in lieu thereof a semicolon, and the following: "*provided, however,* that in any such contracts no charge shall be made against the watershed of the San Joaquin river for any of the cost involved in transporting water to the areas therein for purposes of exchange through or by means of the San Joaquin pumping system except to the extent that any portion of such transported surplus water, or the exchanged water secured thereby, is utilized at any time to supplement the natural supply belonging to such drainage basin for irrigating the areas in the watershed thereof."

AMENDMENT NUMBER TWELVE.

On page 6, line 27, of the printed measure, strike out the comma after the word "determine", and insert in lieu thereof a period, and strike out the words "provided said dam and reservoir shall".

AMENDMENT NUMBER THIRTEEN.

On page 6 of the printed measure, strike out lines 28 to 30, inclusive.

AMENDMENT NUMBER FOURTEEN.

On page 6, line 36, of the printed measure, strike out " , not less than one hundred twenty cubic feet of".

AMENDMENT NUMBER FIFTEEN.

On page 6, line 37, of the printed measure, strike out "water per second at its head,".

AMENDMENT NUMBER SIXTEEN.

On page 6, line 41, of the printed measure, insert after the period the following: "Said canal shall not supply water to any territory now or hereafter embraced

within the boundaries of the east bay municipal utility district in competition with said district, but said district may contract with the appropriate state authorities to secure a portion of the waters diverted by said canal for industrial, domestic and other uses for the area served by said east bay municipal utility district."

AMENDMENT NUMBER SEVENTEEN.

On page 6, line 44, of the printed measure, strike out "near--Linda", and insert in lieu thereof the following: "on Lindsay".

AMENDMENT NUMBER EIGHTEEN.

On page 6, line 47, of the printed measure, strike out " , not less than one hundred twenty cubic feet of".

AMENDMENT NUMBER NINETEEN.

On page 6, line 48, of the printed measure, strike out "water per second at its head,".

AMENDMENT NUMBER TWENTY.

On page 7, line 4, of the printed measure, after the word "uses", insert the following: "from the lower Sacramento river".

AMENDMENT NUMBER TWENTY-ONE.

On page 7, line 6, of the printed measure, strike out "at or near the mouth of the Sacramento", and insert in lieu thereof the following: "on the lower San Joaquin".

AMENDMENT NUMBER TWENTY-TWO.

On page 7, line 10, of the printed measure, strike out "Madera", and insert in lieu thereof "Fresno".

AMENDMENT NUMBER TWENTY-THREE.

On page 7, line 20, of the printed measure, strike out the semicolon and insert in lieu thereof a period, and strike out "provided said dam and".

AMENDMENT NUMBER TWENTY-FOUR.

On page 7 of the printed measure, strike out lines 21 to 24, inclusive.

AMENDMENT NUMBER TWENTY-FIVE.

On page 7, line 25, of the printed measure, strike out the figure "5", and insert in lieu thereof the figure "6".

AMENDMENT NUMBER TWENTY-SIX.

On page 7, line 26, of the printed measure, strike out the word "on", and insert in lieu thereof "at or near".

AMENDMENT NUMBER TWENTY-SEVEN.

On page 7, line 35, of the printed measure, strike out the figure "6", and insert in lieu thereof the figure "7".

AMENDMENT NUMBER TWENTY-EIGHT.

On page 7, line 35, of the printed measure, after the word "canals", insert the following: " , pumping plants".

AMENDMENT NUMBER TWENTY-NINE.

On page 7, line 39, of the printed measure, strike out the semicolon and the words "including works".

AMENDMENT NUMBER THIRTY.

On page 7, line 40, of the printed measure, strike out the words "and domestic use".

AMENDMENT NUMBER THIRTY-ONE.

On page 7, line 41, of the printed measure, after the period insert the following: "This unit is designated as the Kern pumping system."

AMENDMENT NUMBER THIRTY-TWO.

On page 9, line 25, of the printed measure, strike out the word "ninety", and insert in lieu thereof "seventy-five".

AMENDMENT NUMBER THIRTY-THREE.

On page 9, line 34, of the printed measure, after the word "facsimile", insert the word "signature".

AMENDMENT NUMBER THIRTY-FOUR.

On page 10 of the printed measure, strike out all of lines 35 to 46, both inclusive.

AMENDMENT NUMBER THIRTY-FIVE.

On page 10, line 51, of the printed measure, strike out "all of the unencumbered balance", and insert in lieu thereof the word "such".

AMENDMENT NUMBER THIRTY-SIX.

On page 11, line 1, of the printed measure, after the word "payable", insert the following: "as the water finance commission shall determine is available to meet said principal and interest".

AMENDMENT NUMBER THIRTY-SEVEN.

On page 12, line 20, of the printed measure, strike out the word "condition", and insert in lieu thereof "conditions".

AMENDMENT NUMBER THIRTY-EIGHT.

On page 12, line 24, of the printed measure, strike out the words "to insure".

AMENDMENT NUMBER THIRTY-NINE.

On page 12 of the printed measure, strike out line 25.

AMENDMENT NUMBER FORTY.

On page 12, line 26, of the printed measure, strike out "plished by said project".

AMENDMENT NUMBER FORTY-ONE.

On page 14 of the printed measure, strike out lines 22 to 32, inclusive, and insert in lieu thereof the following:

"SEC. 23. The state department of public works shall investigate the feasibility of constructing a dam or dams with a reservoir or reservoirs on the Sacramento river in the neighborhood of Red Bluff for conservation and use of water, and if any such dam or reservoir is found to be feasible for said purposes, then such dam or reservoir may be included as an additional unit in said central valley project."

AMENDMENT NUMBER FORTY-TWO.

On page 14, line 46, of the printed measure, strike out the word "plenary".

AMENDMENT NUMBER FORTY-THREE.

On page 14, line 47, of the printed measure, strike out "unlimited by any provision of the constitution,".

AMENDMENT NUMBER FORTY-FOUR.

On page 15, line 4, of the printed measure, strike out the word "as", and insert in lieu thereof the following: "whatever shall be", and strike out the words "protect the state to".

AMENDMENT NUMBER FORTY-FIVE.

On page 15, line 5, of the printed measure, strike out the word "it", and insert in lieu thereof the words "the state".

AMENDMENT NUMBER FORTY-SIX.

On page 15 of the printed measure, strike out all of lines 7 to 19, both inclusive.

AMENDMENT NUMBER FORTY-SEVEN.

On page 15, line 20, of the printed measure, strike out the figure "4", and insert in lieu thereof the following: "2".

AMENDMENT NUMBER FORTY-EIGHT.

On page 15, line 23, of the printed measure, strike out "and in aid thereof for the negotiation of contracts with", and insert in lieu thereof a period.

AMENDMENT NUMBER FORTY-NINE.

On page 15 of the printed measure, strike out lines 24 to 27, inclusive.

AMENDMENT NUMBER FIFTY.

On page 15, line 28, of the printed measure, strike out the figure "5", and insert in lieu thereof the figure "3", and strike out the words "the taxing power and the", and insert in lieu thereof the word "its".

AMENDMENT NUMBER FIFTY-ONE.

On page 15, line 29, of the printed measure, after the word "levy", insert the following: ", taxes".

AMENDMENT NUMBER FIFTY-TWO.

On page 15, line 38, of the printed measure, strike out the figure "6", and insert in lieu thereof the figure "4".

AMENDMENT NUMBER FIFTY-THREE.

On page 15, line 40, of the printed measure, strike out the comma after the word "towns", and insert in lieu thereof the word "and", and strike out the following: ", public utilities, corpora-".

AMENDMENT NUMBER FIFTY-FOUR.

On page 15, line 41, of the printed measure, strike out the words "tions, or other entities".

AMENDMENT NUMBER FIFTY-FIVE.

On page 15 of the printed measure, strike out lines 43 to 51, inclusive.

AMENDMENT NUMBER FIFTY-SIX.

On page 16 of the printed measure, strike out all of lines 1 and 2.

AMENDMENT NUMBER FIFTY-SEVEN.

On page 16, line 3, of the printed measure, strike out the figure "10", and insert in lieu thereof figure "5".

AMENDMENT NUMBER FIFTY-EIGHT.

On page 16, line 8, of the printed measure, strike out the figure "11", and insert in lieu thereof the figure "6".

AMENDMENT NUMBER FIFTY-NINE.

On page 14 of the printed measure, strike out lines 40 to 42, inclusive, and insert in lieu thereof the following: "*provided, however, that nothing in this article shall confer upon the state the power to take by eminent domain except on exchange, any water right, water or works of any county, city and county, irrigation district, municipality, public corporation, or any other public agency having the right to divert, take, own, control or distribute water for public use.*"

Senate Constitutional Amendment No. 26 ordered to print, and re-referred to Committee on Conservation.

RECESS.

On motion of Senator Breed, at twelve o'clock and thirty-five minutes p.m., the President of the Senate declared recess until two o'clock p.m.

RECONVENED.

At two o'clock p.m., the Senate reconvened.

Lieutenant Governor Frank F. Merriam, President of the Senate, in the chair.

Minute Clerk Harold J. Powers at the desk.

REPORTS OF STANDING COMMITTEES—(RESUMED).

The following reports of standing committees were received and read:

ON EDUCATION.

SENATE CHAMBER, SACRAMENTO, April 30, 1931.

MR. PRESIDENT: Your Committee on Education, to which was referred Senate Bill No. 833—An act to amend the title of chapter II of part II of division IV of the School Code; to amend sections 4.161, 4.170, 4.172 and 4.173 thereof; to repeal chapters III, IV and V, embracing sections 4.180 to 4.282, both inclusive, of part II of division IV of the School Code; to repeal chapter VI embracing sections 4.250 to 4.271, both inclusive, of part II of division II of the School Code; to repeal article V, embracing sections 4.630 to 4.639, both inclusive, of chapter VII of part III of division IV of the School Code; to repeal section 4.174 thereof and to add to chapter II of part II of division IV of the School Code four new articles to be known as article III, article IV, article V and article VI, respectively, embracing sections 4.180 to 4.211, both inclusive; to add a new chapter to part II of division IV of the School Code to be known as chapter III, embracing sections 4.220 to 4.251, both inclusive, and to add a new chapter to part III of division IV of the School Code to be known as chapter IV, embracing sections 4.260 to 4.268, both inclusive; to add two new sections to the School Code, to be numbered 5.550 and 5.635; and to repeal chapter 582 of the Statutes of 1929, entitled "An act to provide for the purchase of school supplies for school districts and defining the powers and duties of superintendents of schools of counties and other officers in relation thereto," approved May 31, 1929, all relating to county school funds and the use thereof;

Also: Senate Bill No. 834—An act to amend section 4.290 of the School Code, relating to temporary transfers of moneys from the funds of a county or city to the funds of a school district within such county or city; Has had the same under consideration, and respectfully reports the same back with amendments, and recommends that the amendments be adopted, and that they do pass as amended.

Committee membership—14; committee vote: Ayes—12; absent—2.

SLATER, Chairman.

Senate Bills Nos. 833 and 834 ordered on file for second reading.

Also:

MR. PRESIDENT: Your Committee on Education, to which was referred Senate Bill No. 839—An act to amend section 2.1427 of the School Code, relating to the duties of the Superintendent of Public Instruction;

Also: Senate Bill No. 665—An act to amend sections 4.365 and 4.366 of article VII, chapter I, part III of division IV of the School Code of the State of California, relating to district budgets;

Also: Senate Bill No. 666—An act to amend sections 4.370, 4.371, 4.372 and 4.373 of article VIII, chapter I, part III of division IV of the School Code of the State of California, relating to levy of school district taxes;

Has had the same under consideration, and respectfully reports the same back with amendments, and recommends that the amendments be adopted, and that they do pass as amended.

Committee membership—14; committee vote: Ayes—12; absent—2.

SLATER, Chairman.

Senate Bills Nos. 839, 665 and 666 ordered on file for second reading.

ON COUNTY GOVERNMENT.

SENATE CHAMBER, SACRAMENTO, May 1, 1931.

MR. PRESIDENT: Your Committee on County Government, to which was referred Assembly Bill No. 1550—An act to add a new section to the Political Code to be numbered 2906a and relating to the granting of authority to a city, city and county, person or corporation to construct recreational wharves on certain State lands—has had the same under consideration, and respectfully reports the same back, and recommends that it do pass and be re-referred to Committee on Conservation.

Committee membership—9; committee vote: Ayes—7; absent—2.

WAGY, Chairman

Assembly Bill No. 1550 ordered re-referred to Committee on Conservation.

Also:

MR. PRESIDENT: Your Committee on County Government, to which was referred Assembly Bill No. 1757—An act to amend section 16r11 of the Weights and Measures Act, relating to sealers of weights and measures in counties of the eleventh class;

Also: Assembly Bill No. 1809—An act to amend section 19r11 of the Juvenile Court Law, relating to probation officers in counties of the eleventh class;

Also: Assembly Bill No. 1820—An act to amend section 2322r11 of the Political Code, relating to the office of agricultural commissioner in counties of the eleventh class;

Also: Assembly Bill No. 1925—An act to amend section 1 of an act entitled "An act providing for the creation of revolving funds in the counties of the State," approved May 9, 1923, as amended, relating to the persons for whom revolving funds may be established;

Has had the same under consideration, and respectfully reports the same back, and recommends that they do pass.

Committee membership—9; committee vote: Ayes—7; absent—2.

WAGY, Chairman.

Assembly Bills Nos. 1757, 1809, 1820 and 1925 ordered on file for second reading.

Also:

MR. PRESIDENT: Your Committee on County Government, to which was referred Assembly Bill No. 294—An act to amend section 19r18 of the Juvenile Court Law, relating to the salary of the probation officer and deputy, in counties of the eighteenth class;

Also: Assembly Bill No. 1381—An act to amend section 16r18 of the Weights and Measures Act, relating to sealers of weights and measures in counties of the eighteenth class;

Also: Assembly Bill No. 1382—An act to amend section 2322r18 of the Political Code, relating to the office of agricultural commissioner in counties of the eighteenth class;

Also: Assembly Bill No. 1652—An act to amend section 9a6 of an act entitled "An act to provide for the establishment and maintenance of county free libraries in the State of California, and repealing 'An act entitled 'An act to provide county library systems,' approved April 12, 1909, and all acts and parts of acts in conflict with this act,'" approved February 25, 1911, as amended, relating to libraries in counties of the sixth class;

Also: Assembly Bill No. 1653—An act to amend section 19r6 of the Juvenile Court Law, relating to probation officers in counties of the sixth class;

Also: Assembly Bill No. 1654—An act to amend section 2322r6 of the Political Code, relating to the office of agricultural commissioner in counties of the sixth class;

Has had the same under consideration, and respectfully reports the same back, and recommends that they do pass.

Committee membership—9; committee vote: Ayes—7; absent—2.

WAGY, Chairman.

Assembly Bills Nos. 294, 1381, 1382, 1652, 1653 and 1654 ordered on file for second reading.

Also:

MR. PRESIDENT: Your Committee on County Government, to which was referred Senate Bill No. 257—An act to add a new section to the Political Code to be numbered 4041.28, relating to the disposition of courthouse and other sites dedicated to public use;

Also: Senate Bill No. 372—An act to add a new section to the Political Code, to be numbered 4041.24a, relating to the withdrawal of county records;

Has had the same under consideration, and respectfully reports the same back, and recommends that they do pass.

Committee membership—9; committee vote: Ayes—7; absent—2.

WAGY, Chairman.

Senate Bills Nos. 257 and 372 ordered on file for second reading.

Also:

MR. PRESIDENT: Your Committee on County Government, to which was referred Assembly Constitutional Amendment No. 22—A resolution to propose to the people of the State of California, an amendment to the constitution of said State by amending sections 4 and 5 of article XI thereof, relative to county government—has had the same under consideration, and respectfully reports the same back with out recommendation with amendments, and recommends that the amendments be adopted.

Committee membership—9; committee vote: Ayes—7; absent—2.

WAGY, Chairman.

Assembly Constitutional Amendment No. 22 ordered on file.

Also:

MR. PRESIDENT: Your Committee on County Government, to which was referred Senate Bill No. 913—An act to amend section 2322-31 of the Political Code, relating to the office of agricultural commissioner in counties of the thirty-first class—has had the same under consideration, and respectfully reports the same back with amendments, and recommends that the amendments be adopted, and that it do pass as amended.

Committee membership—9; committee vote: Ayes—7; absent—2.

WAGY, Chairman.

Senate Bill No. 913 ordered on file for second reading.

Also:

MR. PRESIDENT: Your Committee on County Government, to which was referred Assembly Constitutional Amendment No. 23—A resolution to propose to the people of the State of California, an amendment to the constitution of said State by adding to article XI thereof, a new section to be numbered 73, relative to the drafting of charters for counties by boards of supervisors—has had the same under consideration, and respectfully reports the same back, without recommendation.

Committee membership—9; committee vote: Ayes—7; absent—2.

WAGY, Chairman.

Assembly Constitutional Amendment No. 23 ordered on file.

Also:

MR. PRESIDENT: Your Committee on County Government, to which was referred Assembly Bill No. 367—An act to amend section 4244 and to repeal section 4249a of the Political Code, relating to the compensation of county and township officers in counties of the fifteenth class;

Also: Assembly Bill No. 990—An act to amend section 4264 and to repeal section 4264a of the Political Code, relating to the salaries and fees of county and township officers in counties of the thirty-fifth class;

Also: Assembly Bill No. 1656—An act to amend section 4235 of the Political Code, relating to compensation of county and township officers in counties of the sixth class;

Has had the same under consideration, and respectfully reports the same back with amendments, and recommends that the amendments be adopted, and that they do pass as amended.

Committee membership—9; committee vote: Ayes—7; absent—2.

WAGY, Chairman.

Assembly Bills Nos. 367, 990 and 1656 ordered on file for second reading.

ON EDUCATION.

SENATE CHAMBER, SACRAMENTO, April 30, 1931.

MR. PRESIDENT: Your Committee on Education, to which was referred Senate Bill No. 842—An act to add a new article to chapter VI of part III of division III of the School Code to be known as article VII, embracing sections 3.415 and 3.416, relating to the attendance of students upon junior colleges—has had the same under consideration, and respectfully reports the same back, and recommends that it do pass.

Committee membership—14; committee vote: Ayes—12; absent—2.

SLATER, Chairman.

Senate Bill No. 842 ordered on file for second reading.

Also:

MR. PRESIDENT: Your Committee on Education, to which was referred Assembly Bill No. 1856—An act to add a new article to be numbered VIIIa embracing sections 2.440a, 2.441a, 2.442a, 2.443a, 2.444a, 2.445a, 2.446a, 2.447a, 2.448a, 2.449a, 2.450a, 2.451a, 2.452a, 2.453a, 2.454a, 2.455a, 2.456a, 2.457a, 2.458a, 2.459a, 2.460a, and 2.461a to chapter VI of part I of division II of the School Code, and to repeal an act entitled "An act providing for the organization of certain elementary or union elementary school districts into high school districts," approved June 18, 1929, all relating to withdrawal of territory from high school districts and formation and government of new high school districts—has had the same under consideration, and respectfully reports the same back with amendments, and recommends that the amendments be adopted, and that it do pass as amended.

Committee membership—14; committee vote: Ayes—12; absent—2.

SLATER, Chairman.

Assembly Bill No. 1856 ordered on file for second reading.

ON CONSERVATION.

SENATE CHAMBER, SACRAMENTO, April 30, 1931.

MR. PRESIDENT: Your Committee on Conservation, to which was referred Assembly Bill No. 211—An act to amend section 4052b, Political Code, relating to the payment by counties in whole or in part of the cost of acquiring property for public parks, beaches and recreation grounds in incorporated cities and/or of the cost of maintaining and improving such parks and recreation grounds—has had the same under consideration, and respectfully reports the same back, and recommends that it do pass.

Committee membership—7; committee vote: Ayes—6; absent—1.

EVANS, Chairman.

Assembly Bill No. 211 ordered on file for second reading.

ON MOTOR VEHICLES.

SENATE CHAMBER, SACRAMENTO, April 30, 1931.

MR. PRESIDENT: Your Committee on Motor Vehicles, to which was referred Senate Bill No. 457—An act to amend section 77 of chapter 266, Statutes of 1923, entitled the "California Vehicle Act", relating to the additional weight fee required on commercial vehicle other than those operating under a franchise granted by the State Railroad Commission—has had the same under consideration, and respectfully reports the same back with amendments, and recommends that the amendments be adopted, and that it do pass as amended.

Committee membership—17; committee vote: Ayes—14; absent—3.

BAKER, Chairman.

Senate Bill No. 457 ordered on file for second reading.

ON REVENUE AND TAXATION.

SENATE CHAMBER, SACRAMENTO, May 1, 1931.

MR. PRESIDENT: Your Committee on Revenue and Taxation, to which was referred Assembly Constitutional Amendment No. 27—A resolution to propose to the people of the State of California an amendment to the constitution of the State of California

amending section 6 of article IX, relative to taxation—has had the same under consideration, and respectfully reports the same back with amendments, and recommends that the amendments be adopted, and that it do pass as amended.

Committee membership—13; committee vote: Ayes—10; absent—3.

NELSON, Chairman.

Assembly Constitutional Amendment No. 27 ordered on file.

ON JUDICIARY.

SENATE CHAMBER, SACRAMENTO, May 1, 1931.

MR. PRESIDENT: Your Committee on Judiciary, to which was referred Assembly Bill No. 1005—An act adding chapter 3 to title IX of part II of the Code of Civil Procedure, consisting of sections 724:1 to 724:5 inclusive and repealing sections 388 to 393 inclusive of the Civil Code, relating to the sale of franchises on execution—has had the same under consideration, and respectfully reports the same back with amendments, and recommends that the amendments be adopted, and that it do pass as amended.

Committee membership—17; committee vote: Ayes—15; absent—2.

CHRISTIAN, Chairman.

Assembly Bill No. 1005 ordered on file for second reading.

ON MINES AND MINING.

SENATE CHAMBER, SACRAMENTO, May 1, 1931.

MR. PRESIDENT: Your Committee on Mines and Mining, to which was referred Senate Bill No. 630—An act to amend section 2 of an act entitled "An act providing for the regulation and supervision of companies, brokers, agents, and sales of securities as the same are therein defined, and to prevent fraud in the sale of securities; providing for the enforcement of said act and penalties for the violation thereof; and creating a State Corporation Department and the office of Commissioner of Corporations," approved May 18, 1917, as amended, relating to fees—has had the same under consideration, and respectfully reports the same back, and recommends that it do pass.

Committee membership—5.

(Signed out)

CASSIDY, Chairman.

ALLEN.

RICH.

RILEY.

WILLIAMS.

Senate Bill No. 630 ordered on file for second reading.

RESOLUTION.

The following resolution was offered:

By Committee on Contingent Expenses:

Resolved, That the Controller be and he is hereby directed to draw his warrant on the Contingent Fund of the Senate, in the sum of \$300 in favor of the Secretary of the Senate, and the Treasurer is hereby directed to pay the same, the same being for postage for the Senate.

WILLIAMS.

MALONEY.

CONSIDERATION OF DAILY FILE.

THIRD READING OF SENATE BILLS—(RESUMED).

Senate Bill No. 434—An act to make an appropriation to pay the claim of the Comptroller of the State Compensation Insurance Fund against the State of California.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Senate Bill No. 434 passed by the following vote:

AYES—Senators Allen, Baker, Breed, Bush, Clock, Crittenden, Deuel, Duval, Edwards, Evans, Harper, Hays, McCormack, McKinley, Mixter, Moran, Nelson, Pedrotti, Rich, Schottky, Slater, and Waggy—22.

NOES—None.

Title read and approved.

Bill ordered transmitted to the Assembly.

Senate Bill No. 895—An act authorizing the Governor of the State of California to select and engage the services of an educational research foundation or other organization engaged or organized to engage in the work of making critical surveys in the field of education to make a survey of the present system, plan of organization, and conduct of public education of higher than high school grade in the State of California and to report in writing the results of its survey with its recommendations, providing for the compensation of such foundation or other organization, making an appropriation therefor and for the payment of expenses incidental to carrying out the provisions of this act, and authorizing the Governor to accept gifts of money, property or services in furtherance of the work to be carried out as in this act provided.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Senate Bill No. 895 passed by the following vote:

AYES—Senators Allen, Breed, Bush, Crittenden, Deuel, Duval, Edwards, Evans, Harper, Hays, Jones, McCormack, McKinley, Mixter, Moran, Nelson, Pedrotti, Rich, Rochester, Schottky, Slater, and Waggy—22.

NOES—None.

Title read and approved.

Bill ordered transmitted to the Assembly.

Senate Bill No. 950—An act to amend article IX of chapter I of part III of division IV of the School Code, embracing sections 4.380 to 4.384, inclusive, and to repeal chapter 709, Statutes of 1929, all relating to financial reports of school districts.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Senate Bill No. 950 passed by the following vote:

AYES—Senators Allen, Baker, Breed, Bush, Clock, Crittenden, Deuel, Duval, Edwards, Evans, Hays, Jones, McCormack, Mixter, Moran, Nelson, Pedrotti, Rich, Rochester, Schottky, Slater, Waggy, and Williams—23.

NOES—None.

Title read and approved.

Bill ordered transmitted to the Assembly.

Senate Bill No. 832—An act to amend sections 4.871, 4.872, 4.873, 4.874, 4.875, 4.890, 4.891, 4.892, 4.893, 4.894, 4.895 and 4.896, of the School Code and to repeal sections 4.876, 4.897, 4.899, 4.900, 4.921, 4.925, 4.926 and 4.927 thereof, relating to the apportionment of State and county funds to high school districts.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Senate Bill No. 832 passed by the following vote:

AYES—Senators Allen, Baker, Breed, Bush, Clock, Crittenden, Deuel, Duval, Edwards, Evans, Harper, Hays, Jones, McCormack, Mixter, Moran, Nelson, Pedrotti, Rochester, Schottky, Slater, Waggy, and Williams—23.

NOES—None.

Title read and approved.

Bill ordered transmitted to the Assembly.

Senate Bill No. 801—An act to add section 19x54 to the Juvenile Court Law, relating to probation officers in counties of the fifty-fourth class.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Senate Bill No. 801 passed by the following vote:

AYES—Senators Allen, Baker, Breed, Bush, Clock, Crittenden, Deuel, Duval, Edwards, Evans, Harper, Hays, Jones, McCormack, McKinley, Mixter, Moran, Nelson, Pedrotti, Rochester, Schottky, Slater, Wagy, and Williams—24.

NOES—None.

Title read and approved.

Bill ordered transmitted to the Assembly.

Senate Bill No. 802—An act to amend section 2322x54 of the Political Code, relating to the office of agricultural commissioner in counties of the fifty-fourth class.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Senate Bill No. 802 passed by the following vote:

AYES—Senators Allen, Baker, Breed, Bush, Clock, Crittenden, Deuel, Duval, Edwards, Evans, Harper, Hays, Jones, McCormack, McKinley, Mixter, Moran, Nelson, Pedrotti, Rochester, Schottky, Slater, Tubbs, Wagy, and Williams—25.

NOES—None.

Title read and approved.

Bill ordered transmitted to the Assembly.

Senate Bill No. 803—An act to amend section 16x54 of the Weights and Measures Act, relating to sealers of weights and measures in counties of the fifty-fourth class.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Senate Bill No. 803 passed by the following vote:

AYES—Senators Allen, Baker, Breed, Bush, Carter, Clock, Crittenden, Deuel, Duval, Edwards, Evans, Harper, Hays, Jones, McCormack, McKinley, Mixter, Moran, Nelson, Pedrotti, Rich, Rochester, Schottky, Slater, Tubbs, Wagy, and Williams—27.

NOES—None.

Title read and approved.

Bill ordered transmitted to the Assembly.

Senate Bill No. 805—An act to add a new section to be numbered 9a54 to the act entitled "An act to provide for the establishment and maintenance of county free libraries in the State of California, and repealing 'An act entitled "An act to provide county library systems," approved April 12, 1909, and all acts and parts of acts in conflict with this act," approved February 25, 1911, as amended, relating to libraries in counties of the fifty-fourth class.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Senate Bill No. 805 passed by the following vote:

AYES—Senators Allen, Baker, Breed, Bush, Carter, Clock, Crittenden, Deuel, Duval, Edwards, Evans, Harper, Hays, Jones, McCormack, McKinley, Mixter,

Moran, Nelson, Pedrotti, Rich, Rochester, Schottky, Slater, Tubbs, Wag, and Williams—27.
NOES—None.

Title read and approved.

Bill ordered transmitted to the Assembly.

Senate Bill No. 947—An act to amend section 1510 of the Penal Code, relating to the duties of the coroner.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Senate Bill No. 947 passed by the following vote:

AYES—Senators Allen, Baker, Breed, Bush, Carter, Clock, Crittenden, Deuel, Duval, Edwards, Evans, Harper, Hays, Jones, McCormack, McKinley, Mixer, Moran, Nelson, Pedrotti, Rich, Riley, Rochester, Schottky, Slater, Tubbs, Wag, and Williams—28.

NOES—None.

Title read and approved.

Bill ordered transmitted to the Assembly.

Senate Bill No. 373—An act to amend section 4 of an act entitled "An act to define collection agencies; to provide for the regulation, bonding, supervision and licensing thereof; to provide for the enforcement of said act and penalties for violation thereof," approved May 14, 1927, as amended.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Senate Bill No. 373 passed by the following vote:

AYES—Senators Allen, Baker, Breed, Bush, Carter, Clock, Crittenden, Deuel, Duval, Evans, Harper, Hays, Jones, McCormack, Mixer, Moran, Nelson, Pedrotti, Rich, Rochester, Schottky, Slater, Tubbs, Wag, and Williams—25.

NOES—None.

Title read and approved.

Bill ordered transmitted to the Assembly.

REPORTS OF STANDING COMMITTEES—(RESUMED).

The following report of standing committee was received and read:

ON ENGROSSMENT, ENROLLMENT AND PRINTING.

SENATE CHAMBER, SACRAMENTO, May 1, 1931.

MR. PRESIDENT: Your Committee on Engrossment, Enrollment and Printing has examined Senate Bill No. 228—An act to amend sections 595 and 1054 of the Code of Civil Procedure, relating to postponement of trials and extensions of time in superior and inferior courts:

Also: Senate Bill No. 315—An act to amend section 456 of the Political Code, relating to the employees in the office of the State Treasurer, and fixing their salaries:

Also: Senate Bill No. 516—An act to amend section 356 of the Political Code, relating to exchange of employees between State departments:

Also: Senate Bill No. 674—An act making appropriation to pay the claim of the Electro Metals Company against the State of California;

Also: Senate Bill No. 688—An act to amend section 35 of an act entitled "An act to provide for the organization and government of drainage districts, for the drainage of agricultural lands other than swamp and overflowed lands, and to provide for the acquisition or construction thereby of works for the drainage of the lands embraced within such districts," approved March 20, 1903, as amended, and relating to refunding bonds of such districts:

Also: Senate Bill No. 822—An act to make an appropriation to pay the claim of Simon J. Lubin against the State of California;

Also: Senate Concurrent Resolution No. 36—Relative to investigation and report upon acquisition by the State of the toll bridge across Carquinez Straits:
And reports that the same have been correctly engrossed.

DEUEL, Vice Chairman.

CONSIDERATION OF DAILY FILE.

THIRD READING OF SENATE BILLS—(RESUMED).

Senate Bill No. 688—An act to amend section 14 of an act entitled "An act to promote drainage," approved March 18, 1885, relating to drainage.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Senate Bill No. 688 passed by the following vote:

AYES—Senators Allen, Baker, Breed, Bush, Crittenden, Deuel, Duval, Edwards, Evans, Harper, Hays, Inman, Jones, McCormack, McKinley, Mixter, Moran, Nelson, Pedrotti, Rich, Riley, Rochester, Schottky, Slater, Tubbs, Wag, and Williams—27.

NOES—None.

Title read and approved.

Bill ordered transmitted to the Assembly.

Senate Bill No. 674—An act making appropriation to pay the claim of the Electro Metals Company against the State of California.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Senate Bill No. 674 passed by the following vote:

AYES—Senators Allen, Baker, Breed, Carter, Crittenden, Deuel, Duval, Evans, Harper, Hays, Inman, McCormack, McKinley, Mixter, Moran, Nelson, Pedrotti, Riley, Rochester, Schottky, Slater, Tubbs, Wag, and Williams—24.

NOES—None.

Title read and approved.

Bill ordered transmitted to the Assembly.

Senate Bill No. 228—An act to amend sections 595 and 1054 of the Code of Civil Procedure, relating to postponement of trials and extensions of time in superior and inferior courts.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Senate Bill No. 228 passed by the following vote:

AYES—Senators Allen, Baker, Breed, Bush, Carter, Clock, Crittenden, Deuel, Duval, Evans, Harper, Hays, Inman, McCormack, McKinley, Mixter, Nelson, Pedrotti, Rich, Riley, Rochester, Schottky, Slater, Tubbs, Wag, and Williams—26.

NOES—None.

Title read and approved.

Bill ordered transmitted to the Assembly.

Senate Bill No. 478—An act to amend section 1161a of the Code of Civil Procedure, relating to recovery of possession of real property.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Senate Bill No. 478 passed by the following vote:

AYES—Senators Allen, Baker, Breed, Bush, Carter, Clock, Crittenden, Deuel, Duval, Edwards, Evans, Harper, Hays, Inman, Jones, McCormack, McKinley,

Mixter, Moran, Nelson, Pedrotti, Rich, Riley, Rochester, Schottky, Slater, Tubbs, Wagy, and Williams—29.
NOES—None.

Title read and approved.

Bill ordered transmitted to the Assembly.

Senate Bill No. 825—An act to provide for the creation, organization and government of water conservation districts, defining their powers and prescribing the method of exercising the same; also reenacting chapter 166 of the Statutes of 1929, known as the Water Conservation Act of 1929, and validating and confirming all proceedings had and taken under the provisions of said act resulting in the organization of water conservation districts, and continuing such districts under the provisions of this act with the powers herein conferred.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Senate Bill No. 825 passed by the following vote:

AYES—Senators Allen, Baker, Breed, Bush, Carter, Clock, Crittenden, Deuel, Duval, Evans, Harper, Hays, Jones, McCormack, McKinley, Mixter, Moran, Nelson, Rich, Riley, Rochester, Schottky, Slater, Tubbs, Wagy, and Williams—26.
NOES—None.

Title read and approved.

Bill ordered transmitted to the Assembly.

SECRETARY JOSEPH A. BEEK AT THE DESK.

CONSIDERATION OF DAILY FILE.

THIRD READING OF ASSEMBLY BILLS—(RESUMED).

Assembly Bill No. 947—An act to add a new section to the School Code, to be numbered 5.1032, providing for the refunding of contributions paid into the Public School Teachers Permanent Fund through mistake, inadvertence or error.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Assembly Bill No. 947 passed by the following vote:

AYES—Senators Allen, Baker, Breed, Bush, Carter, Crittenden, Deuel, Duval, Evans, Harper, Inman, Jones, McCormack, McKinley, Mixter, Nelson, Pedrotti, Riley, Schottky, Slater, Tubbs, Wagy, and Williams—23.
NOES—Senator Rochester—1.

Title read and approved.

Bill ordered transmitted to the Assembly.

Assembly Bill No. 948—An act to amend section 2.884 of the School Code, relating to the challenging of electors at school district elections.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Assembly Bill No. 948 passed by the following vote:

AYES—Senators Baker, Breed, Bush, Carter, Crittenden, Deuel, Duval, Evans, Harper, Hays, Inman, Jones, McCormack, McKinley, Mixter, Nelson, Pedrotti, Rochester, Schottky, Slater, Tubbs, Wagy, and Williams—23.
NOES—None.

Title read and approved.

Bill ordered transmitted to the Assembly.

Assembly Bill No. 949—An act to amend section 1.252 of the School Code, relating to the payment of salaries of county supervisors of attendance.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Assembly Bill No. 949 passed by the following vote:

AYES—Senators Allen, Baker, Breed, Bush, Carter, Crittenden, Deuel, Duval, Evans, Harper, Hays, Inman, Jones, McCormack, McKinley, Mixter, Nelson, Pedrotti, Rich, Riley, Rochester, Schottky, Slater, Tubbs, Wagy, and Williams—26.
NOES—None.

Title read and approved.

Bill ordered transmitted to the Assembly.

Assembly Bill No. 951—An act to amend section 5.842 of the School Code, relating to the filing of confidential personal reports by persons employed in the public schools.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Assembly Bill No. 951 passed by the following vote:

AYES—Senators Allen, Baker, Breed, Bush, Carter, Crittenden, Deuel, Duval, Edwards, Evans, Harper, Hays, Inman, Jones, McCormack, McKinley, Mixter, Nelson, Pedrotti, Rich, Riley, Rochester, Schottky, Slater, Tubbs, Wagy, and Williams—27.
NOES—None.

Title read and approved.

Bill ordered transmitted to the Assembly.

Assembly Bill No. 1490—An act to amend section 3.515 of the School Code, relating to vocational rehabilitation.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Assembly Bill No. 1490 passed by the following vote:

AYES—Senators Allen, Baker, Breed, Bush, Carter, Crittenden, Deuel, Duval, Edwards, Evans, Harper, Hays, Inman, Jones, McCormack, McKinley, Mixter, Nelson, Pedrotti, Rich, Riley, Rochester, Schottky, Slater, Tubbs, Wagy, and Williams—27.
NOES—None.

Title read and approved.

Bill ordered transmitted to the Assembly.

Assembly Bill No. 1721—An act to amend section 2254 of the Political Code, relating to California School for Blind.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Assembly Bill No. 1721 passed by the following vote:

AYES—Senators Allen, Baker, Breed, Bush, Carter, Crittenden, Deuel, Duval, Edwards, Evans, Harper, Hays, Inman, Jones, McCormack, McKinley, Mixter, Nelson, Pedrotti, Rich, Riley, Rochester, Schottky, Slater, Wagy, and Williams—26.
NOES—None.

Title read and approved.

Bill ordered transmitted to the Assembly.

Assembly Bill No. 1741—An act to amend section 2239 of the Political Code, relating to California School for the Deaf.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Assembly Bill No. 1741 passed by the following vote:

AYES—Senators Allen, Breed, Bush, Carter, Crittenden, Deuel, Duval, Edwards, Evans, Harper, Hays, Inman, Jones, McCormack, McKinley, Mixer, Nelson, Pedrotti, Rich, Riley, Rochester, Schottky, Slater, Tubbs, Wagy, and Williams—26.
NOES—None.

Title read and approved.

Bill ordered transmitted to the Assembly.

Assembly Bill No. 950—An act to amend section 5.1043 of the School Code, relating to the payment of contributions to the Public School Teachers Permanent Fund.

Bill read third time.

MOTION TO REFER TO SPECIAL COMMITTEE OF ONE.

During third reading of the bill, Senator Jones moved to refer Assembly Bill No. 950 to Senator Inman, as a Special Committee of One, to amend as follows:

AMENDMENT NUMBER ONE.

On page 1, line 4, of the printed bill, as amended in Senate April 20, 1931, strike out the following: "twenty days", and insert in lieu thereof the following: "two months".

Motion carried.

REPORT OF SPECIAL COMMITTEE OF ONE.

SENATE CHAMBER, SACRAMENTO, April 30, 1931.

MR. PRESIDENT: Your Special Committee of One, to which was referred Assembly Bill No. 950, with instructions to amend, respectfully reports the same back, amended as per instructions.

INMAN, Committee.

Report read, and on motion of Senator Jones adopted.

Bill ordered to print.

Assembly Bill No. 1794—An act to amend section 16x26 of the Weights and Measures Act, relating to sealers of weights and measures in counties of the twenty-sixth class.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Assembly Bill No. 1794 passed by the following vote:

AYES—Senators Allen, Baker, Breed, Bush, Carter, Crittenden, Deuel, Duval, Edwards, Evans, Harper, Hays, Inman, Jones, McCormack, McKinley, Mixer, Nelson, Pedrotti, Rich, Riley, Rochester, Schottky, Slater, Tubbs, and Wagy—26.
NOES—None.

Title read and approved.

Bill ordered transmitted to the Assembly.

Assembly Bill No. 1796—An act to amend section 16x35 of the Weights and Measures Act, relating to sealers of weights and measures in counties of the thirty-fifth class.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Assembly Bill No. 1796 passed by the following vote:

AYES—Senators Allen, Baker, Breed, Bush, Crittenden, Deuel, Duval, Edwards, Evans, Harper, Hays, Inman, Jones, McCormack, McKinley, Mixter, Nelson, Pedrotti, Rich, Riley, Rochester, Schottky, Slater, Tubbs, Wagy, and Williams—26.

NOES—None.

Title read and approved.

Bill ordered transmitted to the Assembly.

Assembly Bill No. 1827—An act to amend section 2322r35 of the Political Code, relating to the office of agricultural commissioner in counties of the thirty-fifth class.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Assembly Bill No. 1827 passed by the following vote:

AYES—Senators Allen, Baker, Breed, Bush, Carter, Crittenden, Deuel, Duval, Edwards, Evans, Harper, Hays, Inman, McCormack, McKinley, Mixter, Nelson, Pedrotti, Rich, Riley, Rochester, Schottky, Slater, Tubbs, Wagy, and Williams—26.

NOES—None.

Title read and approved.

Bill ordered transmitted to the Assembly.

Assembly Bill No. 1845—An act to amend section 19r35 of the Juvenile Court Law, relating to probation officers in counties of the thirty-fifth class.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Assembly Bill No. 1845 passed by the following vote:

AYES—Senators Allen, Baker, Breed, Bush, Carter, Crittenden, Deuel, Duval, Edwards, Evans, Harper, Hays, Inman, Jones, McCormack, McKinley, Mixter, Nelson, Pedrotti, Rich, Riley, Rochester, Schottky, Slater, Tubbs, Wagy, and Williams—27.

NOES—None.

Title read and approved.

Bill ordered transmitted to the Assembly.

Assembly Bill No. 574—An act to amend section 4316 of the Political Code, relating to county officers and their deputies.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Assembly Bill No. 574 passed by the following vote:

AYES—Senators Allen, Breed, Bush, Carter, Crittenden, Deuel, Duval, Edwards, Evans, Harper, Hays, Inman, Jones, McCormack, McKinley, Mixter, Nelson, Pedrotti, Riley, Rochester, Schottky, Slater, Tubbs, Wagy, and Williams—25.

NOES—None.

Title read and approved.

Bill ordered transmitted to the Assembly.

Assembly Bill No. 523—An act to amend section 53 of the California Irrigation District Act, relating to contracts.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Assembly Bill No. 523 passed by the following vote :

AYES—Senators Allen, Baker, Breed, Bush, Carter, Crittenden, Deuel, Duval, Edwards, Evans, Harper, Hays, Inman, Jones, McCormack, McKinley, Mixter, Nelson, Pedrotti, Riley, Rochester, Schottky, Slater, Tubbs, Wagy, and Williams—26.

NOES—None.

Title read and approved.

Bill ordered transmitted to the Assembly.

Assembly Bill No. 1282—An act to add a new section to be numbered 9016 to the act entitled "An act to provide for the establishment and maintenance of county free libraries in the State of California, and repealing an act entitled 'An act to provide county library systems, approved April 12, 1909, and all acts and parts of acts in conflict with this act.'" approved February 25, 1911, as amended, relating to libraries in counties of the sixteenth class.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Assembly Bill No. 1282 passed by the following vote :

AYES—Senators Allen, Baker, Breed, Bush, Carter, Crittenden, Deuel, Duval, Edwards, Harper, Hays, Inman, Jones, McCormack, McKinley, Mixter, Pedrotti, Riley, Rochester, Schottky, Slater, Tubbs, Wagy, and Williams—24.

NOES—None.

Title read and approved.

Bill ordered transmitted to the Assembly.

Assembly Bill No. 1544—An act to amend section 4017 of the Political Code, relating to consolidation of county offices.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Assembly Bill No. 1544 passed by the following vote :

AYES—Senators Allen, Baker, Breed, Bush, Carter, Crittenden, Deuel, Duval, Edwards, Evans, Harper, Hays, Jones, McCormack, McKinley, Mixter, Pedrotti, Riley, Rochester, Schottky, Slater, Wagy, and Williams—23.

NOES—None.

Title read and approved.

Bill ordered transmitted to the Assembly.

Assembly Bill No. 334—An act to amend section 4241 of the Political Code, relating to compensation of officers and employees in counties of the twelfth class.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Assembly Bill No. 334 passed by the following vote :

AYES—Senators Allen, Baker, Breed, Bush, Carter, Crittenden, Deuel, Duval, Edwards, Evans, Harper, Hays, Inman, Jones, McCormack, McKinley, Mixter, Pedrotti, Riley, Rochester, Schottky, Slater, Tubbs, Wagy, and Williams—25.

NOES—None.

Title read and approved.

Bill ordered transmitted to the Assembly.

Assembly Bill No. 499—An act to amend section 4024 of the Political Code, relating to appointment of deputies.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Assembly Bill No. 499 passed by the following vote:

AYES—Senators Allen, Baker, Breed, Carter, Crittenden, Deuel, Duval, Edwards, Evans, Fellom, Harper, Hays, Jones, McKinley, Mixter, Pedrotti, Rich, Riley, Rochester, Slater, Tubbs, Waggy, and Williams—23.

NOES—None.

Title read and approved.

Bill ordered transmitted to the Assembly.

Assembly Bill No. 599—An act to amend sections 2322a and 2322g of the Political Code, relating to county horticultural commissioner.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Assembly Bill No. 599 passed by the following vote:

AYES—Senators Allen, Baker, Breed, Crittenden, Deuel, Duval, Edwards, Evans, Fellom, Harper, Hays, Inman, Jones, McKinley, Mixter, Pedrotti, Rich, Riley, Rochester, Slater, Tubbs, Waggy, and Williams—23.

NOES—None.

Title read and approved.

Bill ordered transmitted to the Assembly.

Assembly Bill No. 498—An act to amend section 909 of the Political Code, relating to the filing of oaths of office.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Assembly Bill No. 498 passed by the following vote:

AYES—Senators Allen, Baker, Breed, Crittenden, Deuel, Duval, Edwards, Evans, Fellom, Harper, Hays, Inman, McKinley, Mixter, Pedrotti, Rich, Riley, Rochester, Schottky, Slater, Tubbs, Waggy, and Williams—23.

NOES—None.

Title read and approved.

Bill ordered transmitted to the Assembly.

Assembly Bill No. 1083—An act to amend the title and sections 1, 2, 3, 4, 5, and 6 of an act entitled "An act to reduce the fire hazards of clothes cleaning establishments, providing for the enforcement thereof by the Division of Industrial Fire Safety in the Department of Industrial Relations, providing ways and means for enforcement, and providing penalties for violations," approved June 3, 1927, as amended, relating to the definition of clothes cleaning establishments, the transference of funds and appropriations from the Clothes Cleaning Establishment Fund to the State Fire Marshal's Fund, and to the Division of Industrial Fire Safety in the Department of Industrial Relations.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Assembly Bill No. 1083 passed by the following vote:

AYES—Senators Allen, Baker, Breed, Crittenden, Deuel, Duval, Edwards, Evans, Fellom, Harper, Hays, Inman, McKinley, Mixer, Pedrotti, Rich, Rochester, Schottky, Slater, Tubbs, Waggy, and Williams—22.

NOES—None.

Title read and approved.

Bill ordered transmitted to the Assembly.

Assembly Bill No. 1084—An act to regulate the location, construction, occupancy and operation of cleaning and dyeing shops or stores and spotting, sponging, and or pressing establishments, or agencies thereof, and private schools and colleges of spotting, sponging and, or pressing; providing for the registration and licensing of persons engaged in such business; providing for the enforcement thereof by the State Fire Marshal as Chief of the Bureau of Fire Safety in the Department of Industrial Relations; providing ways and means for enforcement, and providing penalties for violations.

Bill read third time.

MOTION TO REFER TO SPECIAL COMMITTEE OF ONE.

During third reading of the bill, Senator Pedrotti moved to refer Assembly Bill No. 1084 to Senator Williams, as a Special Committee of One, to amend as follows:

AMENDMENT NUMBER ONE.

On page 5 of the printed bill, strike out line 15.

AMENDMENT NUMBER TWO.

On page 5, line 16, of the printed bill, strike out the letter "b", and insert in lieu thereof the letter "a".

AMENDMENT NUMBER THREE.

On page 5, line 18, of the printed bill, strike out the letter "c", and insert in lieu thereof the letter "b".

AMENDMENT NUMBER FOUR.

On page 5, line 19, of the printed bill, insert after the word "name", the following: "without permission of such other person".

AMENDMENT NUMBER FIVE.

On page 5, line 20, of the printed bill, strike out the letter "d", and insert in lieu thereof the letter "c".

AMENDMENT NUMBER SIX.

On page 5, line 23, of the printed bill, strike out the letter "e", and insert in lieu thereof the letter "d".

Motion carried.

REPORT OF SPECIAL COMMITTEE OF ONE.

SENATE CHAMBER, SACRAMENTO, May 1, 1931.

MR. PRESIDENT: Your Special Committee of One, to which was referred Assembly Bill No. 1084, with instructions to amend, respectfully reports the same back, amended as per instructions.

WILLIAMS, Committee.

Report read, and on motion of Senator Pedrotti adopted.

Bill ordered to print.

Assembly Bill No. 1140—An act providing for the formation, government and operation of harbor districts; for the creation, improvement, development and maintenance of recreational harbors; for the acquisition and improvement, government and operation of lands and works in connection therewith or appurtenant thereto, whether lying entirely

within unincorporated territory of a county or wholly or partially including territory of one or more municipalities within such county, defining the term, "recreational harbor," within the meaning of this act; and providing generally what may and may not be done in such harbor so classified and authorizing the governing body of such harbor district to adopt rules and regulations in relation to said harbor, and to adopt and enforce ordinances restricting and governing the said harbor and its use, violation of any said ordinance being punishable as are misdemeanors by fine or imprisonment, or both fine and imprisonment; providing a means for defraying the cost and expense of forming, constructing, improving, governing and operating such harbor district and harbors, and authorizing counties and cities, jointly and separately, to contribute out of their general funds the costs and expenses of such harbor district, and authorizing the incurring of indebtedness, and the issuance of bonds and the levy and collection of taxes within such district and the enforcement of such bonds and taxes to defray the cost of the organization of such harbor district and of the creation, construction, improvement, and extension of such harbor, and the works incidental thereto, and to defray the cost of operating and managing such harbor district and harbor; authorizing the establishment of appropriate funds in the manner provided by law for the impounding and disbursement of the moneys required to meet such costs and expenses; providing for the levy of special assessments within such district to defray such costs and expenses, either wholly or partially, and authorizing the legislative body of the county or city assuming jurisdiction to call the election upon the question of the formation of such harbor district to determine what zone or zones, if any, within the proposed harbor district are to be benefited to a greater or less extent than other zone or zones therein, and to define said zones within such district and assess the cost of the said harbor works and improvements within said district zones, and each of them, in accordance with the benefits so found to be enjoyed by the several zones therein delineated; providing and empowering such district to accept financial or other aid for improvements and operations from the United States of America, the State of California, and from any person or persons; providing the means whereby the legislative body of any city heretofore or hereafter granted any rights in respect to tidelands and submerged lands may permit the exercise of such rights by the board of governors of any harbor district formed hereunder and providing that accretions caused by work or structures constructed shall be deemed and treated as natural accretions; and providing the means for obtaining action by the State through the Chief of the Division of State Lands in the Department of Finance of the State and Governor whereby tidelands, submerged lands and coastal waters may be segregated for recreational use, as herein defined, and providing for the appointment within any such harbor district formed under this act of a board of governors and fixing the qualifications, tenure of office, powers, duties of such board of governors, and providing the means and terms by which territory may be annexed to any harbor district formed hereunder.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Assembly Bill No. 1140 passed by the following vote:

AYES—Senators Allen, Baker, Breed, Crittenden, Deuel, Duval, Edwards, Evans, Fellom, Harper, Hays, Inman, Jones, McKinley, Mixter, Pedrotti, Rich, Rochester, Schottky, Slater, Tubbs, Waggy, and Williams—23.

NOES—None.

Title read and approved.

Bill ordered transmitted to the Assembly.

CONSIDERATION OF DAILY FILE.

THIRD READING OF SENATE BILLS—(RESUMED).

Senate Bill No. 315—An act to amend section 456 of the Political Code, relating to the employees in the office of the State Treasurer, and fixing their salaries.

Bill read third time.

MOTION TO REFER TO SPECIAL COMMITTEE OF ONE.

During third reading of the bill, Senator Breed moved to refer Senate Bill No. 315, as amended in Senate April 30, 1931, to Senator McKinley, as a Special Committee of One, to amend as follows:

AMENDMENT NUMBER ONE.

On page 1, line 4, of the printed bill, as amended, after the word "treasurer", insert the following: "exempt from the provisions of the civil service act".

AMENDMENT NUMBER TWO.

On page 1, line 8, of the printed bill, as amended, after the word "cashier", insert the following: "which position shall be exempt from the provisions of the civil service act and".

Motion carried.

REPORT OF SPECIAL COMMITTEE OF ONE.

SENATE CHAMBER, SACRAMENTO, May 1, 1931.

MR. PRESIDENT: Your Special Committee of One, to which was referred Senate Bill No. 315, with instructions to amend, respectfully reports the same back, amended as per instructions.

McKINLEY, Committee.

Report read, and on motion of Senator Breed adopted.

Bill ordered to print, and re-engrossment.

CONSIDERATION OF DAILY FILE.

THIRD READING OF ASSEMBLY BILLS—(RESUMED).

Assembly Bill No. 200—An act to amend sections 7, 7a and 7b of an act entitled "An act authorizing the establishment of municipal courts, prescribing their constitution, regulation, government, procedure and jurisdiction, and providing for the election and appointment of the judges, clerks and other attaches of such courts, their terms of office, qualification and compensation and for the selection of jurors therein," approved May 23, 1925, as amended, relating to the organization of municipal courts in cities or cities and counties of the first and one-half class; to provide for the number of judges, clerks, marshals and other officers and attaches of such municipal courts and their deputies; to fix the compensation therefor.

Bill read third time.

MOTION TO REFER TO SPECIAL COMMITTEE OF ONE.

During third reading of the bill, Senator McKinley moved to refer Assembly Bill No. 200 to Senator Edwards, as a Special Committee of One, to amend as follows:

AMENDMENT NUMBER ONE.

On page 2, line 46, of the printed bill, strike out "four", and insert in lieu thereof: "five".

Motion carried.

REPORT OF SPECIAL COMMITTEE OF ONE.

SENATE CHAMBER, SACRAMENTO, May 1, 1931.

MR. PRESIDENT: Your Special Committee of One, to which was referred Assembly Bill No. 200, with instructions to amend, respectfully reports the same back, amended as per instructions.

EDWARDS, Committee.

Report read, and on motion of Senator McKinley adopted.

Bill ordered to print.

MESSAGES FROM THE ASSEMBLY.

The following messages from the Assembly were received and read:

ASSEMBLY CHAMBER, SACRAMENTO, May 1, 1931.

MR. PRESIDENT: I am directed to inform your honorable body that the Assembly on April 29, 1931, passed Assembly Bill No. 516—An act to add a new section to be numbered section 3 to and to amend the title and section 1 of chapter 552, Statutes of 1927, entitled "An act to prohibit the possession of machine rifles, machine guns and submachine guns capable of automatically and continuously discharging loaded ammunition of any caliber in which the ammunition is fed to such guns from or by means of clips, disks, drums, belts or other separable mechanical device, and providing a penalty for violation thereof," approved May 16, 1927, relating to prohibition of the sale or transportation of machine guns and the prohibition of the sale, transportation or possession of tear bombs.

ARTHUR A. OHNIMUS, Chief Clerk.
By A. W. ENGELKE, Assistant Clerk.

Assembly Bill No. 516 read first time, and referred to Committee on Revision of Criminal Law and Procedure.

Also:

ASSEMBLY CHAMBER, SACRAMENTO, May 1, 1931.

MR. PRESIDENT: I am directed to inform your honorable body that the Assembly on this day passed Assembly Bill No. 1932—An act to amend sections 1 and 2 of an act entitled "An act providing for the sanitation, healthfulness and cleanliness and safety of swimming pools, public bathhouses, swimming and bathing places; regulating the granting and revocation of permits therefor from the State Board of Health; providing for the inspection of such places; declaring places and things in violation of this act to be nuisances dangerous to health and providing for the abatement of the same; making violations of this act misdemeanors; and providing for the punishment of the same," approved April 6, 1917;

Also: Assembly Bill No. 1531—An act to add section 19x20 to the Juvenile Court Law, relating to compensation of probation officers in counties of the twentieth class;

Also: Assembly Bill No. 639—An act to amend section 2980 of the Civil Code, relating to conditional sales contracts;

Also: Assembly Bill No. 1117—An act authorizing the Director of Institutions, with the approval of the Director of Finance, to grant to the State Highway Commission a right of way over certain lands belonging to the State of California for State highway purposes.

ARTHUR A. OHNIMUS, Chief Clerk.
By A. W. ENGELKE, Assistant Clerk.

Assembly Bill No. 1932 read first time, and referred to Committee on Public Health and Quarantine.

Assembly Bill No. 1531 read first time, and referred to Committee on County Government.

Assembly Bill No. 639 read first time, and referred to Committee on Judiciary.

Assembly Bill No. 1117 read first time, and referred to Committee on Roads and Highways.

Also:

ASSEMBLY CHAMBER, SACRAMENTO, May 1, 1931.

MR. PRESIDENT: I am directed to inform your honorable body that the Assembly on this day adopted Senate Concurrent Resolution No. 10—Relative to the orderly addition of new roads to the State highway system, after engineering and economic studies by the California Highway Commission and the Department of Public Works.

ARTHUR A. OHNIMUS, Chief Clerk.
By A. W. ENGELKE, Assistant Clerk.

Senate Concurrent Resolution No. 10 ordered to enrollment.

Also:

ASSEMBLY CHAMBER, SACRAMENTO, May 1, 1931.

MR. PRESIDENT: I am directed to inform your honorable body that the Assembly on this day passed Senate Bill No. 302—An act to add a new section to the Penal Code to be numbered 496c, relating to the theft of the contents of any private and unpublished paper, book or record containing information relating to the title of real property;

Also: Senate Bill No. 144—An act to amend section 5.582 of the School Code, relating to joint teachers institutes;

Also: Senate Bill No. 48—An act to add a new section to the Political Code, to be numbered 3475, relating to the effect of sales of land for delinquent assessments, where the land is also situated in one or more districts or public corporations;

Also: Senate Bill No. 73—An act to amend section 7 of chapter 361, Statutes of 1915, entitled "An act to create a levee district to be called and designated Sacramento River West Side Levee District; to prevent the overflow of flood waters from the Sacramento River from flooding onto the lands within said district by the construction of levees along the west bank of the Sacramento River and adjacent thereto and maintain the same; providing for the election and appointment of officers of said levee district; defining the powers, duties and compensation of such officers; and providing for levying and collecting assessments upon the lands within said levee district," approved May 18, 1915.

ARTHUR A. OHNIMUS, Chief Clerk.
By A. W. ENGELKE, Assistant Clerk.

Senate Bills Nos. 302, 144, 48 and 73 ordered to enrollment.

Also:

ASSEMBLY CHAMBER, SACRAMENTO, May 1, 1931.

MR. PRESIDENT: I am directed to inform your honorable body that the Assembly on this day passed Senate Bill No. 807—An act to authorize the Division of Forestry of the Department of Natural Resources to purchase land for look-out sites and other administrative purposes;

Also: Senate Bill No. 500—An act to amend section 200 of the Code of Civil Procedure, relating to exemption from jury duty;

Also: Senate Bill No. 889—An act to amend section 1394½ of the Political Code, relating to fees and rates of tuition of nonresident students of the University of California;

Also: Senate Bill No. 147—An act to validate the organization and existence of municipal improvement districts;

Also: Senate Bill No. 148—An act to legalize bonds heretofore issued and sold, or to be issued and sold, by municipalities where authority for such issuance has already been given by a vote of not less than two-thirds of the electors of such municipalities voting upon the question of incurring such indebtedness and providing for a levy of taxes to pay the principal and interest of such bonds and declaring the urgency of said act;

Also: Senate Bill No. 149—An act to validate the organization and existence of municipal utility districts;

Also: Senate Bill No. 154—An act to validate bonds of municipal improvement districts, and providing for the levy of a tax to pay the same.

ARTHUR A. OHNIMUS, Chief Clerk.
By A. W. ENGELKE, Assistant Clerk.

Senate Bills Nos. 807, 500, 889, 147, 148, 149 and 154 ordered to enrollment.

Also:

ASSEMBLY CHAMBER, SACRAMENTO, May 1, 1931.

MR. PRESIDENT: I am directed to inform your honorable body that the Assembly on this day passed Senate Bill No. 568—An act to amend section 539 of the Civil

Code, relating to the recovery of damages for the breaking or injuring of subaqueous telegraph, telephone and electric power cables or gas pipe lines;

Also: Senate Bill No. 935—An act granting to the City and County of San Francisco lands known as "Channel" or "Channel street," southwesterly from the northeasterly line of Seventh Street in said city and county; and authorizing said City and County of San Francisco to dispose of portions of said street, or otherwise deal with or improve said portion of said street as said city and county may deem proper; and repealing all acts in conflict therewith;

Also: Senate Bill No. 906—An act to amend section 2.464 of the School Code, relating to the taxation of elementary school districts, and for the payment by said school districts of the quotient cost of educating pupils of such elementary school district attending a high school district;

Also: Senate Bill No. 328—An act to amend section 5 of chapter 250, Statutes of 1923, entitled "An act authorizing the creation, government, maintenance and dissolution of county sanitation districts, the annexation of contiguous territory to such districts, the issuance of bonds by such districts and the powers thereof," approved May 29, 1923, as amended, by providing for the sale and disposition by such districts of water, sewage effluent, fertilizer and other by-products resulting from the operation of sewage plants, and for the conservation of water;

Also: Senate Bill No. 12—An act to amend section 2 of chapter 763, Statutes of 1927, entitled "An act to provide that the Department of Natural Resources, through the State Park Commission, shall have control of the State park system; to establish and define certain powers and duties of the State Park Commissioner; to make an appropriation for carrying out the purposes of this act; and to establish a contingent fund and a revolving fund," approved May 25, 1927, relating to the State park system;

Also: Senate Bill No. 452—An act to amend section 4.821 of the School Code, relating to the increase of apportionments to elementary school districts.

ARTHUR A. OHNIMUS, Chief Clerk.

By A. W. ENGELKE, Assistant Clerk.

Senate Bills Nos. 568, 935, 906, 328, 12 and 452 ordered to enrollment.

Also:

ASSEMBLY CHAMBER, SACRAMENTO, May 1, 1931.

MR. PRESIDENT: I am directed to inform your honorable body that the Assembly on this day passed Senate Bill No. 377—An act to amend the School Code of the State of California by adding section 4.982 thereto, relating to school bonds;

Also: Senate Bill No. 368—An act to add a new section to the Political Code to be numbered 3817a, relating to the extension of the period of redemption of property sold for taxes, and containing a provision declaring this act to be an emergency measure, stating the facts constituting such emergency, and providing this act shall take effect immediately upon its passage.

ARTHUR A. OHNIMUS, Chief Clerk.

By A. W. ENGELKE, Assistant Clerk.

Senate Bills Nos. 377 and 368 ordered to enrollment.

REPORTS OF STANDING COMMITTEES—(RESUMED).

The following reports of standing committees were received and read:

ON ENGROSSMENT, ENROLLMENT AND PRINTING.

SENATE CHAMBER, SACRAMENTO, May 1, 1931.

MR. PRESIDENT: Your Committee on Engrossment, Enrollment and Printing has examined Senate Bill No. 274—An act to amend the Political Code by amending sections 3456, 3460, 3462, 3465, 3466, and 3480, relating to reclamation districts and adding three new sections thereto, to wit: A new section to be numbered 3466a, relating to sales and leasing of lands sold and held by reclamation districts or county treasurers as trustees; a new section to be numbered 3480b providing means whereby two or more issues of bonds of a reclamation district with outstanding warrants thereof may be refunded with a single issue of bonds based upon a single assessment; and a new section to be numbered 3457b relating to payment of warrants of reclamation districts and the stopping of interest thereon;

Also: Senate Bill No. 371—An act to amend sections 2 and 13 of chapter 774, Statutes of 1927, entitled Sacramento and San Joaquin Drainage District Refunding Act, approved May 26, 1927, as amended, relating to the maintenance and operation of certain flood control project works and to the payment of assessments;

Also: Senate Bill No. 945—An act to define building and loan associations and to regulate them and their organization, business, operation, merger, consolidation and liquidation, and (without limiting the generality of the foregoing) also to do the following: To define and regulate the agents, salesmen and collectors of such associations, and to regulate their officers, directors and employees; to define, authorize, and regulate the issuance of, shares, stock and investment certificates of such associations, and to prescribe the rights, remedies and liabilities of holders

thereof, and to make such investment certificates legal investments for certain purposes; to prescribe the rights, powers, remedies, duties and liabilities of such associations and the rights and remedies of their creditors; to regulate the investments, loans and borrowings of such associations, and their accounts, reports, audits, statements and advertising; to create and continue the office of Building and Loan Commissioner, provide for and define the rights, powers, remedies and duties of the commissioner and his assistants and employees; to provide penalties for offenses by such associations, their directors, officers, agents, salesmen, collectors and employees and by other persons and corporations; and to repeal title XVI of part IV of division I of the Civil Code, chapter 354 of the Statutes of 1911 and acts amendatory thereof and supplemental thereto; chapter 133 of the Statutes of 1927, and all other acts and parts of acts inconsistent herewith; And reports that the same have been correctly enrolled and presented to the Governor on the first day of May, at two o'clock p.m.

DEUEL, Vice Chairman.

ON PUBLIC UTILITIES.

SENATE CHAMBER, SACRAMENTO, May 1, 1931.

MR. PRESIDENT: Your Committee on Public Utilities, to which was referred Senate Bill No. 949—An act to amend section 37 of an act entitled "An act providing for the incorporation of public utility districts in unincorporated territory, authorizing such districts to incur bonded indebtedness for the purpose of the construction of works and the acquisition of property, and to levy and collect taxes to pay the principal and interest on bonds and for carrying on their operations, and providing for the powers, management and government of such districts, and imposing certain duties and functions in connection with such districts upon certain county officers," approved May 31, 1921, relating to books of account of public utility districts—has had the same under consideration, and respectfully reports the same back, and recommends that it do pass.

Committee membership—11.

CARTER, Chairman.
DEUEL.
DUVAL.
EVANS.
INMAN.
MIXTER.
NELSON.
WAGY.

Senate Bill No. 949 ordered on file for second reading.

ON REVISION OF CRIMINAL LAW AND PROCEDURE.

SENATE CHAMBER, SACRAMENTO, April 28, 1931.

MR. PRESIDENT: Your Committee on Revision of Criminal Law and Procedure, to which was referred Senate Bill No. 600—An act to add a new section to the Penal Code, to be numbered 969b, to provide for the admission in evidence in criminal cases of the official records of State penitentiaries or reformatories of sister states or of any federal penitentiary—has had the same under consideration, and respectfully reports the same back with amendments, and recommends that the amendments be adopted, and the bill be re-referred to this committee.

Committee membership—9; committee vote: Ayes—5; absent—4.

ROCHESTER, Chairman.

CONSIDERATION OF COMMITTEE AMENDMENTS.

Pursuant to the report of the Committee on Revision of Criminal Law and Procedure, the following amendments to Senate Bill No. 600 were read and adopted:

AMENDMENT NUMBER ONE.

Strike out the title of the printed bill, and insert in lieu thereof the following:

"An act to add a new section to the Penal Code, to be numbered 969b, to provide for the admission in evidence in criminal cases of the official records, or the exemplification of copies of official records, of the penitentiaries or reformatories of sister states or of federal penitentiaries, and providing that such records and copies shall constitute prima facie evidence of a prior conviction."

AMENDMENT NUMBER TWO.

On page 1 of the printed bill, strike out line 1 and insert in lieu thereof the following:

"SECTION 1. For the purpose of establishing prima facie evidence of the fact that a person being tried for a crime or public offense under the laws of this state has been convicted of an act in any sister state, which would be punishable as a crime in this state, or has been convicted of an act declared to be a crime by any act or law of the United States, the records or copies of records of any penitentiary or

reformatory of any sister state to which such person may have been sentenced or the records or copies of records of any federal penitentiary to which such person may have been sentenced, when such records or copies have been certified by the officer of the prison having charge of such records may be introduced as such evidence."

Bill ordered to print, and re-referred to Committee on Revision of Criminal Law and Procedure.

ON MUNICIPAL CORPORATIONS.

SENATE CHAMBER, SACRAMENTO, May 1, 1931.

MR. PRESIDENT: Your Committee on Municipal Corporations, to which was referred Assembly Bill No. 218—An act to limit the amount of special assessments for public improvements and acquisitions of property for public purposes; to provide for a preliminary investigation, report and hearing upon proposed public improvements and acquisitions of property for public purposes where the cost of such improvements or acquisitions is to be paid in whole or part by special assessments; to provide a basis for valuation of property for the purpose of establishing a special assessment limitation, and to authorize the payment of a part of the cost of such public improvements and acquisitions of property from any available public fund where a part of such cost is paid by special assessment on benefited property;

Also: Assembly Bill No. 1904—An act to provide for a preliminary investigation, report and hearing upon proposed public improvements and acquisitions of property for public purposes where the cost of such improvements or acquisitions is to be paid in whole or part by special assessments, and to provide for the abandonment and barring of said proposed public improvements or acquisitions upon a majority protest;

Has had the same under consideration, and respectfully reports the same back with amendments, and recommends that the amendments be adopted, and the bills be re-referred to this committee.

Committee membership—10; committee vote: Ayes—6; absent—4.

HARPER, Chairman.

CONSIDERATION OF COMMITTEE AMENDMENTS.

Pursuant to the report of the Committee on Municipal Corporations, the following amendments to Assembly Bill No. 218 were read and adopted:

AMENDMENT NUMBER ONE.

In line 13 of the title of the printed amended bill, strike out the period, and in lieu thereof insert the following: ", and to provide that a majority protest shall be a bar to any proceeding."

AMENDMENT NUMBER TWO.

On page 2, line 48, of the printed amended bill, strike out the following: "assessments)" and on page 2, line 49 of said bill, following the word "assessments" insert "a)".

AMENDMENT NUMBER THREE.

On page 5, line 38, of the printed amended bill, strike out the word "its", and insert in lieu thereof "a".

AMENDMENT NUMBER FOUR.

On page 8, line 11, of the printed amended bill, strike out the word "unanimous", and in lieu thereof insert the words "four-fifths".

AMENDMENT NUMBER FIVE.

On page 10, line 41, of the printed amended bill, strike out the period and insert in lieu thereof the following: "; provided further, that after said act becomes effective, if the legislative body contemplating the passage of any ordinance or resolution of intention finds, after taking the steps provided by section 2 hereof, that the initial view of said legislative body is that the contemplated acquisition and/or improvement is one in which the probable assessments will not exceed the limitations set up by this act, then, it may in its discretion cause the clerk thereof to mail prepaid post cards, each with an addressed reply post card attached thereto with the return postage thereon guaranteed, giving notice of said contemplated action. Said cards shall be mailed to each person to whom land in the proposed assessment district is assessed on the last equalized county assessment roll at his address as shown upon such roll and to any person whether owner in fee or having a lien upon or legal or equitable interest in any land within said proposed district who has filed his name and address and the designation of the land in which he is interested with the said clerk. Said notice shall be substantially in the following form (filling blanks):

Notice of Proposed Assessment.

Notice is hereby given that the (name of legislative body) proposes to adopt a resolution of intention under the (here mention statute under which it proposes to proceed) covering (here state in general terms what acquisitions and/or improvements are to be made). Your land will be assessed to pay a part of the cost thereof. This questionnaire is sent to the property owners interested to ascertain whether or not the owners of as much as fifteen per cent of the area of the proposed district demand proceeding under the "Special assessment investigation, limitation and majority protest act of 1931." Under said investigation act information will be obtained and a report thereon made, open to public inspection, and stating among other things (1) the estimated cost of the proposed project; (2) the estimated amount of existing assessments upon each parcel of land in the district; (3) the estimated assessment upon your lands for the proposed project. In the event that you desire the proceeding under said investigation act, so indicate on the attached card and return the same to the clerk within thirty days from (here set forth the date, not earlier than one day subsequent to the mailing of the cards). Sign your name legibly and describe or designate the property owned by you.

Clerk of (here designate legislative body)

The return post card as sent out shall be addressed to the clerk sending out the notice and shall have thereon a guarantee of the payment of the postage for the return thereof and on the reverse side shall contain the following:

The undersigned (does) demand the making of the investigation provided for by the "Special assessment investigation, limitation and majority protest act of 1931" in connection with the (here set forth the same description of the project as is contained upon the notice post card).

(Signature) -----

(Description or designation of property)

If any parcel of land in the assessment district is assessed as owner unknown on the county assessment roll, no notice need be sent for such parcel unless the name and address of the person claiming an interest in said property shall be filed with said clerk, in which case notice shall be mailed to such person and address. In the absence of fraud no error or mistake in the sending of said notices, or any of them, and no failure on the part of any property owners to receive the same shall in any way affect the validity of the proceedings, but the clerk must file his affidavit of mailing such notices and must include therein a list of the names and addresses of the persons to whom such notices were sent. If the owners (as defined in the act under which it is proposed to proceed) of fifteen per cent of the area of said assessment district do not so demand the making of the investigation provided by this act, then the said legislative body shall be at full liberty to proceed under the provisions of the statute under which it has declared its intention to carry through the contemplated proceedings without any further restrictions whatsoever by reason of the terms or provisions of this act except that the majority protest provisions hereof shall apply; if, however, the owners of fifteen per cent or more of the area of the proposed district so demand the making of such investigation, all the terms and provisions of this act shall apply to the proposed proceeding, if any further steps are taken therein by said legislative body. Said return post cards shall be kept on file in the office of the clerk of said legislative body and after the expiration of the aforesaid thirty days all such requests made to said legislative body shall be computed and said legislative body shall by order entered on its minutes determine whether or not the fifteen per cent hereinabove provided have demanded such investigation. Such determination shall be final and conclusive in the absence of actual fraud."

AMENDMENT NUMBER SIX.

On page 11 of the printed amended bill, following line 15, insert the following: "SEC. 14a. Notwithstanding anything in this act or in any statute, to proceedings under which this act is applicable, if at any time before the adoption of an ordinance or resolution of intention and/or within the time when protests may be filed under the provisions of any such statute there is a written protest filed with the clerk of the legislative body by the owners (as defined in the act under which it is proposed to proceed) of a majority of the frontage of the property fronting on said acquisition and/or improvement in those cases where the cost in whole or part of said acquisition and/or improvement is to be assessed upon the property fronting on said acquisition and/or improvement, or by the owners of more than one-half of the area of the property to be assessed for said acquisition and/or improvement in those cases where the cost in whole or part of said acquisition and/or improvement is to be assessed upon the property within a district, then said proposed proceedings shall be forthwith and immediately abandoned, and said legislative body shall be barred for a period of one year from and after the date of the filing of said protest as in this act provided, from instituting and/or causing to be instituted any proceedings for the construction of the improvement and/or acqui-

tion. *Provided, however,* that if any majority protest be against a portion of the improvement and/or acquisition then all further proceedings to construct said portion of said improvement or to acquire said portion of said acquisition so protested against shall be barred for a period of one year, but the legislative body shall not be barred from instituting new proceedings not including said portion of said improvement and/or acquisition so protested against, or any part thereof."

AMENDMENT NUMBER SEVEN.

On page 11, line 39, of the printed amended bill, strike out the word "and", and insert in lieu thereof a comma and in line 40, after "itation", insert the words "and majority protest".

AMENDMENT NUMBER EIGHT.

On page 11 of the printed amended bill, strike out all of lines 50 and 51.

Bill ordered to print, and re-referred to Committee on Municipal Corporations.

CONSIDERATION OF COMMITTEE AMENDMENTS.

Pursuant to the report of the Committee on Municipal Corporations, the following amendments to Assembly Bill No. 1904 were read and adopted:

AMENDMENT NUMBER ONE.

On page 1, lines 7 and 8, of the printed amended bill, strike out the words "upon benefited property," and insert in lieu thereof the following: "or through special assessment taxes upon lands,".

AMENDMENT NUMBER TWO.

On page 3, line 20, of the printed amended bill, and commencing with the word "The", in said line 20, strike out all thereafter, to and including the word "restriction"; in line 23 thereof, and insert in lieu thereof the following: "The different items of work and/or improvement to be done, constructed or performed and what, if any, patented processes and/or material are to be used in said work and/or improvement".

AMENDMENT NUMBER THREE.

On page 3 of the printed amended bill, following line 28, insert a new paragraph to read as follows:

"(j) The assessed value of each parcel of land to be specially assessed as shown on the last equalized county assessment roll, and the total assessed value of said lands. If the assessed value of any such parcel of land is not separately shown upon said assessment roll, an estimated assessed value of such parcel shall be made by the county assessor and such estimate shall for the purposes of this act be considered the assessed value of such parcels."

AMENDMENT NUMBER FOUR.

On page 3, lines 51 and 52, of the printed amended bill, strike out "what is proposed to be done, such as paving X street between A and B street", and insert in lieu thereof the following: "the nature and character of the work proposed to be done; the different items of said proposed work; and, if any patented processes or material are to be used in connection with said proposed work, a general description thereof."

AMENDMENT NUMBER FIVE.

On page 5, line 3, of the printed amended bill, strike out the words "Not sooner than", and insert in lieu thereof the word "Within", and on the same page and line, strike out the words "days, nor more than fifty".

AMENDMENT NUMBER SIX.

On page 5, line 34, of the printed amended bill, strike out the words "heretofore outlined", and insert in lieu thereof the words "prescribed by this act".

AMENDMENT NUMBER SEVEN.

On page 5, line 35, of the printed amended bill, insert between the words "owners", and "of", the following: "(as defined in the act under which it is proposed to proceed)".

AMENDMENT NUMBER EIGHT.

On page 5, line 47, of the printed amended bill, strike out the word "section", and insert in lieu thereof the word "act".

AMENDMENT NUMBER NINE.

On page 5, lines 50 and 51, of the printed amended bill, strike out the first comma appearing in line 50, and insert in lieu thereof a period. Also strike out the following: "or any part thereof so required to be abandoned by reason of the terms and provisions of this act", and insert in lieu thereof the following: "Provided,

however, that if any majority protest be against a portion of the improvement and/or acquisition then all further proceedings to construct said portion of said improvement or to acquire said portion of said acquisition so protested against shall be barred for a period of one year, but the legislative body shall not be barred from instituting a new proceeding not including said portion of said improvement and/or acquisition so protested against, or any part thereof."

Bill ordered to print, and re-referred to Committee on Municipal Corporations.

THIRD READING OF SENATE BILLS—(OUT OF ORDER).

Senate Bill No. 504—An act to amend section 394 of the Code of Civil Procedure, relating to the place of trial of actions or proceedings to which a county, city and county, city, or public or municipal corporation, is a party, and providing for the attendance of witnesses, payment of costs, and the assignment of judges in certain cases.

Bill read third time.

MOTION TO REFER TO SPECIAL COMMITTEE OF ONE.

During third reading of the bill, Senator Riley moved to refer Senate Bill No. 504 to Senator Slater, as a Special Committee of One, to amend as follows:

AMENDMENT NUMBER ONE.

Strike out all of pages 2 and 3 of the printed bill, and insert in lieu thereof the following:

"SECTION 1. Section 394 of the Code of Civil Procedure is hereby amended to read as follows:

394. An action or proceeding against a county, or city and county, may be commenced and tried in such county, or city and county, unless such action or proceeding is brought by a county, or city and county, in which case it may be tried in any county, or city and county, not a party thereto. Whenever an action or proceeding is brought by a county, city and county, or city, against a resident of another county, city and county, or city, or a corporation doing business in the latter, the action or proceeding must be, on motion of either party, transferred for trial to a county, or city and county, other than the plaintiff, if the plaintiff is a county, or city and county, and other than that in which the plaintiff is situated, if the plaintiff is a city, and other than that in which the defendant resides or is doing business or is situated. Whenever an action or proceeding is brought against a county, city and county, or city, in any county, or city and county, other than the defendant, if the defendant is a county, or city and county, or, if the defendant is a city, other than that in which the defendant is situated, the action or proceeding must be, on motion of the said defendant, transferred for trial to a county, or city and county, other than that in which the plaintiff, or any of the plaintiffs, resides, or is doing business, or is situated, and other than the plaintiff county, or city and county, or county in which such plaintiff city is situated, and other than the defendant county, or city and county, or county in which such defendant city is situated; *provided, however*, that any action or proceeding against a city, county, or city and county for injury occurring therein, to person or property or person and property caused by the negligence or alleged negligence or such city, county, or city and county, or its agents or employees, shall be commenced and tried in such county, or city and county, or if a city is a defendant, in such city or in the county in which such city is situated. In any action or proceeding, the parties thereto may, by stipulation in writing, or made in open court, and entered in the minutes, agree upon any county, or city and county, for the place of trial thereof. When the action or proceeding is one in which a jury is not of right, or in case a jury be waived, then in lieu of transferring the cause the court in the original county may request the chairman of the judicial council to assign a disinterested judge from a neutral county to hear said cause and all proceedings in connection therewith. When such action or proceeding is transferred to another county for trial a witness required to respond to a subpoena for a hearing within the original county shall be compelled to attend hearings in the county to which the cause is transferred. If the demand for transfer be made by one party and the opposing party does not consent thereto the additional costs of the nonconsenting party occasioned by the transfer of the cause, including living and traveling expenses of said nonconsenting party and witnesses called by such nonconsenting party not to exceed five dollars per day each in excess of witness fees and mileage otherwise allowed by law, shall be assessed by the court hearing the cause against the party requesting the transfer. To the extent of such

excess, such costs shall be awarded to the nonconsenting party regardless of the outcome of the trial. This section shall apply to actions or proceedings now pending or hereafter brought."

Motion carried.

REPORT OF SPECIAL COMMITTEE OF ONE.

SENATE CHAMBER, SACRAMENTO, May 1, 1931.

MR. PRESIDENT: Your Special Committee of One, to which was referred Senate Bill No. 504, with instructions to amend, respectfully reports the same back, amended as per instructions.

SLATER, Committee.

Report read, and on motion of Senator Riley adopted.
Bill ordered to print, and re-engrossment.

ADJOURNMENT.

At four o'clock and thirty minutes p.m., on motion of Senator Breed, the President declared the Senate adjourned until eleven o'clock a.m., Monday, May 4, 1931.

HAROLD J. POWERS, Minute Clerk.

IN SENATE.

SENATE CHAMBER,
SACRAMENTO, Monday, May 4, 1931.

The Senate met at eleven o'clock a.m.

Lieutenant Governor Frank F. Merriam, President of the Senate, in the chair.

Secretary Joseph A. Beek at the desk.

ROLL CALL.

The roll was called, and the following answered to their names:

Senators Baker, Breed, Bush, Carter, Cassidy, Christian, Cleveland, Clock, Crittenden, Duval, Edwards, Evans, Fellom, Harper, Hays, Ingels, Inman, Jones, Maloney, McCormack, McKinley, Mixter, Moran, Nelson, Pedrotti, Rich, Riley, Rochester, Schottky, Sharkey, Slater, Swing, Treacy, Tubbs, Wag, and Williams—36.

Quorum present.

PRAYER.

Prayer was offered by the Chaplain, Rev. Sherman L. Divine.

READING OF THE JOURNAL.

During the reading of the Journal of Friday, May 1, 1931, the further reading was dispensed with, on motion of Senator Slater.

LEAVES OF ABSENCE.

Senator Allen was, on motion of Senator Bush, granted leave of absence for this day.

Senator Deuel was, on motion of Senator Rich, granted leave of absence for this day.

PRIVILEGE OF FLOOR OF SENATE EXTENDED.

On request of Senator Pedrotti, the privilege of the floor of the Senate Chamber for this day was unanimously extended to C. H. McIntosh of Los Angeles.

On request of Senator Edwards, the privilege of the floor of the Senate Chamber for this day was unanimously extended to William C. Jerome, president of Chamber of Commerce, Santa Ana, California.

On request of Senator Maloney, the privilege of the floor of the Senate Chamber for this day was unanimously extended to Eugene Eubanks, production manager of KYA.

On request of Senator Swing, the privilege of the floor of the Senate Chamber for this day was unanimously extended to Jane Asbell of Dixon, California, and Carol Shamel of Riverside, California.

On request of Senator Mixter, the privilege of the floor of the Senate Chamber for this day was unanimously extended to Rev. and Mrs. Lee A. Wood of Fresno, California.

On request of Senator Schottky, the privilege of the floor of the Senate Chamber for this day was unanimously extended to S. W. Zentner of Merced, California.

REPORTS OF STANDING COMMITTEES.

The following reports of standing committee were received and read :

ON ENGROSSMENT, ENROLLMENT AND PRINTING.

SENATE CHAMBER, SACRAMENTO, May 4, 1931.

MR. PRESIDENT: Your Committee on Engrossment, Enrollment and Printing has examined Senate Bill No. 77—An act to amend section 963 of the Code of Civil Procedure, relative to interlocutory decrees of divorce;

Also: Senate Bill No. 78—An act to amend sections 61 and 131 of the Civil Code and to repeal section 132 of the Civil Code, relating to interlocutory decrees for divorce;

Also: Senate Bill No. 85—An act to amend section 2 of chapter 620, Statutes of 1915, entitled "An act authorizing any city, city and county, county, town, municipality or other political subdivision to acquire certain liens or property offered for sale for nonpayment of certain assessments," approved June 4, 1915, relating to the disposal of such lien or property;

Also: Senate Bill No. 129—An act to repeal title I and title II of part IV of division III of the Civil Code; to repeal sections 1083, 1136, 1140, 1141, 1142, 3049, 3078, 3079, 3080, 3308, 3309, 3310, 3311, 3312, 3313, and 3314 of said code; to amend sections 1135, 1612, 1613, 1624, 1689, and 3387, of said code; to add a new title I of part IV of division III of said code in place thereof consisting of sections 1721 to 1800, both inclusive; and to add a new section to said code to be known as section 1624a, all relating to sale of goods; to amend section 36 of said code relating to disaffirmance by minor; to amend section 658 of said code relating to real property; to amend section 660 of said code relating to fixtures; to add a new section to said code to be known as section 35a, relating to minors, and to make the law of sale of goods in the State of California uniform with the law of other states;

Also: Senate Bill No. 260—An act to add a new part to division V of the School Code to be known as part VI, embracing sections 5.1200 to 5.1470, both inclusive, providing for the establishment and creation of the California State Teachers' Retirement System, the creation and establishment of a board to manage and operate said system, for contributions from teachers and the State of California for the operation and maintenance of said system; and to repeal part IV of division V of the School Code, embracing sections 5.800 to 5.1083, both inclusive; chapter 62 of the Statutes of 1929 entitled "An act relating to the retirement of teachers in schools for the blind, schools for the deaf and in special classes maintained for the deaf, the hard of hearing, the blind, or the semisighted," approved April 6, 1929; and chapter 887 of the Statutes of 1929 entitled "An act relating to retirement salaries of teachers and other employees employed in the public schools of this State and educational institutions supported in whole or in part by the State," approved June 19, 1929;

And reports that the same have been correctly engrossed.

RILEY, Chairman

Also:

MR. PRESIDENT: Your Committee on Engrossment, Enrollment and Printing has examined Senate Bill No. 276—An act to add a new article to chapter III of title I of part III of the Political Code, to be numbered article IIa, embracing sections 377 to 377n, inclusive, relating to a Department of Professional and Vocational Standards;

Also: Senate Bill No. 404—An act to amend section 3664aa of the Political Code, relating to taxation of highway transportation companies;

Also: Senate Bill No. 418—An act to add a new section to an act entitled "An act to provide for the organization, incorporation, and government of municipal

utility districts, authorizing such districts to incur bonded indebtedness for the acquisition and construction of works and property, and to levy and collect taxes to pay the principal and interest thereon." approved May 23, 1921, to be known as section 16a, providing an alternate method for procuring funds for the acquisition, construction, completion, operation, extension or repair by municipal utility districts of works for developing or for acquiring a water supply for domestic, municipal or irrigation purposes;

Also: Senate Bill No. 515—An act to add a new section to the Political Code to be numbered 3669f, relating to monthly reports of gross receipts to the State Department of Finance;

Also: Senate Bill No. 523—An act to require display of the flag of the United States and the State flag of California in all court rooms where courts of record are held under the laws of California and providing for the purchase thereof; And reports that the same have been correctly engrossed.

RILEY, Chairman.

Also:

MR. PRESIDENT: Your Committee on Engrossment, Enrollment and Printing has examined Senate Bill No. 460—An act to amend sections 3, 6, 9, 12, and 17 of, and to add two new sections numbered 6a and 25, respectively, to an act entitled "An act declaring the policy of the State of California relative to toll bridges and creating a board to be known as California Toll Bridge Authority and providing for membership thereof and specifying its duties and powers; also authorizing California Toll Bridge Authority to authorize and direct the Department of Public Works of the State of California to build, purchase, condemn or otherwise acquire for and in the name of the State of California toll bridges and other toll highway crossings and approaches thereto across waters, bays, arms of bays, straits, rivers and streams in California, both navigable and unnavigable or across any stream that is a boundary line between California and any other state, and to acquire franchises, rights, privileges, easements or other property either real or personal, used or to be used in conjunction with any such bridges; also authorizing the Department of Public Works to make recommendations to the California Toll Bridge Authority relative to the acquisition or construction of any toll bridge or toll highway crossing and to submit preliminary estimates of the cost of such acquisition or construction and the amount of revenue bonds required to be issued for such purpose; also authorizing California Toll Bridge Authority to issue and sell revenue bonds to provide funds for the acquisition or construction of toll bridges or other toll highway crossings secured as to the redemption thereof and the interest thereon only by the tolls or other revenues received from such bridge or bridges or other highway crossings and to prescribe the terms and conditions of such bonds; also authorizing the issuance and sale of such revenue bonds for the payment of interest during the period of actual construction of such bridge or other highway crossing and for a period of six months thereafter; also providing for the manner in which such bonds shall be issued and signed and the manner of sale and redemption thereof and the payment of interest thereon; also authorizing said California Toll Bridge Authority to charge and fix the rates of toll on such bridges or other highway crossings and regulating the amount thereof; also authorizing the Department of Public Works of the State of California to operate and maintain all such toll bridges or other toll highway crossings and to collect tolls thereon; also authorizing the Department of Public Works to acquire by eminent domain any toll bridge or bridges or other toll highway crossing or approaches thereto, real estate, personal property, franchises, rights, privileges or easements appurtenant thereto or appropriated to a public use by any person, firm or private corporation or otherwise and defining the procedure therefor; also providing that bonds issued and sold by California Toll Bridge Authority shall not constitute or be a debt or general obligation of the State and shall be secured only by the tolls or other revenues collected from the operation of such bridges or other highway crossings and shall be paid from such tolls or revenues made available by this act; also authorizing any city, county, city and county, incorporated city or town, or joint highway district to advance or contribute money, rights of way, labor, materials or other property in aid of the acquisition, construction, operation or maintenance of any such bridge or highway crossing and to issue and sell general obligation bonds for such purpose; also authorizing the California Toll Bridge Authority to enter into agreements with any such political subdivisions for the repayment of contributions or advances; and providing the time and manner of making such repayments; also providing for the eliminations of toll charges on bridges or other highway crossings acquired and constructed under this act; also defining the limits within which other competitive bridges or other highway crossings or free ferries may be constructed or operated; and also authorizing the recital of the terms of such limitations in bonds issued hereunder; also creating and establishing certain funds and regulating the manner in which moneys may be withdrawn therefrom; also prescribing the manner in which any city, county, city and county, incorporated bridge and highway district or joint highway district may acquire or construct toll bridges or other toll highway crossings; also authorizing California Toll Bridge Authority to make agreements with steam and electric or other railroad

or transportation companies for the use of portions of toll bridges or other highway crossings acquired or constructed under this act; also providing for the manner in which contracts shall be let for the building of bridges or other highway crossings; also empowering the Department of Public Works to designate certain county roads as State highways; also authorizing the acquisition or construction of tubes or tunnels in connection with such bridges or other highway crossings; also authorizing casualty insurance, indemnity bonds or accident insurance on bridges and other highway crossings constructed under this act; also giving, dedicating and setting apart rights of way through, over, on and across State property for the construction of such toll bridges or other toll highway crossings; also appropriating \$50,000 for the purpose of establishing a revolving fund and providing for the use thereof and the manner of reimbursements thereto," approved June 10, 1929, relating to employees, bonds and bridges—and reports that the same has been correctly engrossed.

RILEY, Chairman.

Also:

MR. PRESIDENT: Your Committee on Engrossment, Enrollment and Printing has examined Senate Bill No. 731—An act defining cemetery and the various words and terms used in connection therewith, providing for the permanency of cemeteries by limiting their operation to corporations of unlimited existence, authorizing the operation of cemeteries for or without profit, prohibits crematories without provision for completing final interment of the cremated remains, provides for the acquisition of cemetery property, the dedication thereof to cemetery purposes, declares dedication supreme until removed by decree of court, exempts dedicated cemetery property from condemnation and from public improvement assessment, declares liens subject to dedication, provides for the sale of dedicated cemetery property for interment purposes, authorizes its sale subject to conditions and restrictions imposed by owner, defines the property rights of plot owners and the alienable and inalienable character of burial plots, provides for joint ownership and joint ownership representation, authorizes the establishing and enforcing of rules and regulations for cemetery government, authorizes perpetual care and the establishment of irreducible perpetual care funds, provides how perpetual care shall be administered, provides how and in what securities perpetual care funds shall be invested, authorizes the sale through court proceedings of surplus road and other space in cemeteries without perpetual care for purpose of providing a perpetual care fund therefor, authorizes special care of cemetery property and the administration of funds contributed therefor, specifies upon whom the right to control the disposition of remains and the duty of interring devolves, authorizes the payment for burial plot and memorial out of estate, requires records to be made and kept of the final disposition of all remains and of all removals thereof, prohibits vandalism and prescribes punishment therefor, provides method for removal of dedication through court proceedings, confers police power upon sextons and superintendents, makes sales under misrepresentations a misdemeanor, recognizes and adopts by reference the Mausoleum Construction Act, exempts certain religious and public cemeteries from operation of act, defines scope of act, repeals the Rural Cemetery Corporation Act adopted in 1859, and all acts amendatory and supplementary thereof, repeals sections 608, 609, 610, 611, 612, 613, 614, 615, 616 and 617 of the Civil Code, repeals sections 292, 294, 296 and 297 of the Penal Code, repeals all acts and parts of acts in conflict therewith, and declares the constitutionality of the act and all parts thereof;

Also: Senate Bill No. 738—An act creating a Tax Research Bureau in the office of the State Board of Equalization, under the joint supervision of the Governor, Director of Finance and members of said board, for investigation of matters relating to revenue, taxation and public finance; prescribing the powers and duties of said officials in relation to such bureau, providing for reports and recommendations relating to revenue, taxation and public finance and making an appropriation therefor; And reports that the same have been correctly engrossed.

RILEY, Chairman.

Also:

MR. PRESIDENT: Your Committee on Engrossment, Enrollment and Printing has examined Senate Bill No. 948—An act amending section 1 of an act entitled "An act to authorize and empower boards of supervisors to levy a tax for advertising, exploiting, promoting and aiding measures designed to preserve, aid or develop the agricultural, horticultural, viticultural and water resources and advantages of their several counties," approved April 17, 1929, relating to investigation of matters affecting the economic welfare of counties and their inhabitants;

Also: Senate Bill No. 952—An act to amend section 1228 of the Penal Code, relating to capital punishment;

Also: Senate Constitutional Amendment No. 31—A resolution to propose to the people of the State of California an amendment of the constitution of said State by amending section 6 of article IX thereof, relating to the support of the school system;

And reports that the same have been correctly engrossed.

RILEY, Chairman.

Also:

MR. PRESIDENT: Your Committee on Engrossment, Enrollment and Printing has examined Senate Bill No. 315—An act to amend section 456 of the Political Code, relating to the employees in the office of the State Treasurer, and fixing their salaries—and reports that the same has been correctly re-engrossed.

RILEY, Chairman.

RESOLUTION.

The following resolution was offered on May 1, 1931:

By Committee on Contingent Expenses:

Resolved, That the Controller be and he is hereby directed to draw his warrant on the Contingent Fund of the Senate, in the sum of \$300 in favor of the Secretary of the Senate, and the Treasurer is hereby directed to pay the same, the same being for postage for the Senate.

WILLIAMS.
MALONEY.

Resolution read.

Senator Ingels moved the adoption of the resolution.

The question being on the adoption of the resolution.

The roll was called, and the resolution adopted by the following vote:

AYES—Senators Baker, Breed, Bush, Carter, Cassidy, Cleveland, Clock, Crittenden, Evans, Fellom, Harper, Hays, Ingels, Inman, Jones, McCormack, McKinley, Mixer, Moran, Pedrotti, Rich, Riley, Rochester, Schottky, Sharkey, Swing, Treacy, Tubbs, Wagy, and Williams—30.

NOES—None.

CONSIDERATION OF DAILY FILE.

SECOND READING OF SENATE BILLS.

Senate Bill No. 534—An act to declare provisions in contracts of employment whereby either party undertakes not to join, become or remain a member of a labor union or of any organization of employers or undertakes in such event to withdraw from the contract of employment, to be against public policy and void.

Bill read second time, ordered engrossed, and on file for third reading.

Senate Bill No. 381—An act providing that any person, firm, association, or corporation, agent, superintendent or manager thereof, employing special agents, detectives or so-called spotters, before disciplining or discharging any employee upon a report by such special agent, detective or so-called spotters, give notice and accord a hearing to such employee upon his request therefor, and providing for the punishment for the violation thereof, and repealing chapter 65, Statutes of 1915, entitled "An act providing that any public service corporation, agent, superintendent, or manager thereof, employing special agents, detectives, or so-called spotters shall, before disciplining or discharging any employee upon a report by such special agent, detective, or so-called spotters, give notice and accord a hearing to such employee upon his request therefor, and providing for the punishment for the violation thereof," approved April 14, 1915, as amended.

COMMITTEE AMENDMENT.

During the second reading of the bill, the following committee amendment was offered:

AMENDMENT NUMBER ONE.

On page 2, line 3, of the printed bill, following the word "defense", add the following: "; *provided however*, that in confronting the person making such report

it may be in such manner and under such conditions as to preclude the identity of such person making the report from becoming known to the accused."

Amendment adopted.

Bill read second time, ordered to print, engrossment, and on file for third reading.

Senate Bill No. 833—An act to amend the title of chapter II of part II of division IV of the School Code; to amend sections 4.161, 4.170, 4.172 and 4.173 thereof; to repeal chapters III, IV and V embracing sections 4.180 to 4.282, both inclusive, of part II of division IV of the School Code; to repeal chapter VI embracing sections 4.250 to 4.271, both inclusive, of part II of division II of the School Code; to repeal article V, embracing sections 4.630 to 4.639, both inclusive, of chapter VII of part III of division IV of the School Code; to repeal section 4.174 thereof and to add to chapter II of part II of division IV of the School Code four new articles to be known as article III, article IV, article V and article VI, respectively, embracing sections 4.180 to 4.211, both inclusive; to add a new chapter to part II of division IV of the School Code to be known as chapter III, embracing sections 4.220 to 4.251, both inclusive, and to add a new chapter to part III of division IV of the School Code to be known as chapter IV, embracing sections 4.260 to 4.268, both inclusive; to add two new sections to the School Code to be numbered 5.550 and 5.635; and to repeal chapter 582 of the Statutes of 1929, entitled "An act to provide for the purchase of school supplies for school districts and defining the powers and duties of superintendents of schools of counties and other officers in relation thereto," approved May 31, 1929, all relating to county school funds and the use thereof.

COMMITTEE AMENDMENTS.

During the second reading of the bill, the following committee amendments were offered:

AMENDMENT NUMBER ONE.

In line 4 of the title of the printed bill, strike out the number "4.282", and insert in lieu thereof the number "4.242".

Amendment adopted.

AMENDMENT NUMBER TWO.

In line 13 of the title of the printed bill, strike out the number "4.211", and insert in lieu thereof the number "4.210".

Amendment adopted.

AMENDMENT NUMBER THREE.

In line 16 of the title of the printed bill, strike out the number "4.251", and insert in lieu thereof the number "4.261".

Amendment adopted.

AMENDMENT NUMBER FOUR.

In line 17 of the title of the printed bill, strike out the Roman numeral "III", and insert in lieu thereof the Roman numeral "II".

Amendment adopted.

AMENDMENT NUMBER FIVE.

In line 18 of the title of the printed bill, strike out the number "4.260", and insert in lieu thereof the number "4.270".

Amendment adopted.

AMENDMENT NUMBER SIX.

In line 19 of the title of the printed bill, strike out the number "4.268", and insert in lieu thereof the number "4.278".

Amendment adopted.

AMENDMENT NUMBER SEVEN.

In line 21 of the title of the printed bill, beginning with said line 21, strike out all of lines 21 to 24, inclusive, and insert in lieu thereof the following: "583 of the Statutes of 1929, entitled "An act providing for the certifying to boards of supervisors and county auditors the total cost of educating junior college pupils residing in counties and not in any junior college district,".

Amendment adopted.

AMENDMENT NUMBER EIGHT.

On page 3, line 22, of the printed bill, strike out the number "4.240", and insert in lieu thereof the number "4.242".

Amendment adopted.

AMENDMENT NUMBER NINE.

On page 3, line 28, of the printed bill, following said line 28, insert the following: "4.180. From the moneys derived from the county elementary school tax there shall be paid into the county treasury to the credit of a special school fund to be known as the county elementary school supervision fund, seven hundred dollars for each and every teacher unit allowed to it as provided elsewhere in this code, together with such amounts as may be provided from any other sources including the state school fund.

4.181. The county elementary school supervision fund shall be expended by the county superintendent of schools exclusively for the payment of the salaries and necessary expenses of supervisors to supervise instruction in the elementary school districts of the county having less than three hundred units of average daily attendance therein during the next preceding school year."

Amendment adopted.

AMENDMENT NUMBER TEN.

On page 3, line 33, of the printed bill, following said line 33, insert the following: "4.190. From the moneys derived from the county elementary school tax there shall be paid into the treasury of the county to the credit of a special school fund to be known as the unapportioned county elementary school fund an amount equal to the amounts estimated as necessary to meet the expenses charged against the unapportioned county elementary school fund for the current school year together with an amount equal to five per cent of the larger of the two amounts determined as provided in section 4.161 of this code.

4.191. The unapportioned county elementary school fund shall be employed by the county superintendent of schools to pay such charges against this fund as are stipulated elsewhere in this code; and to provide, with the approval of the county board of education, additional apportionments to elementary school districts of the county for the purpose of providing emergency teachers, instructional materials and pupil transportation because of temporary emergency conditions arising in such districts."

Amendment adopted.

AMENDMENT NUMBER ELEVEN.

On page 3, line 36, of the printed bill, strike out the figure "3.201", and insert in lieu thereof the following: "4.201".

Amendment adopted.

AMENDMENT NUMBER TWELVE.

On page 3, line 39, of the printed bill, following said line 39, insert the following: "4.200. In all counties the balance of the moneys derived from the county elementary school tax, after moneys have been paid therefrom to the credit of the county elementary school supervision fund and the unapportioned county elementary school fund as provided in this part, and in cities and counties, the total amount of moneys derived from the city and county elementary school tax shall be paid into a special fund to be known as the county, or city and county, elementary school fund.

4.201. The entire county, or city and county, elementary school fund shall be apportioned by the superintendent of schools of the county, or city and county, to

the elementary school districts of the county, or city and county, as provided elsewhere in this code."

Amendment adopted.

AMENDMENT NUMBER THIRTEEN.

On page 3, line 42, of the printed bill, strike out the following: "sections 4.210 and 4.211, both inclusive", and insert in lieu thereof the following: "section 4.210".

Amendment adopted.

AMENDMENT NUMBER FOURTEEN.

On page 3, line 46, of the printed bill, following said line 46, insert the following: "4.210. If the total amount of moneys derived from the county, or city and county, elementary school tax together with amounts received for school purposes from the United States forest reserve fund and from poll tax collections during any fiscal year shall be insufficient to provide the full amount estimated by the county superintendent of schools as the minimum amount of county, or city and county, school money required to be raised by a county, or city and county, elementary school tax, the total amount actually received shall be prorated to the county elementary school supervision fund, the unapportioned county elementary school fund, and the county elementary school fund in proportion to the amounts estimated by the county superintendent of schools as required for these several funds in accordance with the provisions of this part."

Amendment adopted.

AMENDMENT NUMBER FIFTEEN.

On page 6, line 20, of the printed bill, strike out the following: "4.260 to 4.269", and insert in lieu thereof the following: "4.270 to 4.278".

Amendment adopted.

AMENDMENT NUMBER SIXTEEN.

On page 6, line 24, of the printed bill, strike out the number "4.260", and insert in lieu thereof the number "4.270".

Amendment adopted.

AMENDMENT NUMBER SEVENTEEN.

On page 6, line 37, of the printed bill, strike out the number "4.261", and insert in lieu thereof the number "4.271".

Amendment adopted.

AMENDMENT NUMBER EIGHTEEN.

On page 6, line 44, of the printed bill, strike out the number "4.262", and insert in lieu thereof the number "4.272".

Amendment adopted.

AMENDMENT NUMBER NINETEEN.

On page 6, line 46, of the printed bill, strike out the number "4.263", and insert in lieu thereof the number "4.273".

Amendment adopted.

AMENDMENT NUMBER TWENTY.

On page 6, line 49, of the printed bill, strike out the number "4.264", and insert in lieu thereof the number "4.274".

Amendment adopted.

AMENDMENT NUMBER TWENTY-ONE.

On page 7, line 8, of the printed bill, strike out the number "4.265", and insert in lieu thereof the number "4.275".

Amendment adopted.

AMENDMENT NUMBER TWENTY-TWO.

On page 7, line 14, of the printed bill, strike out the number "4.266", and insert in lieu thereof the number "4.276".

Amendment adopted.

AMENDMENT NUMBER TWENTY-THREE.

On page 7, line 21, of the printed bill, strike out the number "4.267", and insert in lieu thereof the number "4.277".

Amendment adopted.

AMENDMENT NUMBER TWENTY-FOUR.

On page 7, line 24, of the printed bill, strike out the number "4.268", and insert in lieu thereof the number "4.278".

Amendment adopted.

AMENDMENT NUMBER TWENTY-FIVE.

On page 7, line 28, of the printed bill, strike out the number "582", and insert in lieu thereof the number "583".

Amendment adopted.

AMENDMENT NUMBER TWENTY-SIX.

On page 7, line 29, of the printed bill, strike out all of lines 29 to 32, inclusive, and insert in lieu thereof the following: "An act providing for the certifying to boards of supervisors and county auditors the total cost of educating junior college pupils residing in counties and not in any junior college district." approved May 31, 1929, is hereby repealed."

Amendment adopted.

Bill read second time, ordered to print, engrossment, and on file for third reading.

Senate Bill No. 834—An act to amend section 4.290 of the School Code, relating to temporary transfers of moneys from the funds of a county or city to the funds of a school district within such county or city.

COMMITTEE AMENDMENTS.

During the second reading of the bill, the following committee amendments were offered:

AMENDMENT NUMBER ONE.

On page 1, line 8, of the printed bill, strike out the word "auditor", and insert in lieu thereof the following: "board of supervisors".

Amendment adopted.

AMENDMENT NUMBER TWO.

On page 1, line 11, of the printed bill, strike out the first word "county", and the first comma.

Amendment adopted.

AMENDMENT NUMBER THREE.

On page 1, line 19, of the printed bill, after the period insert the following: "Each transfer of funds requested under the provisions of this section shall be granted in order of receipt by the board of supervisors, regardless of whether sufficient county funds are available for transfer to meet pending or anticipated requests."

Amendment adopted.

Bill read second time, ordered to print, engrossment, and on file for third reading.

Senate Bill No. 839—An act to amend section 2.1427 of the School Code, relating to the duties of the Superintendent of Public Instruction.

COMMITTEE AMENDMENT.

During the second reading of the bill, the following committee amendment was offered:

AMENDMENT NUMBER ONE.

On page 1, line 8, of the printed bill, strike out the word "school", and insert in lieu thereof the word "schools".

Amendment adopted.

Bill read second time, ordered to print, engrossment, and on file for third reading.

Senate Bill No. 665—An act to amend sections 4.365 and 4.366 of article VII, chapter I, part III of division IV of the School Code of the State of California, relating to district budgets.

COMMITTEE AMENDMENTS.

During the second reading of the bill, the following committee amendments were offered:

AMENDMENT NUMBER ONE.

On page 1, line 6, of the printed amended bill, as amended in Senate April 24, 1931, after the word "held", insert a comma.

Amendment adopted.

AMENDMENT NUMBER TWO.

On page 2, line 2, of the printed amended bill, strike out the word "ten", and in line 3, strike out the words "or more taxpayers of the district", and insert in lieu thereof the following: "one per cent or more of the registered voters of the district, and not less than ten voters in any event,".

Amendment adopted.

AMENDMENT NUMBER THREE.

On page 2, line 4, of the printed amended bill, strike out the word "hearings", and insert in lieu thereof the word "hearing".

Amendment adopted.

AMENDMENT NUMBER FOUR.

On page 2, line 7, of the printed amended bill, strike out the words "may revise the budget in whole or in part and", and strike out all of lines 8 to 25, both inclusive, and insert in lieu thereof the following: "shall appoint a committee of three electors and taxpayers who shall be residents of the school district from which the protest is made, and excluding any elector who has protested said budget to the supervisors, and said trustees shall also appoint a committee of three electors and taxpayers from said district, and the said committees so appointed, together with the trustees of said district, shall constitute a board of school district tax appeals, which shall have power, and whose duty it shall be, to call a public meeting at some schoolhouse in the district for the purpose of hearing the protests, and to notify the protestants of the time and place of said meeting by mail at least three days before said meeting. Such meeting shall be held at least ten days before the time set for the levy of county taxes. At such public meeting said board of school district tax appeals may revise the budget in whole or in part and shall settle the same, but shall not revise the budget so as to increase the total amount thereof. The district budget as revised by said board of school district tax appeals shall be final, and shall be immediately filed with said board of supervisors."

When any school district is situated partly within two or more counties, the county superintendent of schools having jurisdiction over the district shall submit the estimate or budget to the board of supervisors of the county in which the greatest assessed valuation of the district is located, and such board of supervisors and the school district trustees shall make the necessary appointments to constitute the aforesaid board of school district tax appeals, when necessary so to do, from electors and taxpayers of all counties in such district. A certified copy of the estimate or budget as finally adopted as aforesaid shall be transmitted immediately by the clerk of the board of supervisors to the board of supervisors of each county in which the district is located, and a tax shall be levied by the board of supervisors of each county in which the district has property pursuant to article X of this chapter.

Nothing herein shall be construed as repealing the provisions of chapter II of this part."

Amendment adopted.

Bill read second time, ordered to print, engrossment, and on file for third reading.

Senate Bill No. 666—An act to amend sections 4.370, 4.371, 4.372 and 4.373 of Article VIII, chapter I, part III of division IV of the School Code of the State of California, relating to levy of school district taxes.

COMMITTEE AMENDMENTS.

During the second reading of the bill, the following committee amendments were offered:

AMENDMENT NUMBER ONE.

On page 1, line 5, of the printed amended bill, as amended in Senate April 24, 1931, strike out the words "by the board of supervisors", and insert in lieu thereof the following: "budget as hereinbefore provided".

Amendment adopted.

AMENDMENT NUMBER TWO.

On page 2 of the printed amended bill, strike out all of line 9, and insert in lieu thereof the following: "finally approved and settled as hereinbefore provided."

Amendment adopted.

Bill read second time, ordered to print, engrossment, and on file for third reading.

Senate Bill No. 257—An act to add a new section to the Political Code to be numbered 4041.28, relating to the disposition of courthouse and other sites dedicated to public use.

Bill read second time, ordered engrossed, and on file for third reading.

Senate Bill No. 372—An act to add a new section to the Political Code, to be numbered 4041.24*a*, relating to the withdrawal of county records.

Bill read second time, ordered engrossed, and on file for third reading.

Senate Bill No. 913—An act to amend section 2322*3*31 of the Political Code, relating to the office of agricultural commissioner in counties of the thirty-first class.

COMMITTEE AMENDMENTS.

During the second reading of the bill, the following committee amendments were offered:

AMENDMENT NUMBER ONE.

Strike out the title of the printed bill, and insert in lieu thereof the following: "An act to amend section 737*bb* of the Political Code, relating to the salary of the judge of the superior court in and for the county of Napa."

Amendment adopted.

AMENDMENT NUMBER TWO.

On page 1 of the printed bill, strike out lines 1 to 6, inclusive, and insert in lieu thereof the following:

"SECTION 1. Section 737*bb* of the Political Code is hereby amended to read as follows:

737*bb*. The annual salary of the judge of the superior court in and for the county of Napa is six thousand five hundred dollars."

Amendment adopted.

Bill read second time, ordered to print, engrossment, and on file for third reading.

Senate Bill No. 842—An act to add a new article to chapter VI of part III of division III of the School Code to be known as article VII, embracing sections 3.415 and 3.416, relating to the attendance of students upon junior colleges.

Bill read second time, ordered engrossed, and on file for third reading.

Senate Bill No. 457—An act to amend section 77 of chapter 266, Statutes of 1923, entitled the California Vehicle Act, relating to the additional weight fee required on commercial vehicle other than those operating under a franchise granted by the State Railroad Commission.

COMMITTEE AMENDMENT.

During the second reading of the bill, the following committee amendment was offered:

AMENDMENT NUMBER ONE.

On page 2, line 5, of the printed bill, after "commission", insert the following: "and paying a gross receipts tax as required by section 15 of article XIII of the constitution of the State of California".

Amendment adopted.

Bill read second time, ordered to print, engrossment, and on file for third reading.

Senate Bill No. 630—An act to amend section 2 of an act entitled "An act providing for the regulation and supervision of companies, brokers, agents, and sales of securities as the same are therein defined, and to prevent fraud in the sale of securities; providing for the enforcement of said act and penalties for the violation thereof; and creating a State Corporation Department and the office of Commissioner of Corporations," approved May 18, 1917, as amended, relating to fees.

Bill read second time, ordered engrossed, and on file for third reading.

Senate Bill No. 949—An act to amend section 37 of an act entitled "An act providing for the incorporation of public utility districts in unincorporated territory, authorizing such districts to incur bonded indebtedness for the purpose of the construction of works and the acquisition of property, and to levy and collect taxes to pay the principal and interest on bonds and for carrying on their operations, and providing for the powers, management and government of such districts, and imposing certain duties and functions in connection with such districts upon certain county officers," approved May 31, 1921, relating to books of account of public utility districts.

Bill read second time, ordered engrossed, and on file for third reading.

CONSIDERATION OF DAILY FILE.

SECOND READING OF ASSEMBLY BILLS.

Assembly Bill No. 1757—An act to amend section 16x11 of the Weights and Measures Act, relating to sealers of weights and measures in counties of the eleventh class.

Bill read second time, and ordered on file for third reading.

Assembly Bill No. 1809—An act to amend section 19x11 of the Juvenile Court Law, relating to probation officers in counties of the eleventh class.

Bill read second time, and ordered on file for third reading.

Assembly Bill No. 1820—An act to amend section 2322x11 of the Political Code, relating to the office of agricultural commissioner in counties of the eleventh class.

Bill read second time, and ordered on file for third reading.

Assembly Bill No. 1925—An act to amend section 1 of an act entitled "An act providing for the creation of revolving funds in the counties of the State," approved May 9, 1923, as amended, relating to the persons for whom revolving funds may be established.

Bill read second time, and ordered on file for third reading.

Assembly Bill No. 294—An act to amend section 19x18 of the Juvenile Court Law, relating to the salary of the probation officer and deputy in counties of the eighteenth class.

Bill read second time, and ordered on file for third reading.

Assembly Bill No. 1381—An act to amend section 16x18 of the Weights and Measures Act, relating to sealers of weights and measures in counties of the eighteenth class.

Bill read second time, and ordered on file for third reading.

Assembly Bill No. 1382—An act to amend section 2322x18 of the Political Code, relating to the office of agricultural commissioner in counties of the eighteenth class.

Bill read second time, and ordered on file for third reading.

Assembly Bill No. 1652—An act to amend section 9a6 of an act entitled "An act to provide for the establishment and maintenance of county free libraries in the State of California, and repealing 'An act entitled 'An act to provide county library systems,' approved April 12, 1909, and all acts and parts of acts in conflict with this act.' " approved February 25, 1911, as amended, relating to libraries in the counties of the sixth class.

Bill read second time, and ordered on file for third reading.

Assembly Bill No. 1653—An act to amend section 19x6 of the Juvenile Court Law, relating to probation officers in counties of the sixth class.

Bill read second time, and ordered on file for third reading.

Assembly Bill No. 1654—An act to amend section 2322x6 of the Political Code, relating to the office of agricultural commissioner in counties of the sixth class.

Bill read second time, and ordered on file for third reading.

Assembly Bill No. 367—An act to amend section 4244 and to repeal section 4249a of the Political Code, relating to the compensation of county and township officers in counties of the fifteenth class.

COMMITTEE AMENDMENTS.

During the second reading of the bill, the following committee amendments were offered:

AMENDMENT NUMBER ONE.

On page 3 of the printed bill, strike out lines 9 and 10, and insert in lieu thereof the following: "ties, one chief deputy at a salary of two thousand one hundred dollars

per annum, one deputy at a salary of two thousand forty dollars per annum, and one clerk at a salary of one”.

Amendment adopted.

AMENDMENT NUMBER TWO.

On page 5, line 46, of the printed bill, strike out “two hundred”, and insert in lieu thereof the following: “one hundred seventy-five”.

Amendment adopted.

AMENDMENT NUMBER THREE.

On page 5, line 48, of the printed bill, strike out “forty”, and insert in lieu thereof the following: “twenty”.

Amendment adopted.

AMENDMENT NUMBER FOUR.

On page 5, line 50, of the printed bill, strike out “one hundred fifteen”, and insert in lieu thereof the following: “ninety-five”.

Amendment adopted.

AMENDMENT NUMBER FIVE.

On page 6, line 5, of the printed bill, strike out “fifty”, and insert in lieu thereof the following: “sixty”.

Amendment adopted.

AMENDMENT NUMBER SIX.

On page 6, line 9, of the printed bill, strike out “thirty”, and insert “forty”.

Amendment adopted.

AMENDMENT NUMBER SEVEN.

On page 7, line 25, of the printed bill, after “other”, insert the following: “office,”.

Amendment adopted.

AMENDMENT NUMBER EIGHT.

On page 7, line 26, of the printed bill, after “ment”, insert the following: “with compensation”.

Amendment adopted.

AMENDMENT NUMBER NINE.

On page 7, line 28, strike out “other public or quasi”.

Amendment adopted.

AMENDMENT NUMBER TEN.

On page 7, line 29, of the printed bill, after “provided.”, insert the following: “The term “compensation” as used in this provision shall be understood to include any direct or indirect reward, whether in the form of salary, wage, per diem, fee, percentage, commission, or otherwise, or whether in money, evidence of indebtedness, property, or otherwise, but shall not be understood to include actual, necessary traveling expenses.”

Amendment adopted.

AMENDMENT NUMBER ELEVEN.

On page 7 of the printed bill, after line 32, insert the following: “Sec. 2. Section 4249a of the Political Code is hereby repealed.”

Amendment adopted.

Bill read second time, ordered to print, and on file for third reading.

Assembly Bill No. 990—An act to amend section 4264 and to repeal section 4264a of the Political Code, relating to the salaries and fees of county and township officers in counties of the thirty-fifth class.

COMMITTEE AMENDMENT.

During the second reading of the bill, the following committee amendment was offered:

AMENDMENT NUMBER ONE.

On page 2, line 9, of the printed bill, strike out "and one stenog-", and also strike out all of line 10, and insert in lieu thereof the word "which".

Amendment adopted.

Bill read second time, ordered to print, and on file for third reading.

Assembly Bill No. 1656—An act to amend section 4235 of the Political Code, relating to compensation of county and township officers in counties of the sixth class.

COMMITTEE AMENDMENTS.

During the second reading of the bill, the following committee amendments were offered:

AMENDMENT NUMBER ONE.

On page 1 of the printed bill, strike out line 12, and insert in lieu thereof the following: "dollars per annum; he shall have one deputy at two thousand eight hundred dollars per annum; three deputies at a salary".

Amendment adopted.

AMENDMENT NUMBER TWO.

On page 1, line 15, of the printed bill, strike out "five", and insert in lieu thereof "four".

Amendment adopted.

AMENDMENT NUMBER THREE.

On page 1, line 20, of the printed bill, strike out "ten", and insert in lieu thereof "eight".

Amendment adopted.

AMENDMENT NUMBER FOUR.

On page 1, line 22, of the printed bill, strike out "four", and insert in lieu thereof "three".

Amendment adopted.

AMENDMENT NUMBER FIVE.

On page 2, line 6, of the printed bill, strike out "as county clerk".

Amendment adopted.

AMENDMENT NUMBER SIX.

On page 2, line 22, of the printed bill, strike out the period in said line, and insert a comma and the following: "and all moneys, exclusive of expenses, received by him under the provisions of sections 4175 and 4176 of the Political Code. The sheriff may retain for his own use and benefit all mileage now allowed by section 4300b of the Political Code, for traveling in the service of any paper required by law to be served."

Amendment adopted.

AMENDMENT NUMBER SEVEN.

On page 3 of the printed bill, strike out lines 18 and 19, and insert in lieu thereof the following: "and eight hundred dollars per annum; one deputy at a salary of two thousand four hundred twenty-five dollars per".

Amendment adopted.

AMENDMENT NUMBER EIGHT.

On page 3, line 24, of the printed bill, strike out "twenty-one", and insert in lieu thereof the following: "eighteen".

Amendment adopted.

AMENDMENT NUMBER NINE.

On page 3, lines 34 and 35, of the printed bill, strike out "four hundred ten", and insert in lieu thereof the following: "eight hundred".

Amendment adopted.

AMENDMENT NUMBER TEN.

On page 3, line 42, of the printed bill, strike out "thirty", and insert in lieu thereof the following: "twenty-nine".

Amendment adopted.

AMENDMENT NUMBER ELEVEN.

On page 8 of the printed bill, after line 25, insert as a new paragraph the following:

"20. No change herein made in the salary of an elective county officer, or in the manner of the disposition of fees received by such officer, shall become effective until the expiration of the present term of the incumbent.

21. In counties of this class the county officers shall receive as compensation for the services required of them by law or by virtue of their offices, the salaries and expenses herein set forth; *provided*, that the members of the board of supervisors, clerk, sheriff, recorder, auditor, treasurer, tax collector, assessor, district attorney, superintendent of schools, surveyor, sealer of weights and measures, and their respective deputies, shall be allowed all actual expenses which are necessary to the performance of their duties under the law; and said expenses and the salaries designated in this section for such officers and their deputies, except as in this section otherwise specifically provided, shall be as full and complete compensation for giving their entire time and attention to the duties required of them by law, or which are, for any reason imposed upon or performed by them under the laws of or on behalf of the United States or this state or any political subdivision thereof, or any public corporation. All other fees, statutory mileage or other remuneration or compensation of any kind or character received by such officers or their deputies from the United States or this state or any political subdivision thereof or any public corporation, shall be by such officers named in this section, paid into the county treasury."

Amendment adopted.

Bill read second time, ordered to print, and on file for third reading.

Assembly Bill No. 211—An act to amend section 4052b, Political Code, relating to the payment by counties in whole or in part of the cost of acquiring property for public parks, beaches and recreation grounds in incorporated cities and or of the cost of maintaining and improving such parks and recreation grounds.

Bill read second time, and ordered on file for third reading.

Assembly Constitutional Amendment No. 22—A resolution to propose to the people of the State of California an amendment to the constitution of said State by amending sections 4 and 5 of article XI thereof, relative to county government.

COMMITTEE AMENDMENTS.

During reading of the amendment, the following committee amendments were offered:

AMENDMENT NUMBER ONE.

On page 1, line 23, of the printed amendment, after "county", insert the following: ", and on the adoption by such electors of any such general law, it shall become the charter of the county as if it had been framed and adopted under the provisions of section 7½ of this constitution, and may be amended accordingly".

Amendment adopted.

AMENDMENT NUMBER TWO.

On page 1, line 24, of the printed amendment, after "Sec. 5.", insert the following: "The Legislature, by general laws, shall provide for the election or appointment, in the several counties, of boards of supervisors, sheriffs, county clerks, dis-

strict attorneys, and such other officers as public convenience may require, and shall prescribe their duties and fix their terms of office."

Amendment adopted.

Assembly Constitutional Amendment No. 22 read, ordered to print, and on file.

Assembly Constitutional Amendment No. 27—A resolution to propose to the people of the State of California an amendment to the constitution of the State of California amending section 6 of article IX, relative to taxation.

COMMITTEE AMENDMENTS.

During reading of the amendment, the following committee amendments were offered:

AMENDMENT NUMBER ONE.

On page 2, line 12, of the printed amendment, as amended April 23, 1931, strike out the period, and insert in lieu thereof a semicolon followed by the following: "provided, that the amount to be produced by a county, or city and county, as aforesaid, may be decreased as the Legislature may provide to the extent and in the amount that the money contributed by the state exceeds the sum of thirty dollars per pupil in average daily attendance during the next preceding school year in such schools."

Amendment adopted.

AMENDMENT NUMBER TWO.

On page 2, line 19, of the printed amendment, as amended April 23, 1931, strike out the period, and insert in lieu thereof a semicolon followed by the following: "provided, that the amount to be produced by a county, or city and county, as aforesaid, may be decreased as the Legislature may provide to the extent and in the amount that the money contributed by the state exceeds the sum of thirty dollars per pupil in average daily attendance during the next preceding school year in such schools."

Amendment adopted.

AMENDMENT NUMBER THREE.

On page 2, line 26, of the printed amendment, as amended April 23, 1931, strike out the word "entire", and insert in lieu thereof the word "minimum".

Amendment adopted.

AMENDMENT NUMBER FOUR.

On page 2, line 10, of the printed amendment, as amended April 23, 1931, strike out the word "shall", and insert in lieu thereof the word "may".

Amendment adopted.

AMENDMENT NUMBER FIVE.

On page 2, line 26, of the printed amendment, as amended April 23, 1931, following the word "money", and before the word "provided", insert the words: "hereinafter required to be".

Amendment adopted.

Assembly Constitutional Amendment No. 27 read, ordered to print, and on file.

Assembly Bill 1856—An act to add a new article to be numbered VIIIa embracing sections 2.440a, 2.441a, 2.442a, 2.443a, 2.444a, 2.445a, 2.446a, 2.447a, 2.448a, 2.449a, 2.450a, 2.451a, 2.452a, 2.453a, 2.454a, 2.455a, 2.456a, 2.457a, 2.458a, 2.459a, 2.460a, and 2.461a, to chapter VI of part I of division II of the School Code, and to repeal an act entitled "An act providing for the organization of certain elementary or union elementary school districts into high school districts," approved June 18, 1929, all relating to withdrawal of territory from

high school districts and formation and government of new high school districts.

COMMITTEE AMENDMENTS.

During the second reading of the bill, the following committee amendments were offered:

AMENDMENT NUMBER ONE.

In line 4 of the title of the printed bill, as amended in Assembly April 6, 1931, strike out the fourth comma, and insert in lieu thereof the word "and".

Amendment adopted.

AMENDMENT NUMBER TWO.

In line 5 of the title of the printed bill, as amended in Assembly April 6, 1931, beginning in said line 5, strike out the following: "2.455a, 2.456a, 2.457a, 2.458a, 2.459a, 2.460a, and 2.461a."

Amendment adopted.

AMENDMENT NUMBER THREE.

On page 1, line 5, of the printed bill, as amended in Assembly April 6, 1931, strike out the number "2.461a", and insert in lieu thereof the number "2.454a".

Amendment adopted.

AMENDMENT NUMBER FOUR.

In the printed bill, as amended in Assembly April 6, 1931, strike out all of pages 2, 3, 4, 5 and 6, and insert in lieu thereof the following: "units of average daily attendance in the elementary or union elementary schools thereof as shown by the last reports of the teachers in the district and a total assessed valuation of at least eight million five hundred thousand dollars, which elementary or union elementary school district is a part of any high school district, as shown by the affidavits of one or more of the petitioners, shall present to the superintendent of schools having jurisdiction over such elementary or union elementary school district, a petition asking for the organization of a high school district to be composed of the elementary or union elementary school district represented in the petition, specifying in the petition the name of the proposed high school district, the county superintendent of schools shall within twenty days after receiving the petition verify the signatures thereto and if he finds them sufficient submit the petition to the state board of education for approval.

2.441a. The petition shall not be approved by the state board of education unless it appears from a certified statement of the county assessor of the county or counties within which the high school districts from which said elementary or union elementary school district is withdrawing is situated, that the assessed valuation of the territory remaining in the said high school district after the withdrawal of the said elementary or union elementary school district will be in excess of twenty million dollars, and unless it appears from a certified statement of the county superintendent of schools having jurisdiction over the said high school district that the average daily attendance in the high schools of the said high school district after the withdrawal of the said elementary or union elementary school district will be in excess of one thousand.

2.442a. Should the state board of education approve the petition the superintendent of schools shall within twenty days after receipt of such approval call an election for the determination of the question, and shall appoint three qualified electors in such elementary district or in each elementary district comprising such union elementary district petitioning to conduct the election therein as in this article provided.

2.443a. The election shall be called by posting notices thereof in three public places in the district, one of which places shall be a public schoolhouse thereof, at least two weeks before the election, and by publishing such notice at least once a week for two successive weeks in a newspaper of general circulation published within the proposed high school district, if there be such a newspaper, the first publication to be not less than two weeks before the election.

2.444a. The election shall be held at a public schoolhouse in the district petitioning.

2.445a. The election shall be conducted by the officers appointed for that purpose in the manner provided by law for conducting elections of school trustees.

2.446a. The ballots used in the election shall contain the words "High school district—yes" and "High school district—no," and electors voting at the election shall make a cross with pencil, ink, or rubber stamp after the answer they desire to give.

2.447a. It shall be the duty of the election officers to canvass the vote of the election as soon as the polls are closed, and report the result to the superintendent of schools within five days subsequent to the holding of the election.

2.448a. Within ten days after receiving the returns of the election, the superintendent of schools shall declare and record the result, with the details of the vote, in a book kept by him for that purpose.

2.449a. If a majority of the votes cast at the election are in favor of the formation of the high school district, he shall also file with the county clerk of the county, or of each county in which any part of the elementary or union elementary school district is situated, a certificate showing the total number of votes cast in the district in favor of the high school district, the total number of votes cast in the district against the high school district, the aggregate result of the election and the boundaries of the proposed district.

2.450a. If it shall appear from the certificate filed by the superintendent of schools that a majority of the votes cast at the election were cast in favor of the formation of the district, the board of supervisors having jurisdiction shall make an order excluding the elementary or union elementary school district from the high school district of which it was a part.

2.451a. No order excluding territory from any high school district under the provisions of this article shall be made if the exclusion of the territory would reduce the assessed valuation of the high school district to twenty million dollars or less.

2.452a. Any elementary or union elementary school district electing to withdraw from a high school district at an election petitioned for and called under the provisions of this article shall continue to remain liable for such proportion of the bonded indebtedness, incurred before such withdrawal, of the said high school district, as it would have been liable for had it not withdrawn.

2.453a. The order of the board of supervisors excluding the elementary or union elementary school district from the high school district shall be entered by the clerk of the board of supervisors in his record of high school districts, and he shall also send a copy thereof to the county clerk of each county in which any part of the high school district is situated, which county clerk shall enter it in his record of high school districts.

2.454a. The board of supervisors, after making the order of exclusion, shall make an order establishing the high school district asked for in the petition, and the county clerk shall record the certificate of the county superintendent of schools and the orders of the board of supervisors in full in his record of high school districts.

SEC. 2. An act entitled "An act providing for the organization of certain elementary or union elementary school districts into high school districts," approved June 18, 1929, is hereby repealed."

Amendment adopted.

Bill read second time, ordered to print, and on file for third reading.

Assembly Bill No. 1005—An act adding chapter 3 to title IX of part II of the Code of Civil Procedure, consisting of sections 724:1 to 724:5, inclusive, and repealing sections 388 to 393, inclusive, of the Civil Code, relating to the sale of franchises on execution.

COMMITTEE AMENDMENTS.

During the second reading of the bill, the following committee amendments were offered:

AMENDMENT NUMBER ONE.

In line 2 of the title of the printed bill, strike out "724:1 to 724:5", and insert in lieu thereof the following: "724a to 724e".

Amendment adopted.

AMENDMENT NUMBER TWO.

On page 1, line 3, of the printed bill, strike out "724:1 to 724:5", and insert in lieu thereof the following: "724a to 724e".

Amendment adopted.

AMENDMENT NUMBER THREE.

On page 1, line 8, of the printed bill, strike out "724:1", and insert in lieu thereof the following: "724a".

Amendment adopted.

AMENDMENT NUMBER FOUR.

On page 1, line 10, of the printed bill, strike out "724:2", and insert in lieu thereof "724b".

Amendment adopted.

AMENDMENT NUMBER FIVE.

On page 1, line 12, of the printed bill, strike out "724:3", and insert in lieu thereof "724c".

Amendment adopted.

AMENDMENT NUMBER SIX.

On page 1, line 13, of the printed bill, strike out "724:4", and insert in lieu thereof "724d".

Amendment adopted.

AMENDMENT NUMBER SEVEN.

On page 1, line 14, of the printed bill, strike out "724:5", and insert in lieu thereof "724e".

Amendment adopted.

AMENDMENT NUMBER EIGHT.

On page 1, line 15, of the printed bill, strike out "724:1", and insert in lieu thereof "724a".

Amendment adopted.

AMENDMENT NUMBER NINE.

On page 1, line 21, of the printed bill, strike out "724:2", and insert in lieu thereof "724b".

Amendment adopted.

AMENDMENT NUMBER TEN.

On page 2, line 4, of the printed bill, strike out "724:3", and insert in lieu thereof "724c".

Amendment adopted.

AMENDMENT NUMBER ELEVEN.

On page 2, line 13, of the printed bill, strike out "724:4", and insert in lieu thereof "724d".

Amendment adopted.

AMENDMENT NUMBER TWELVE.

On page 2, line 18, of the printed bill, strike out "724:5", and insert in lieu thereof "724e".

Amendment adopted.

Bill read second time, ordered to print, and on file for third reading.

MESSAGES FROM THE ASSEMBLY.

The following messages from the Assembly were received and read:

ASSEMBLY CHAMBER, SACRAMENTO, May 1, 1931.

MR. PRESIDENT: I am directed to inform your honorable body that the Assembly amended, and on this day passed as amended, Senate Bill No. 57—An act to add a new section to the Penal Code, to be numbered 374½, relating to the discharge of oily waste water from certain classes of vessels—and respectfully requests your honorable body to concur in said amendments.

ARTHUR A. OHNIMUS, Chief Clerk.
By A. W. ENGELKE, Assistant Clerk.

Also:

ASSEMBLY CHAMBER, SACRAMENTO, May 1, 1931.

MR. PRESIDENT: I am directed to inform your honorable body that the Assembly amended, and on this day passed as amended, Senate Bill No. 231—An act to amend sections 542a and 560 of the Code of Civil Procedure, relating to attachment—and respectfully requests your honorable body to concur in said amendments.

ARTHUR A. OHNIMUS, Chief Clerk.
By A. W. ENGELKE, Assistant Clerk.

Also:

ASSEMBLY CHAMBER, SACRAMENTO, May 1, 1931.

MR. PRESIDENT: I am directed to inform your honorable body that the Assembly amended, and on this day passed as amended, Senate Bill No. 422—An act to repeal sections 683 and 684 of the Political Code, relating to the Department of Finance—and respectfully requests your honorable body to concur in said amendments.

ARTHUR A. OHNIMUS, Chief Clerk.
By A. W. ENGELKE, Assistant Clerk.

CONSIDERATION OF ASSEMBLY AMENDMENTS.

The Senate took up for consideration Assembly amendments to Senate Bill No. 57—An act to add a new section to the Penal Code, to be numbered 374¹/₂, relating to the discharge of oily waste water from certain classes of vessels.

ASSEMBLY AMENDMENTS TO SENATE BILL NUMBER FIFTY-SEVEN.

AMENDMENT NUMBER ONE.

On page 2, line 35, of the printed bill, as amended, following the period, add a new paragraph to read as follows:

"Any person, firm or corporation violating or causing or permitting to be violated any provision of this section, shall be guilty of a misdemeanor".

AMENDMENT NUMBER TWO.

In lines 2 and 3 of the title of the printed bill, strike out "Oily waste water from certain classes of vessels", and insert in lieu thereof the following: "Oil from vessels".

The question being: Shall the Senate concur in Assembly amendments to Senate Bill No. 57?

The roll was called, and Assembly amendments to Senate Bill No. 57 concurred in by the following vote:

AYES—Senators Breed, Bush, Carter, Cassidy, Clock, Crittenden, Duval, Fellom, Harper, Ingels, Inman, Jones, Maloney, McCormack, Mixer, Nelson, Pedrotti, Rich, Riley, Rochester, Schottky, Slater, Swing, Treacy, Tubbs, Wagy, and Williams—27.
NOES—None.

Senate Bill No. 57 ordered to print, and enrollment.

CONSIDERATION OF ASSEMBLY AMENDMENTS.

The Senate took up for consideration Assembly amendments to Senate Bill No. 422—An act to repeal sections 683 and 684 of the Political Code, relating to the Department of Finance.

ASSEMBLY AMENDMENTS TO SENATE BILL NUMBER FOUR HUNDRED TWENTY-TWO.

AMENDMENT NUMBER ONE.

Strike out all of lines 1 and 2 of the title of the printed bill, and insert in lieu thereof the following:

"An act granting certain tide and submerged lands of the State of California to the city of San Diego, San Diego county, in said state, upon certain trusts and conditions."

AMENDMENT NUMBER TWO.

On page 2 of the printed bill, strike out all of lines 1 and 2, and insert in lieu thereof the following:

"SECTION 1. There is hereby granted to the city of San Diego, county of San Diego, all the right, title and interest of the State of California, held by said state by virtue of its sovereignty, in and to all that portion of the tide and submerged lands bordering upon and situated below the ordinary high water mark of the Pacific ocean described as follows:

Beginning at the intersection of the ordinary high water mark of the Pacific ocean with a line bearing S. 87° 40' W. from the monument marking the intersection of Coast boulevard south with Jenner street as said monument, said Coast boulevard south and said Jenner street are designated and shown on that certain map entitled "Seaside subdivision number 1712" and filed June 23, 1920, in the office of the county recorder of San Diego county, State of California; thence N. 350', thence E. 300', thence S. 185' more or less to the ordinary high water mark of the Pacific ocean,

thence in a general southwesterly direction along the ordinary high water mark of the Pacific ocean to the point of beginning, all in the Pacific ocean. State of California, to be forever held by said city of San Diego and its successors in trust for the uses and purposes and upon the express conditions following, to wit:

(a) That said lands shall be devoted exclusively to public park, bathing pool for children, parkway, highway, playground and recreational purposes, and to such other uses as may be incident to, or convenient for the full enjoyment of, such purposes;

(b) The absolute right to fish in the waters of the Pacific ocean over said tidelands or submerged lands, with the right of convenient access to said waters over said lands for said purpose is hereby reserved to the people of the State of California.

(c) That there is excepted and reserved to the State of California all deposits of minerals, including oil and gas, in said land, and to the State of California, or persons authorized by the State of California, the right to prospect for, mine and remove such deposits from said land."

The question being: Shall the Senate concur in Assembly amendments to Senate Bill No. 422?

The roll was called, and Assembly amendments to Senate Bill No. 422 concurred in by the following vote:

AYES—Senators Baker, Carter, Christian, Cleveland, Clock, Crittenden, Edwards, Evans, Fellom, Harper, Hays, Inman, Jones, Maloney, McCormack, Mixer, Moran, Nelson, Pedrotti, Rich, Riley, Rochester, Schottky, Sharkey, Slater, Swing, Treacy, Tubbs, and Wagye—29.

NOES—None.

Senate Bill No. 422 ordered to print, and enrollment.

CONSIDERATION OF SPECIAL ORDERS.

The hour having arrived for the consideration of Senate Bills Nos. 362 and 363, heretofore set as special orders for eleven o'clock and thirty minutes a.m., Monday, May 4, 1931, the same were taken up for consideration.

Senate Bill No. 362—An act to prohibit the production of crude petroleum oil so as to constitute waste; to define waste; to provide for a determination of waste and the allocation of production to the several sources of supply and the several properties therein and to provide penalties for a violation of said law.

Bill read third time previously.

Senate Bill No. 362 ordered to print, and engrossment.

RUSH ORDER TO PRINTER.

On motion of Senator Sharkey, the Secretary was directed to issue a rush order for printing Senate Bill No. 362.

SPECIAL ORDER.

Senator Sharkey moved that Senate Bills Nos. 362 and 363 be made special orders for two o'clock p.m., Tuesday, May 5, 1931

Motion carried.

CONSIDERATION OF DAILY FILE.

THIRD READING OF SENATE BILLS.

Senate Bill No. 683—An act to establish a retirement system to provide for the retirement of employees of the State of California, and make an appropriation therefor.

Bill read third time.

POINT OF ORDER.

Senator Maloney raised the point of order that the Teachers Pension Bill was not under discussion, and Senators should limit their debate to the bill before the Senate.

DECISION ON POINT OF ORDER.

The President announced his decision and declared the point of order well taken.

The question being on the passage of the bill.

The roll was called, and Senate Bill No. 683 passed by the following vote:

AYES—Senators Breed, Carter, Cassidy, Christian, Cleveland, Clock, Crittenden, Edwards, Evans, Fellom, Harper, Hays, Inman, Jones, Maloney, McCormack, Mixer, Nelson, Pedrotti, Rich, Riley, Rochester, Schottky, Sharkey, Slater, Swing, Treacy, Tubbs, and Waggy—29.

NOES—Senators Baker, Bush, Duval, Moran, and Williams—5.

Title read and approved.

Bill ordered transmitted to the Assembly.

RESOLUTION.

The following resolution was offered on May 1, 1931:

By Senator Breed:

WHEREAS, The approach of adjournment of the Legislature sine die requires the time of the Legislature be conserved to the utmost; therefore, be it

Resolved, That from and after this date, speeches on the floor of the Senate be limited to ten minutes in length for opening speeches and five minutes for all other speeches. Extensions of time beyond said periods may be granted only by unanimous consent.

Resolution read.

Senator Breed moved the adoption of the resolution.

The question being on the adoption of the resolution.

The roll was called, and the resolution adopted by the following vote:

AYES—Senators Baker, Breed, Bush, Carter, Cassidy, Christian, Cleveland, Clock, Crittenden, Duval, Edwards, Evans, Fellom, Harper, Hays, Inman, Maloney, McCormack, McKinley, Mixer, Nelson, Pedrotti, Riley, Schottky, Sharkey, Slater, Swing, Treacy, Tubbs, Waggy, and Williams—31.

NOES—Senator Rochester—1.

THIRD READING OF SENATE BILLS—(RESUMED).

Senate Bill No. 270—An act to amend chapter 808, Statutes of 1927, entitled American River Flood Control District Act, as amended, by amending section 2 thereof, relating to the objects and purposes of the act and to the powers of the district, and section 17, relating to the levy and collection of assessments, and by adding a new section thereto to be numbered 18b making an appropriation in the sum of \$20,000 to defray the expenses of the district and providing that said appropriation shall be returned to the State, and relating to the manner of repayment and containing a provision declaring this act to be an emergency measure stating the facts constituting such emergency, and providing this act shall take effect immediately upon its passage.

Bill read third time.

URGENCY CLAUSE.

SEC. 4. This act is hereby declared to be an urgency measure, deemed necessary for the immediate preservation of the public peace and safety within the meaning of section 1, article IV of the constitution of the State of California and as such it shall take effect immediately. The following is a statement of facts constituting such necessity: The immediate prosecution of the work contemplated by this act is necessary for the early correction of the flood conditions which are now a yearly occurrence on the Sacramento and American rivers and which constitute a grave menace to the lands within said American River flood control district, including the cities of Sacramento and North Sacramento and which should be obviated as speedily as possible in order that the lives and property of inhabitants thereof may be secure.

To secure these ends it is necessary that this act take effect immediately upon its passage.

This act shall take effect immediately.

Urgency clause read.

The question being on the adoption of the urgency clause.

The roll was called, and the urgency clause adopted by the following vote:

AYES—Senators Baker, Breed, Bush, Carter, Cassidy, Christian, Cleveland, Crittenden, Duval, Edwards, Evans, Fellom, Harper, Hays, Inman, Maloney, McCormack, McKinley, Mixer, Moran, Nelson, Pedrotti, Rich, Riley, Rochester, Schottky, Sharkey, Slater, Swing, Treacy, Tubbs, Wagy, and Williams—33.

NOES—None.

The question being on the passage of the bill.

The roll was called, and Senate Bill No. 270 passed by the following vote:

AYES—Senators Baker, Bush, Carter, Cassidy, Christian, Cleveland, Clock, Crittenden, Duval, Edwards, Evans, Fellom, Harper, Hays, Inman, Maloney, McCormack, McKinley, Mixer, Moran, Nelson, Pedrotti, Rich, Riley, Rochester, Schottky, Sharkey, Slater, Swing, Treacy, Tubbs, Wagy, and Williams—33.

NOES—None.

Title read and approved.

Bill ordered transmitted to the Assembly.

Senate Bill No. 337—An act making an appropriation for surveys, plans, estimates and preliminary engineering for a bridge across the bay of San Francisco.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Senate Bill No. 337 passed by the following vote:

AYES—Senators Baker, Breed, Bush, Carter, Cassidy, Christian, Cleveland, Crittenden, Duval, Edwards, Evans, Fellom, Harper, Hays, Inman, Jones, Maloney, McCormack, McKinley, Mixer, Moran, Nelson, Pedrotti, Riley, Schottky, Sharkey, Slater, Swing, Treacy, Tubbs, Wagy, and Williams—32.

NOES—None.

Title read and approved.

Bill ordered transmitted to the Assembly.

Senate Bill No. 177—An act to add a new section, to be numbered section 11b, to an act entitled "An act regulating private employment agencies, providing for a license for the operation thereof and a fee therefor, providing forms of receipts and registers to be used and kept, prohibiting any charge for registering or filing application for help or employment, prohibiting the dividing of fees, providing for the refunding of fees and expenses in the event of failure to procure employment, and granting the Commissioner of the Bureau of Labor Statistics the power to prescribe rules and regulations to carry out the purpose and intent of this act," approved June 3, 1913, as amended, requiring licensed employment agencies to print or publish the maximum fees which they charge for positions on all their advertising matter, including introduction cards, bulletins, blotters, throw-aways, newspaper and other advertising.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Senate Bill No. 177 passed by the following vote:

AYES—Senators Baker, Breed, Bush, Carter, Cassidy, Christian, Cleveland, Clock, Crittenden, Duval, Evans, Fellom, Harper, Hays, Inman, Jones, Maloney, McCormack, McKinley, Mixter, Moran, Nelson, Pedrotti, Rich, Riley, Rochester, Schottky, Sharkey, Slater, Swing, Treacy, Tubbs, Wagy, and Williams—34.

NOES—None.

Title read and approved.

Bill ordered transmitted to the Assembly.

RECESS.

On motion of Senator Breed at twelve o'clock and thirty minutes p.m., the President of the Senate declared recess until two o'clock p.m.

RECONVENED.

At two o'clock p.m., the Senate reconvened.

Lieutenant Governor Frank F. Merriam, President of the Senate, in the chair.

Secretary Joseph A. Beek at the desk.

MESSAGES FROM THE ASSEMBLY.

The following messages from the Assembly were received and read:

ASSEMBLY CHAMBER, SACRAMENTO, May 4, 1931.

MR. PRESIDENT: I am directed to inform your honorable body that the Assembly on this day passed Assembly Bill No. 1825—An act to amend section 2322²⁷ of the Political Code, relating to the office of agricultural commissioner in counties of the twenty-seventh class:

Also: Assembly Bill No. 1431—An act to revise an act entitled "An act to regulate the vocation of fishing and to provide therefrom revenue for the propagation, restoration and conservation of fish in the waters of the State of California," approved March 13, 1909, as amended;

Also: Assembly Bill No. 1802—An act to amend the Political Code by adding thereto new sections to be numbered 3440^a, 3440^b, 3440^c and 3440^d, by amending sections 3512, 3513, and 3514 and by repealing sections 3422, 3423, 3424, 3425, 3426, 3427 and 3429, all relating to public lands;

Also: Assembly Bill No. 677—An act to amend section 4234 of the Political Code, relating to the compensation of counties and township officers in counties of the fifth class.

ARTHUR A. OHNIMUS, Chief Clerk.

By FRED J. DESCH, Assistant Clerk.

Assembly Bill No. 1825 read first time, and referred to Committee on County Government.

Assembly Bill No. 1431 read first time, and referred to Committee on Fish and Game.

Assembly Bills Nos. 1802 and 677 read first time, and referred to Committee on County Government.

Also:

ASSEMBLY CHAMBER, SACRAMENTO, May 4, 1931.

MR. PRESIDENT: I am directed to inform your honorable body that the Assembly on this day adopted Assembly Concurrent Resolution No. 30—Relative to the protection of wild vegetation.

ARTHUR A. OHNIMUS, Chief Clerk.

By FRED J. DESCH, Assistant Clerk.

Assembly Concurrent Resolution No. 30 read, and referred to Committee on Education.

Also:

ASSEMBLY CHAMBER, SACRAMENTO, May 4, 1931.

MR. PRESIDENT: I am directed to inform your honorable body that the Assembly on this day adopted Assembly Joint Resolution No. 23—Relative to recommending the closing of the international border at the point near Mexicali, Mexico, at six o'clock p.m., each day;

Also: Assembly Joint Resolution No. 17—Relative to memorializing and petitioning Congress to enact legislation transferring certain oil lands in Kern County, California, from the jurisdiction of the Navy Department to the jurisdiction of the Department of the Interior.

ARTHUR A. OHNIMUS, Chief Clerk.
By FRED J. DESCH, Assistant Clerk.

Assembly Joint Resolutions Nos. 23 and 17 read, and referred to Committee on Federal Relations.

Also:

ASSEMBLY CHAMBER, SACRAMENTO, May 4, 1931.

MR. PRESIDENT: I am directed to inform your honorable body that the Assembly on May 1, 1931, passed Senate Bill No. 450—An act to add four new sections to the California School Code, to be numbered 6.12, 6.13, 6.14, and 6.15, relating to the maintenance and repair of school property by the county superintendent of schools.

ARTHUR A. OHNIMUS, Chief Clerk.
By FRED J. DESCH, Assistant Clerk.

Senate Bill No. 450 ordered to enrollment.

Also:

ASSEMBLY CHAMBER, SACRAMENTO, May 4, 1931.

MR. PRESIDENT: I am directed to inform your honorable body that the Assembly on April 30, 1931, passed Assembly Bill No. 1572—An act to amend section 50½ of an act to provide for the organization of the Railroad Commission, to define its powers and duties and the rights, remedies, powers and duties of public utilities and their officers, and the rights and remedies of patrons of public utilities, and to provide penalties for offenses by public utilities, their officers, agents and employees and by other persons and corporations, creating the Railroad Commission Fund and appropriating the moneys therein to carry out the provisions of this act, and repealing title XV of part IV of division I of the Civil Code and all acts and parts of acts inconsistent with the provisions of this act, as amended.

ARTHUR A. OHNIMUS, Chief Clerk.
By FRED J. DESCH, Assistant Clerk.

Assembly Bill No. 1572 read first time, and referred to Committee on Public Utilities.

Also:

ASSEMBLY CHAMBER, SACRAMENTO, May 4, 1931.

MR. PRESIDENT: I am directed to inform your honorable body that the Assembly on April 29, 1931, passed Assembly Bill No. 902—An act to add a new section to the Penal Code, numbered 487a, relating to the commission of a series of petit thefts by the same person.

ARTHUR A. OHNIMUS, Chief Clerk.
By FRED J. DESCH, Assistant Clerk.

Assembly Bill No. 902 read first time, and referred to Committee on Revision of Criminal Law and Procedure.

Also:

ASSEMBLY CHAMBER, SACRAMENTO, May 4, 1931.

MR. PRESIDENT: I am directed to inform your honorable body that the Assembly on this day concurred in Senate amendments to Assembly Bill No. 499—An act to amend section 4024 of the Political Code, relating to appointment of deputies;
Also: Assembly Bill No. 498—An act to amend section 909 of the Political Code, relating to the filing of oaths of office;

Also: Assembly Bill No. 1083—An act to amend the title and sections 1, 2, 3, 4, 5, and 6 of an act entitled "An act to reduce the fire hazards of clothes cleaning establishments, providing for the enforcement thereof by the Division of Industrial Fire Safety in the Department of Industrial Relations, providing ways and means for enforcement, and providing penalties for violations," approved June 3, 1927, as amended, relating to the definition of clothes cleaning establishments, and to the Division of Industrial Fire Safety in the Department of Industrial Relations.

ARTHUR A. OHNIMUS, Chief Clerk.
By FRED J. DESCH, Assistant Clerk.

Also:

ASSEMBLY CHAMBER, SACRAMENTO, May 4, 1931.

MR. PRESIDENT: I am directed to inform your honorable body that the Assembly on this day concurred in Senate amendments to Assembly Bill No. 1140—An act providing for the formation, government and operation of harbor districts; for the

creation, improvement, development and maintenance of recreational harbors; for the acquisition and improvement, government and operation of lands and works in connection therewith or appurtenant thereto, whether lying entirely within unincorporated territory of a county or wholly or partially including territory of one or more municipalities within such county, defining the term, "recreational harbor," within the meaning of this act; and providing generally what may and may not be done in such harbor so classified and authorizing the governing body of such harbor district to adopt rules and regulations in relation to said harbor, and to adopt and enforce ordinances restricting and governing the said harbor and its use, violation of any said ordinance being punishable as are misdemeanors by fine or imprisonment, or both fine and imprisonment; providing a means for defraying the cost and expense of forming, constructing, improving, governing and operating such harbor district and harbors, and authorizing counties and cities, jointly and separately, to contribute out of their general funds the costs and expenses of such harbor district, and authorizing the incurring of indebtedness, and the issuance of bonds, and the levy and collection of taxes within such district and the enforcement of such bonds and taxes to defray the cost of the organization of such harbor district and of the creation, construction, improvement, and extension of such harbor, and the works incidental thereto, and to defray the cost of operating and managing such harbor district and harbor; authorizing the establishment of appropriate funds in the manner provided by law for the impounding and disbursement of the moneys required to meet such costs and expenses; providing for the levy of special assessments within such district to defray such costs and expenses, either wholly or partially, and authorizing the legislative body of the county or city assuming jurisdiction to call the election upon the question of the formation of such harbor district to determine what zone or zones, if any, within the proposed harbor district are to be benefited to a greater or less extent than other zone or zones therein, and to define said zones within such district and assess the cost of the said harbor works and improvements within said district zones, and each of them, in accordance with the benefits so found to be enjoyed by the several zones therein delineated; providing and empowering such district to accept financial or other aid for improvements and operations from the United States of America, the State of California, and from any person or persons; providing the means whereby the legislative body of any city heretofore or hereafter granted any rights in respect to tidelands and submerged lands may permit the exercise of such rights by the board of governors of any harbor district formed hereunder and providing the means for obtaining action by the State through the Chief of the Division of State Lands in the Department of Finance of the State and Governor whereby tidelands, submerged lands and coastal waters may be segregated for recreational use, as herein defined, and providing for the appointment within any such harbor district formed under this act of a board of governors and fixing the qualifications, tenure of office, powers, duties of such board of governors, and providing the means and terms by which territory may be annexed to any harbor district formed hereunder.

ARTHUR A. OHNIMUS, Chief Clerk.
By FRED J. DESCH, Assistant Clerk.

REPORTS OF STANDING COMMITTEES—(RESUMED).

The following reports of standing committees were received and read:

ON GOVERNMENTAL EFFICIENCY.

SENATE CHAMBER, SACRAMENTO, May 4, 1931.

MR. PRESIDENT: Your Committee on Governmental Efficiency, to which was referred Senate Bill No. 961—An act to amend section 737h of the Political Code, relating to the salaries of the judges of the superior court—has had the same under consideration, and respectfully reports the same back, and recommends that it be re-referred to the Committee on Finance.

Committee membership—11.

(Signed out)

CRITTENDEN, Chairman.
BAKER.
BREED.
McCORMACK.
McKINLEY.
MIXTER.
TUBBS.

Senate Bill No. 961 ordered re-referred to Committee on Finance.

ON COUNTY GOVERNMENT.

SENATE CHAMBER, SACRAMENTO, May 4, 1931.

MR. PRESIDENT: Your Committee on County Government, to which was referred Assembly Bill No. 1474—An act to add a new section to an act entitled "An act to provide for the acquisition of, including the laying out, opening, extending, widening, straightening, and acquiring in any manner, in whole or in part, and for the improve-

ment of and work upon public highways, roads, streets, avenues, boulevards, lanes, alleys, courts, places, parks, pleasure grounds, commons, and all public ways and other property and rights of way of the public, including any property over which possession and right of use have been obtained under the provisions of section 14 of article I of the constitution of the State of California, in whole or in part, whether lying entirely within unincorporated territory of a county or the territory of a municipality, or lying within such unincorporated territory and one or more municipalities, or lying within two or more municipalities, or forming the exterior boundary of any municipality where the same joins unincorporated territory of a county or the territory of another municipality, whether partly or wholly within or without said boundary, and the establishment and change of grade thereof; and providing for the payment of the costs and expenses of such acquisitions and such work and improvements, and the issuance and effect of bonds therefor and the payment of such bonds by special assessment taxes raised in assessment districts established for that purpose, and the enforcement of such bonds and taxes; and providing for aid from counties and municipalities in such acquisitions, work and improvements; and providing for the establishment and administration of revolving funds to assist in the carrying out of such acquisitions, work and improvements," approved May 23, 1925, to be numbered 41a, relating to the payment of assessments with bonds or interest coupons;

Also: Assembly Bill No. 1475—An act to provide for the funding and refunding of the indebtedness of districts organized under and in pursuance of the Road District Improvement Act of 1907 and to provide for the levy of assessments and reassessments for such refunding, and to enforce the liens of said assessments and reassessments, and for the issue and sale or exchange of refunding bonds and the retirement of the unpaid bonds of said districts, and to provide for the payment of bonds and for proceedings to test the validity of such refunding and reassessment; Has had the same under consideration, and respectfully reports the same back, and recommends that they be re-referred to the Committee on Municipal Corporations.

Committee membership—9.

(Signed out)

WAGY, Chairman.
CASSIDY,
McCORMACK.
RICH.
RILEY.
SCHOTTKY.
SLATER.
SWING.

Assembly Bills Nos. 1474 and 1475 ordered re-referred to Committee on Municipal Corporations.

Also:

MR. PRESIDENT: Your Committee on County Government, to which was referred Assembly Bill No. 363—An act to amend section 4242 of the Political Code, relating to the salaries, fees and expenses of officers in counties of the thirteenth class—has had the same under consideration, and respectfully reports the same back with amendments, and recommends that the amendments be adopted, and that it do pass as amended.

Committee membership—9; committee vote: Ayes—7; absent—2.

WAGY, Chairman.

Assembly Bill No. 363 ordered on file for second reading.

ON ENGROSSMENT, ENROLLMENT AND PRINTING.

SENATE CHAMBER, SACRAMENTO, May 4, 1931.

MR. PRESIDENT: Your Committee on Engrossment, Enrollment and Printing has examined Senate Bill No. 504—An act to amend section 394 of the Code of Civil Procedure, relating to the place of trial of actions or proceedings to which a county, city and county, city, or public or municipal corporation, is a party, and providing for the attendance of witnesses, payment of costs, and the assignment of judges in certain cases—and report that the same has been correctly re-engrossed.

CASSIDY, Vice Chairman.

MESSAGE FROM THE ASSEMBLY.

The following message from the Assembly was received and read:

ASSEMBLY CHAMBER, SACRAMENTO, May 1, 1931.

MR. PRESIDENT: I am directed to inform your honorable body that the Assembly amended, and on this day passed as amended, Senate Bill No. 865—An act to amend section 4270 of the Political Code, relating to compensation of county and township

officers in counties of the forty-first class—and respectfully requests your honorable body to concur in said amendments.

ARTHUR A. OHNIMUS, Chief Clerk.
By A. W. ENGELKE, Assistant Clerk.

CONSIDERATION OF ASSEMBLY AMENDMENTS.

The Senate took up for consideration Assembly amendments to Senate Bill No. 865—An act to amend section 4270 of the Political Code, relating to compensation of county and township officers in counties of the forty-first class.

ASSEMBLY AMENDMENTS TO SENATE BILL NUMBER EIGHT HUNDRED SIXTY-FIVE.

AMENDMENT NUMBER ONE.

On page 1 of the printed bill, strike out all of section 2, and in lieu thereof insert the following:

2. Sheriff, three thousand dollars per annum and actual traveling expenses in pursuit or arrest of criminals, either in or out of his county, and in counties of this class there shall be one chief deputy sheriff who shall be appointed by the sheriff, who shall receive a salary of one thousand eight hundred dollars per annum, and one deputy sheriff who shall be appointed by the sheriff to act as night jailer, and to perform such other functions as may be required of him, and who shall receive a salary of one thousand five hundred dollars per annum, and that the salaries of said deputies shall be paid out of the treasury of the county at the same time and in the same manner as the salaries of county officers are paid.

AMENDMENT NUMBER TWO.

On page 3 of the printed bill, strike out all of section 14, and in lieu thereof insert the following:

14. In counties of this class township officers shall receive the following compensation: For the purpose of fixing their compensation according to their duties, townships in counties of this class are hereby classified according to population as follows: Townships having a population of four thousand or more shall belong to and be known as townships of the first class; townships having a population of less than four thousand shall belong to and be known as townships of the second class. For the purpose of determining the population of townships, the population shall be determined by the United States census taken in the year 1930.

AMENDMENT NUMBER THREE.

On pages 3 and 4 of the printed bill, strike out all of section 15, and in lieu thereof insert the following:

15. Justices of the peace shall receive the following salaries: In townships of the first class, one hundred twenty-five dollars per month; in townships of the second class twenty dollars per month. Such salaries shall be paid at the same time and in the same manner as the salaries of county officers are paid. All fees received by justices of the peace shall be paid into the county treasury each month.

AMENDMENT NUMBER FOUR.

On page 2, line 24, of the printed bill, strike out the word "five", and insert in lieu thereof the following: "eight".

AMENDMENT NUMBER FIVE.

On page 5, lines 36 and 37, of the printed bill, strike out the words "said county of Sutter", and insert in lieu thereof the following: "counties of this class".

The question being: Shall the Senate concur in Assembly amendments to Senate Bill No. 865?

The roll was called, and Assembly amendments to Senate Bill No. 865 concurred in by the following vote:

AYES—Senators Baker, Breed, Cassidy, Christian, Clock, Crittenden, Duval, Edwards, Evans, Fellom, Hays, Inman, McCormack, Mixter, Moran, Pedrotti, Rich, Riley, Treacy, Tubbs, Waggy, and Williams—22.

NOES—None.

Senate Bill No. 865 ordered to print, and enrollment.

CONSIDERATION OF ASSEMBLY AMENDMENTS.

The Senate took up for consideration Assembly amendments to Senate Bill No. 231—An act to amend sections 542*a* and 560 of the Code of Civil Procedure, relating to attachment.

ASSEMBLY AMENDMENTS TO SENATE BILL NUMBER TWO HUNDRED THIRTY-ONE.

AMENDMENT NUMBER ONE.

In line 1 of the title of the printed bill, following the number "542*a*", insert a comma, and the following: "542*b*".

AMENDMENT NUMBER TWO.

On page 2 of the printed bill, following line 4, insert the following:

"Sec. 2. Section 542*b* of the Code of Civil Procedure is hereby amended to read as follows:

542*b*. An attachment or garnishment on personal property, whether heretofore levied or hereafter to be levied shall, unless sooner released or discharged, cease to be of any force or effect, and the property levied on be released from the operation of such attachment or garnishment, at the expiration of three years after the issuance of the writ of attachment under which said levy was made; and the property levied on shall be delivered to the defendant or his order, or to his assignee or executor or administrator."

AMENDMENT NUMBER THREE.

On page 2, line 5, of the printed bill, strike out the figure "2", and insert in lieu thereof the figure "3".

The question being: Shall the Senate concur in Assembly amendments to Senate Bill No. 231?

The roll was called, and Assembly amendments to Senate Bill No. 231 concurred in by the following vote:

AYES—Senators Baker, Breed, Cassidy, Christian, Cloek, Crittenden, Duval, Edwards, Evans, Fellom, Harper, Hays, Ingels, Inman, Maloney, McCormack, Mixter, Moran, Pedrotti, Rich, Riley, Swing, Tubbs, Wagy, and Williams—25.

NOES—None.

Senate Bill No. 231 ordered to print, and enrollment.

THIRD READING OF SENATE BILLS—RESUMED.

Senate Bill No. 384—An act to repeal articles I, II, III, IV, V and IX, embracing respectively, sections 2.670 to 2.674, both inclusive, of the School Code; sections 2.680 to 2.684, both inclusive, sections 2.690 to 2.693, both inclusive, sections 2.700 to 2.710, both inclusive, sections 2.720 to 2.728, both inclusive, section 2.760, all of chapter XI of part I of division II of the School Code; to repeal article II, embracing sections 2.1130 and 2.1131, both inclusive, of chapter V of part II of division II of the School Code; to repeal sections 2, 3, and 4 of chapter 433 of the Statutes of 1929, entitled "An act relating to the formation, suspension and support of junior college districts and the powers of governing boards thereof," approved May 23, 1929; to repeal article II, embracing sections 3.370 to 3.374, both inclusive, of chapter VI of part III of division III of the School Code; to repeal article VIII, embracing sections 2.750 to 2.753, both inclusive, of chapter XI of part I of division II of the School Code; to add new articles to chapter XI of part I of division II of the School Code to be known as articles I, II, and IX, embracing respectively sections 2.670 to 2.677, both inclusive; sections 2.680 to 2.689, both inclusive; section 2.760; to add a new article to chapter V of part II of division II of the School Code to be known as article II, embracing sections 2.1130 and 2.1131; to add new sections to the School Code to be numbered 4.943 and 4.944; and to amend sections 2.740, 2.741, 2.742, 2.1121, 2.1140, 2.1150, 2.1160, 2.1170,

4.941 and 4.942, all relating to the formation, suspension, reestablishment, lapsation, government and support of junior college districts.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Senate Bill No. 384 passed by the following vote:

AYES—Senators Baker, Breed, Cassidy, Christian, Cleveland, Clock, Duval, Edwards, Evans, Fellow, Harper, Hays, Ingels, Inman, Maloney, McCormack, Mixer, Moran, Pedrotti, Rich, Riley, Schottky, Sharkey, Slater, Swing, Treacy, Tubbs, Wagy, and Williams—29.

NOES—None.

Title read and approved.

Bill ordered transmitted to the Assembly.

Senate Bill No. 504—An act to amend section 394 of the Code of Civil Procedure, relating to the place of trial of actions or proceedings to which a county, city and county or city is a party.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Senate Bill No. 504 passed by the following vote:

AYES—Senators Baker, Breed, Bush, Christian, Cleveland, Clock, Duval, Edwards, Evans, Harper, Hays, Ingels, Inman, McCormack, Mixer, Moran, Pedrotti, Rich, Riley, Schottky, Sharkey, Slater, Swing, Treacy, Tubbs, Wagy, and Williams—27.

NOES—Senator Fellow—1.

Title read and approved.

Bill ordered transmitted to the Assembly.

Senate Bill No. 731—An act defining cemetery and the various words and terms used in connection therewith, providing for the permanency of cemeteries by limiting their operation to corporations of unlimited existence, authorizing the operation of cemeteries for or without profit, prohibits crematories without provision for completing final interment of the cremated remains, provides for the acquisition of cemetery property, the dedication thereof to cemetery purposes, declares dedication supreme until removed by decree of court, exempts dedicated cemetery property from condemnation and from public improvement assessment, declares liens subject to dedication, provides for the sale of dedicated cemetery property for interment purposes, authorizes its sale subject to conditions and restrictions imposed by owner, defines the property rights of plot owners and the alienable and inalienable character of burial plots, provides for joint ownership and joint ownership representation, authorizes the establishing and enforcing of rules and regulations for cemetery government, authorizes perpetual care and the establishment of irreducible perpetual care funds, provides how perpetual care shall be administered, provides how and in what securities perpetual care funds shall be invested, authorizes the sale through court proceedings of surplus road and other space in cemeteries without perpetual care for purpose of providing a perpetual care fund therefor, authorizes special care of cemetery property and the administration of funds contributed therefor, specifies upon whom the right to control the disposition of remains and the duty of interring devolves, authorizes the payment for burial plot and memorial out of estate, requires records to be made and kept of the final disposition of all remains and of all

removals thereof, prohibits vandalism and prescribes punishment therefor, provides method for removal of dedication through court proceedings, confers police power upon sextons and superintendents, makes sales under misrepresentations a misdemeanor, recognizes and adopts by reference the Mausoleum Construction Act, exempts certain religious and public cemeteries from operation of act, defines scope of act, repeal the Rural Cemetery Corporation Act adopted in 1859, and all acts amendatory and supplementary thereof, repeals sections 608, 609, 610, 611, 612, 613, 614, 615, 616 and 617 of the Civil Code, repeals sections 292, 294, 296 and 297 of the Penal Code, repeals all acts and parts of acts in conflict therewith, and declares the constitutionality of the acts and all parts thereof.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Senate Bill No. 731 passed by the following vote:

AYES—Senators Baker, Breed, Bush, Carter, Christian, Cleveland, Clock, Duval, Edwards, Evans, Harper, Hays, Ingels, Inman, Jones, Maloney, McCormack, Mixter, Moran, Pedrotti, Rich, Schottky, Sharkey, Slater, Swing, Treacy, Wagy, and Williams—28.

NOES—None.

Title read and approved.

Bill ordered transmitted to the Assembly.

Senate Bill No. 8—An act to amend section 67a of the Code of Civil Procedure, relating to the superior court in counties of the first class, increasing the number of judges thereof.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Senate Bill No. 8 passed by the following vote:

AYES—Senators Baker, Breed, Bush, Carter, Cassidy, Christian, Cleveland, Clock, Duval, Edwards, Evans, Fellom, Harper, Hays, Ingels, Inman, Jones, Maloney, McCormack, McKinley, Mixter, Moran, Pedrotti, Rich, Riley, Schottky, Sharkey, Slater, Swing, Treacy, Tubbs, Wagy, and Williams—33.

NOES—None.

Title read and approved.

Bill ordered transmitted to the Assembly.

MOTION TO RECONSIDER.

Pursuant to his notice given on a previous day, Senator Fellom moved to reconsider the vote whereby Senate Bill No. 138—An act to add a new article to chapter 3 of title 1 of part III of the Political Code, to be numbered article 11a, embracing sections 360 to 360g, both inclusive, and repealing sections 363k, 363l and 363m of the Political Code, relating to a Department of Motor Vehicles—was refused passage.

The question being on the motion to reconsider.

The roll was called, and the motion to reconsider the vote whereby Senate Bill No. 138 was refused passage carried by the following vote:

AYES—Senators Baker, Breed, Bush, Carter, Cassidy, Clock, Duval, Edwards, Evans, Fellom, Harper, Hays, Ingels, Inman, Jones, Maloney, McCormack, McKinley, Mixter, Moran, Pedrotti, Rich, Riley, Rochester, Schottky, Sharkey, Slater, Swing, Treacy, Tubbs, Wagy, and Williams—32.

NOES—Senators Christian, and Cleveland—2.

MOTION TO REFER TO SPECIAL COMMITTEE OF ONE.

During third reading of the bill, Senator Swing moved to refer Senate Bill No. 138 to Senator Sharkey, as a Special Committee of One, to amend as follows:

AMENDMENT NUMBER ONE.

On page 4, line 26, of the printed amended bill, following the period after the word "clerk", add the following: "No person shall be eligible for any such appointment unless he shall have been a resident of the county in which he is to serve at least six months prior to the date of his appointment."

AMENDMENT NUMBER TWO.

On page 4, line 44, of the printed amended bill, insert the following: "The chief of the division whenever in his opinion an emergency in the enforcement of this act exists, is hereby authorized to assign the members of the "California highway patrol" for service in any portion of the state; *provided, however*, that no member of the "California highway patrol" appointed to serve in any county shall be assigned for service outside said county for a longer period than one week, without the consent of the board of supervisors of that county."

REPORT OF SPECIAL COMMITTEE OF ONE.

SENATE CHAMBER, SACRAMENTO, MAY 4, 1931.

MR. PRESIDENT: Your Special Committee of One, to which was referred Senate Bill No. 138, with instructions to amend, respectfully reports the same back, amended as per instructions.

SHARKEY, Committee.

Report read, and on motion of Senator Swing adopted.

MOTION TO REFER TO SPECIAL COMMITTEE OF ONE.

During third reading of the bill, Senator Breed moved to refer Senate Bill No. 138 to Senator McKinley, as a Special Committee of One, to amend as follows:

AMENDMENT NUMBER ONE.

In line 3 of the title of the printed bill, strike out the numeral "360g", and insert in lieu thereof "360d".

AMENDMENT NUMBER TWO.

On page 1 of the printed bill, strike out lines 7 to 19, both inclusive, and on page 2, strike out lines 1 to 34, both inclusive, and insert in lieu thereof the following:

"360. There is hereby created in the department of public works an additional division to be known as the division of motor vehicles. This division shall be in charge of a chief who shall be appointed by and hold office at the pleasure of the governor, shall receive a salary of five thousand dollars per annum and before entering upon the duties of his office shall execute an official bond to the State of California in the penal sum of twenty-five thousand dollars. The chief of the division of motor vehicles, with the approval of the director of the department of public works, may appoint a deputy chief and a secretary whose salaries shall be fixed by the director of the department of public works, which positions are hereby declared to be exempt from the provisions of the civil service law.

360a. There is hereby created in the department of public works an additional division to be known as the California highway patrol. This division shall be in charge of a chief who shall be appointed by and hold office at the pleasure of the governor, shall receive a salary of seven thousand two hundred dollars per annum and before entering upon the duties of his office shall execute an official bond to the State of California in the penal sum of twenty-five thousand dollars."

AMENDMENT NUMBER THREE.

On page 2, line 35, of the printed bill, strike out the letter "(b)", and insert in lieu thereof the numeral "360b".

AMENDMENT NUMBER FOUR.

On page 2, line 36, of the printed bill, after the word "director", insert the words "of the department of public works".

AMENDMENT NUMBER FIVE.

On page 2, line 41, of the printed bill, after the word "director", strike out the comma, and insert the words "of the department of public works,".

AMENDMENT NUMBER SIX.

On page 3, line 2, of the printed bill, after the word "director", strike out the comma, and insert the words "of the department of public works,".

AMENDMENT NUMBER SEVEN.

On page 3, line 7, of the printed bill, after the word "director", strike out the comma, and insert the words "of the department of public works".

AMENDMENT NUMBER EIGHT.

On page 3, line 8, of the printed bill, strike out the words "motor vehicles", and insert in lieu thereof the words "public works".

AMENDMENT NUMBER NINE.

On page 3, line 18, of the printed bill, strike out the word "division", and insert in lieu thereof the word "patrol".

AMENDMENT NUMBER TEN.

On page 3, line 25, of the printed bill, strike out the word "division", and insert in lieu thereof the words "California highway patrol".

AMENDMENT NUMBER ELEVEN.

On page 3, line 35, of the printed bill, strike out the word "division", and insert in lieu thereof the words "chief of the patrol".

AMENDMENT NUMBER TWELVE.

On page 3, line 52, of the printed bill, after the word "established", add the following: "Applicants for such examination shall be subject to the provisions of the civil service act."

AMENDMENT NUMBER THIRTEEN.

On page 4, line 34, of the printed bill, strike out the words "motor vehicles", and insert in lieu thereof the words "the department of public works".

AMENDMENT NUMBER FOURTEEN.

On page 5, line 1, of the printed bill, strike out the words "motor vehicles", and insert in lieu thereof the words "the department of public works".

AMENDMENT NUMBER FIFTEEN.

On page 5, line 11, of the printed bill, strike out the word "division", and insert in lieu thereof the words "California highway patrol".

AMENDMENT NUMBER SIXTEEN.

On page 5, line 33, of the printed bill, strike out the words "division of enforcement", and insert in lieu thereof the word "patrol".

AMENDMENT NUMBER SEVENTEEN.

On page 5 of the printed bill, strike out lines 36 to 51, both inclusive, and insert in lieu thereof the following:

"360c. The department of public works, the director of said department, the division of motor vehicles and the chief of said division, the California highway patrol and the chief of said patrol shall as provided in sections 360 to 360b and in this section, respectively, succeed to and they are hereby vested with all the duties, powers, purposes, responsibilities and jurisdiction of all those several offices and departments as described and referred to in section 363l and section 363m of the Political Code, as enacted by chapter 318, statutes of 1929."

AMENDMENT NUMBER EIGHTEEN.

On page 6 of the printed bill, strike out lines 1 to 52, both inclusive, and on page 7, strike out lines 1 to 3, both inclusive.

AMENDMENT NUMBER NINETEEN.

On page 7, line 4, of the printed bill, strike out the numeral "360g", and insert in lieu thereof the numeral "360d".

AMENDMENT NUMBER TWENTY.

On page 7, line 4, of the printed bill, strike out the words "motor vehicles is", and insert in lieu thereof the following: "public works, the division of motor vehicles and the California highway patrol are".

AMENDMENT NUMBER TWENTY-ONE.

On page 7, line 13, of the printed bill, strike out "depart-", and in line 14 strike out "ment", and insert in lieu thereof the word "division".

DIVISION OF AMENDMENT.

Senator Breed moved that the Senate consider Amendment No. 2, as offered in his motion to refer Senate Bill No. 138 to Senator McKinley, as a Special Committee of One, for amendment.

Motion carried.

AYES AND NOES DEMANDED.

A roll call was demanded by Senators McKinley, Maloney, and Edwards, on amendment No. 2, in Senator Breed's amendments, as offered in his motion to refer Senate Bill No. 138 to Senator McKinley, as a Special Committee of One, for amendment.

The roll was called, and amendment No. 2 refused adoption by the following vote:

AYES—Senators Breed, Christian, Cleveland, Duval, Edwards, Hays, Jones, McCormack, McKinley, Moran, Nelson, Schottky, Slater, Wagy, and Williams—15.

NOES—Senators Baker, Bush, Carter, Cassidy, Clock, Crittenden, Evans, Fellom, Harper, Ingels, Inman, Maloney, Mixer, Pedrotti, Rich, Riley, Rochester, Sharkey, Swing, Treacy, and Tubbs—21.

WITHDRAWAL OF AMENDMENTS.

Senator Breed asked unanimous consent to withdraw his amendments as offered in his motion to refer Senate Bill No. 138 to Senator McKinley, as a Special Committee of One, for amendment.

Unanimous consent granted.

Senate Bill No. 138 ordered to print, and engrossment.

RUSH ORDER TO PRINTER.

Senator Fellom moved, seconded by Senator Tubbs, that the Secretary be directed to issue a rush order for printing Senate Bill No. 138.

Motion carried.

RECESS.

On motion of Senator Carter, at four o'clock p.m., the President of the Senate declared recess until four o'clock and ten minutes p.m., to hear remarks by Congressman Joe Crail of the Tenth Congressional District

RECONVENED.

At four o'clock and ten minutes p.m., the Senate reconvened.

Lieutenant Governor Frank F. Merriam, President of the Senate, in the chair.

Minute Clerk Harold J. Powers at the desk.

CONSIDERATION OF DAILY FILE.

SECOND READING OF SENATE BILLS—(RESUMED).

Senate Bill No. 107—An act providing for the erection and maintenance of a monument to the memory of Chief Solano, to be erected in Solano County, and making an appropriation therefor.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Senate Bill No. 107 passed by the following vote:

AYES—Senators Breed, Bush, Cassidy, Cleveland, Clock, Crittenden, Duval, Edwards, Evans, Fellom, Harper, Ingels, Inman, Maloney, McCormack, Mixer, Nelson, Pedrotti, Riley, Schottky, Sharkey, Slater, Swing, Treacy, Wagy, and Williams—26.

NOES—Senators Baker, Carter, Hays, Moran, Rich, and Rochester—6.

Title read and approved.

Bill ordered transmitted to the Assembly.

Senate Bill No. 822—An act making appropriation to meet the deficiency in the appropriation for the Bureau of Commerce of the Department of Finance.

On motion of Senator Duval, Senate Bill No. 822 was ordered re-referred to the Committee on Finance.

Senate Bill No. 738—An act creating a Tax Research Bureau in the office of the State Board of Equalization, under the joint supervision of the Governor, Director of Finance and members of said board, for investigation of matters relating to revenue, taxation and public finance; prescribing the powers and duties of said officials in relation to such bureau, providing for reports and recommendations relating to revenue, taxation and public finance and making an appropriation therefor.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Senate Bill No. 738 passed by the following vote:

AYES—Senators Baker, Breed, Bush, Carter, Cassidy, Christian, Clock, Crittenden, Edwards, Evans, Harper, Hays, Inman, Jones, Maloney, McCormack, McKinley, Moran, Nelson, Pedrotti, Rich, Riley, Schottky, Sharkey, Slater, Swing, Waggy, and Williams—28.

NOES—None.

Title read and approved.

Bill ordered transmitted to the Assembly.

Senate Bill No. 315—An act to amend section 456 of the Political Code, relating to the employees in the office of the State Treasurer, and fixing their salaries.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Senate Bill No. 315 passed by the following vote:

AYES—Senators Baker, Breed, Carter, Cassidy, Crittenden, Duval, Edwards, Evans, Harper, Maloney, McCormack, McKinley, Mixter, Nelson, Pedrotti, Rich, Sharkey, Slater, Swing, Treacy, and Tubbs—21.

NOES—Senators Bush, Christian, Hays, Inman, Moran, Rochester, Schottky, Waggy, and Williams—9.

Title read and approved.

Bill ordered transmitted to the Assembly.

Senate Bill No. 260—An act to add a new part to division V of the School Code to be known as part VI, embracing sections 5.1200 to 5.1470, both inclusive, providing for the establishment and creation of the California State Teachers' Retirement System, the creation and establishment of a board to manage and operate said system, for contributions from teachers and the State of California for the operation and maintenance of said system; and to repeal part IV of division V of the School Code, embracing sections 5.800 to 5.1083, both inclusive; chapter 62 of the Statutes of 1929 entitled "An act relating to the retirement of teachers in schools for the blind, schools for the deaf and in special classes maintained for the deaf, the hard of hearing, the blind, or the semisighted," approved April 6, 1929; and chapter 887 of the Statutes of 1929 entitled "An act relating to retirement salaries of teachers and other employees employed in the public schools of this

State and educational institutions supported in whole or in part by the State," approved June 19, 1929.

Bill read third time.

MOTION TO REFER TO SPECIAL COMMITTEE OF ONE.

During third reading of the bill, Senator Evans moved to refer Senate Bill No. 260 to Senator Hays, as a Special Committee of One, to amend as follows:

AMENDMENT NUMBER ONE.

On page 10, line 52, of the printed bill, as amended in Senate April 8, 1931, after the word "to", insert the word "thirty".

Motion carried.

REPORT OF SPECIAL COMMITTEE OF ONE.

SENATE CHAMBER, SACRAMENTO, May 4, 1931.

MR. PRESIDENT: Your Special Committee of One, to which was referred Senate Bill No. 260, with instructions to amend, respectfully reports the same back, amended as per instructions.

HAYS, Committee.

Report read, and on motion of Senator Evans adopted.

Bill ordered to print, and re-engrossment.

Senate Bill No. 129—An act to repeal title I and title II of part IV of division III of the Civil Code; to repeal sections 1083, 1136, 1140, 1141, 1142, 3049, 3078, 3079, 3080, 3308, 3309, 3310, 3311, 3312, 3313, and 3314 of said code; to amend sections 1612, 1613, 1624, 1689, and 3387 of said code; to add a new title I of part IV of division III of said code in place thereof consisting of sections 1721 to 1800, both inclusive; and to add a new section to said code to be known as section 1624a, all relating to sale of goods; to amend section 36 of said code relating to disaffirmance by minor; to amend section 658 of said code relating to real property; to amend section 660 of said code relating to fixtures; to add a new section to said code to be known as section 35a, relating to minors and to add three new sections to said code to be known as sections 1097, 1098 and 1099, relating to real property, and to make the law of sale of goods in the State of California uniform with the law of other states.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Senate Bill No. 129 passed by the following vote:

AYES—Senators Baker, Breed, Bush, Cassidy, Christian, Cleveland, Clock, Crittenden, Duval, Edwards, Evans, Fellom, Harper, Hays, Inman, Jones, Maloney, McKinley, Mixer, Moran, Nelson, Pedrotti, Rich, Rochester, Schottky, Sharkey, Slater, Treacy, Tubbs, Wagy, and Williams—31.

NOES—None.

Title read and approved.

Bill ordered transmitted to the Assembly.

Senate Bill No. 130—An act to amend section 1973 of the Code of Civil Procedure, and to add to said code a new section to be numbered 1973a, relating to agreements in writing.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Senate Bill No. 130 passed by the following vote:

AYES—Senators Baker, Breed, Bush, Carter, Cassidy, Christian, Cleveland, Clock, Crittenden, Edwards, Evans, Fellom, Harper, Hays, Ingels, Maloney, McKinley, Mixer, Moran, Nelson, Pedrotti, Rich, Rochester, Schottky, Sharkey, Slater, Swing, Trency, Tubbs, Wagy, and Williams—31.

NOES—None.

Title read and approved.

Bill ordered transmitted to the Assembly.

Senate Bill No. 460—An act to amend sections 3, 6, 9, 12, and 17 of, and to add two new sections numbered 6a and 25, respectively, to an act entitled "An act declaring the policy of the State of California relative to toll bridges and creating a board to be known as California Toll Bridge Authority and providing for membership thereof and specifying its duties and powers; also authorizing California Toll Bridge Authority to authorize and direct the Department of Public Works of the State of California to build, purchase, condemn or otherwise acquire for and in the name of the State of California toll bridges and other toll highway crossings and approaches thereto across waters, bays, arms of bays, straits, rivers and streams in California, both navigable and unnavigable or across any stream that is a boundary line between California and any other state, and to acquire franchises, rights, privileges, easements or other property either real or personal, used or to be used in conjunction with any such bridges; also authorizing the Department of Public Works to make recommendations to the California Toll Bridge Authority relative to the acquisition or construction of any toll bridge or toll highway crossing and to submit preliminary estimates of the cost of such acquisition or construction and the amount of revenue bonds required to be issued for such purpose; also authorizing California Toll Bridge Authority to issue and to sell revenue bonds to provide funds for the acquisition or construction of toll bridges or other toll highway crossings secured as to the redemption thereof and the interest thereon only by the tolls or other revenues received from such bridge or bridges or other highway crossings and to prescribe the terms and conditions of such bonds; also authorizing the issuance and sale of such revenue bonds for the payment of interest during the period of actual construction of such bridge or other highway crossing and for a period of six months thereafter; also providing for the manner in which such bonds shall be issued and signed and the manner of sale and redemption thereof and the payment of interest thereon; also authorizing said California Toll Bridge Authority to charge and fix the rates of toll on such bridges or other highway crossings and regulating the amount thereof; also authorizing the Department of Public Works of the State of California to operate and maintain all such toll bridges or other toll highway crossings and to collect tolls thereon; also authorizing the Department of Public Works to acquire by eminent domain any toll bridge or bridges or other toll highway crossing or approaches thereto, real estate, personal property, franchises, rights, privileges or easements appurtenant thereto or appropriated to a public use by any person, firm or private corporation or otherwise and defining the procedure therefor; also providing that bonds issued and sold by California Toll Bridge Authority shall not constitute or be a debt or general obligation of the State and shall be secured only by the tolls or other revenues collected from the operation of such bridges or other

highway crossings and shall be paid from such tolls or revenues made available by this act; also authorizing any city, county, city and county, incorporated city or town, or joint highway district to advance or contribute money, rights of way, labor, materials or other property in aid of the acquisition, construction, operation or maintenance of any such bridge or highway crossing and to issue and sell general obligation bonds for such purpose; also authorizing the California Toll Bridge Authority to enter into agreements with any such political subdivisions for the repayment of contributions or advances; and providing the time and manner of making such repayments; also providing for the eliminations of toll charges on bridges or other highway crossings acquired and constructed under this act; also defining the limits within which other competitive bridges or other highway crossings or free ferries may be constructed or operated; and also authorizing the recital of the terms of such limitations in bonds issued hereunder; also creating and establishing certain funds and regulating the manner in which moneys may be withdrawn therefrom; also prescribing the manner in which any city, county, city and county, incorporated bridge and highway district or joint highway district may acquire or construct toll bridges or other toll highway crossings; also authorizing California Toll Bridge Authority to make agreements with steam and electric or other railroad or transportation companies for the use of portions of toll bridges or other highway crossings acquired or constructed under this act; also providing for the manner in which contracts shall be let for the building of bridges or other highway crossings; also empowering the Department of Public Works to designate certain county roads as State highways; also authorizing the acquisition or construction of tubes or tunnels in connection with such bridges or other highway crossings; also authorizing casualty insurance, indemnity bonds or accident insurance on bridges and other highway crossings constructed under this act; also giving, dedicating and setting apart rights of way through, over, on and across State property for the construction of such toll bridges or other toll highway crossings; also appropriating \$50,000 for the purpose of establishing a revolving fund and providing for the use thereof and the manner of reimbursements thereto," approved June 10, 1929, relating to bonds.

MOTION TO REFER TO SPECIAL COMMITTEE OF ONE.

During third reading of the bill, Senator Fellom moved to refer Senate Bill No. 460 to Senator Tubbs, as a Special Committee of One, to amend as follows:

AMENDMENT NUMBER ONE.

Strike out line 2 of the title on page 1 of the printed bill, as amended April 30, 1931, and insert in lieu thereof the following: "a new section numbered 25 to an".

AMENDMENT NUMBER TWO.

On page 6 of the printed bill, as amended April 30, 1931, strike out all of lines 44 to 52, inclusive, and insert in lieu thereof the following: "the law merchant. All bonds issued and sold under or by authority of this act shall be sold on sealed proposals to the highest and best bidder after such advertising for bids as the California toll bridge authority may deem proper; *provided, however*, said authority may reject any and all bids so submitted and may thereafter sell such bonds so advertised for sale at private sale under such terms and conditions as said authority may deem most".

AMENDMENT NUMBER THREE.

On page 8 of the printed bill, as amended April 30, 1931, after the comma in line 1, insert the word "and".

Motion carried.

REPORT OF SPECIAL COMMITTEE OF ONE.

SENATE CHAMBER, SACRAMENTO, May, 4, 1931.

MR. PRESIDENT: Your Special Committee of One, to which was referred Senate Bill No. 460, with instructions to amend, respectfully reports the same back, amended as per instructions.

TUBBS, Committee.

Report read, and on motion of Senator Fellom adopted.

Bill ordered to print, and re-engrossment.

CONSIDERATION OF DAILY FILE.

THIRD READING OF ASSEMBLY BILLS.

Assembly Bill No. 121—An act to amend sections 1 and 2 of an act entitled "An act fixing the price, terms and conditions of sale at which jute goods shall be sold by the State, and providing for prosecution of and punishment of offenses under the same," approved May 19, 1927, relating to the sale of jute goods and providing that this act shall take effect immediately.

Bill read third time.

URGENCY CLAUSE.

SEC. 3. This act is hereby declared to be an urgency measure necessary for the immediate preservation of the public peace, health and safety, within the meaning of section 1 of article IV of the constitution of the State of California and shall take effect immediately. The following is the statement of facts constituting such urgency.

The present economic conditions and conditions of drought do not assure the direct sale of bags to consumers, and the State has been, now is, and, until the taking effect of this act, will be unable to sell or dispose of a supply of jute goods now on hand. The State now has in stock over \$250,000 worth of such jute goods, which it is the purpose and effect of this act to enable the State, acting through its Board of Prison Directors, to sell, in order that the moneys now invested in said goods may be rendered available to continue the operation of the State Prison jute mill, thereby avoiding unemployment of a portion of the prison population.

Urgency clause read.

The question being on the adoption of the urgency clause.

The roll was called, and the urgency clause adopted by the following vote:

AYES—Senators Baker, Breed, Carter, Cassidy, Christian, Cleveland, Clock, Crittenden, Duval, Edwards, Evans, Fellom, Harper, Hays, Ingels, Inman, Jones, Maloney, McCormack, McKinley, Mixer, Nelson, Peloroti, Rochester, Sharkey, Slater, Swing, Treacy, Tubbs, Wagy, and Williams—31.

NOES—None.

The question being on the passage of the bill.

The roll was called, and Assembly Bill No. 121 passed by the following vote:

AYES—Senators Baker, Breed, Carter, Cassidy, Christian, Cleveland, Clock, Crittenden, Duval, Edwards, Evans, Fellom, Harper, Hays, Ingels, Inman, Maloney, McCormack, McKinley, Mixer, Moran, Nelson, Peloroti, Rien, Rochester, Sharkey, Slater, Swing, Treacy, Tubbs, Wagy, and Williams—32.

NOES—None.

Title read and approved.

Bill ordered transmitted to the Assembly.

PRESENTATION OF PETITION—(OUT OF ORDER).

The following petition was presented, and ordered printed in the Journal:

By Senator Crittenden:

CALIFORNIA STATE EMPLOYEES' ASSOCIATION.
SACRAMENTO, CALIFORNIA, May 4, 1931.

To the Legislature of the State of California.

GENTLEMEN: In pursuance with an understanding had with the Senate Finance Committee at the time Senate Bill No. 682 was passed out by the committee with

recommendation for passage, we the undersigned, officers of the California State Employees' Association and of the State Employees Retirement Campaign Committee, hereby give our assurance that no request will be made by the State Employees' Association to increase the rates of contribution on the part of the State for the purpose of carrying out the retirement system provided in Senate Bill No. 683, as amended in the Senate on April 9, 1931. We believe that the act as submitted is actuarially sound, and that it is a fair agreement between the State and its employees.

Respectfully submitted.

THOS. E. STANTON, JR., President,
California State Employees' Association and Chairman,
State Employees Retirement Campaign Committee.

E. J. CALLAN, Vice President,
California State Employees' Association, and Vice Chairman,
State Employees Retirement Campaign Committee.

EARL W. CHAPMAN, Secretary,
California State Employees' Association.

F. A. TAYLOR, Secretary,
State Employees Retirement Campaign Committee.

REPORTS OF STANDING COMMITTEES—(RESUMED).

The following reports of standing committees were received and read:

ON MUNICIPAL CORPORATIONS.

SENATE CHAMBER, SACRAMENTO, May 4, 1931.

MR. PRESIDENT: Your Committee on Municipal Corporations, to which was referred Assembly Bill No. 438—An act to provide for the funding and refunding of the indebtedness of, and for the issue and sale or exchange of funding bonds and the retirement of outstanding bonds of districts organized under and in pursuance of the Acquisition and Improvement Act of 1925, and to provide for payment of such bonds and for proceedings to test the validity of the same, and for such funding or refunding to levy assessments and reassessments and enforce the liens thereof—has had the same under consideration, and respectfully reports the same back with amendments, and recommends that the amendments be adopted, and that it be re-referred to this committee.

Committee membership—10.

(Signed out)

HARPER, Chairman.
BUSH.
CARTER.
CHRISTIAN.
FELLOM.
MIXTER.
ROCHESTER.
TREACY.

CONSIDERATION OF COMMITTEE AMENDMENTS.

Pursuant to the report of the Committee on Municipal Corporations, the following amendments to Assembly Bill No. 438 were read and adopted:

AMENDMENT NUMBER ONE.

In line 7 of the title of the printed amended bill, strike out the word "same", and insert in lieu thereof the words "refunding proceeding".

AMENDMENT NUMBER TWO.

On page 2, line 10, of the printed amended bill, strike out the period, and add to said line 10 the words ", which have not been repaid.", and on the same page, line 38, after the word "in", add the word "writing", and on page 3, line 17, after the semicolon, add the words "and may proceed to levy a reassessment and issue refunding bonds as in this act provided;".

AMENDMENT NUMBER THREE.

On page 3, line 28, of the printed amended bill, following the period insert "When fifty per cent or more of the special assessment tax levied in any year for the payment of the interest or the principal and interest of outstanding bonds of any district formed under the provisions of said acquisition and improvement act is delinquent and has been delinquent for at least ninety days, if said legislative body determines that the public necessity, convenience and interest require the refunding of the unpaid bonds and unpaid loans of such district, it shall proceed therewith as provided in this act; *provided*, all owners of the unpaid bonds of said district file the agreement in writing provided in this section. And if, in such case of fifty per cent or more unpaid special assessment tax, the owners of a majority in area of the

lands upon which the special assessment tax was levied petition for such refunding and all owners of unpaid bonds file their said agreement assenting thereto, such legislative body shall proceed with such refunding and reassessment under the provisions of this act. If seventy-five per cent or more of said special assessment tax levied in any year upon the lands in any such district is delinquent and has been delinquent for at least ninety days, said legislative body shall proceed to refund the unpaid bonds and unpaid loans of such district under the provisions of this act and to levy the reassessment therefor; *provided*, all owners of the unpaid bonds of such district file the agreement in writing provided in this section."

AMENDMENT NUMBER FOUR.

On page 3, line 35, of the printed amended bill, after the figure "3", insert the words "of this act", and on the same page, add to line 41, the following: "said agreements and petitions shall be filed with", and in line 42, after the word "county", insert the words "and it".

AMENDMENT NUMBER FIVE.

On page 4, line 47, of the printed amended bill, strike out the figure "7", and insert in lieu thereof the word "nine".

AMENDMENT NUMBER SIX.

On page 5, line 3, of the printed amended bill, following the words "prior to", insert the words "or concurrently with", and on the same page, line 19, strike out the figure "7", and insert in lieu thereof the word "nine"; on the same page, line 25, strike out everything after the period; strike out all of lines 26, 27, 28 and the following matter in line 29: "been subdivided in proportion to the area thereof"; on the same page, line 37, following the word "value", and before the word "shall", insert the words "shall be subject to objection or protest and to change or modification at the hearing herein provided and as made or as changed at such hearing"; on the same page, line 38, strike out the period and insert in lieu thereof the words ", and the reassessment shall be apportioned upon such parcel in proportion to such assessed value."; on the same page, line 39, strike out the word "herein", and insert in lieu thereof the words "in this act".

AMENDMENT NUMBER SEVEN.

On page 6, line 16, of the printed amended bill, following the word "value", and before the word "shall", insert the words "shall be subject to objection or protest and to modification or change at the hearing herein provided and as made or as changed or modified"; on the same page, line 24, strike out the words "authorized to be assessed", and insert in lieu thereof the words "that may lawfully be assessed"; on the same page, line 26, following the word "and", insert the words "that was"; on the same page, line 46, following the word "reassessment", insert the words "for any lot, piece or parcel of land"; on the same page, line 47, strike out the words "paid for by", and insert in lieu thereof the words "levied against"; on the same page, line 48, following the period insert the words "Said reassessment shall be filed with the clerk of the legislative body."

AMENDMENT NUMBER EIGHT.

On page 7, line 37, of the printed amended bill, strike out the word "said", and insert in lieu thereof the word "same"; and on the same page, line 44, strike out the word "of", and insert in lieu thereof the words "the said ----- (designating the legislative body) will hold the"; on the same page, line 47, after the word "reassessment", insert a comma.

AMENDMENT NUMBER NINE.

On page 8, line 2, of the printed amended bill, strike out the word "the", which follows the words "title of", and insert in lieu of said "the", the word "this".

AMENDMENT NUMBER TEN.

On page 8, line 19, of the printed amended bill, strike out the period, and insert in lieu thereof the words ", and if there is no newspaper of general circulation published in such city, then in a newspaper published in the county in which said city lies."; on the same page, line 23, strike out all words following the period; strike out all of line 24; strike out in line 25 the words "notice shall be given by posting copies thereof", and insert in lieu thereof the words "Copies of such notice shall also be posted"; on the same page, line 30, strike out the word "or", and insert in lieu thereof the word "and"; on the same page, line 33, strike out "davit", and insert in lieu thereof "davits", and in the same line 33, strike out the word "or", and insert in lieu thereof the word "and".

AMENDMENT NUMBER ELEVEN.

On page 9, line 2, of the printed amended bill, strike out the word "made"; on the same page, line 33, strike out the words "it shall deem", and insert in lieu thereof the words "may be".

AMENDMENT NUMBER TWELVE.

On page 10, line 1, of the printed amended bill, strike out the comma and on the same page, line 2, after the word "filed", insert a comma; on the same page, line 12,

following the word "that", insert the words "said reassessment and"; on the same page, line 14, strike out the comma following the word "failure", and insert in lieu thereof the word "or", and in the same line, following the word "neglect", insert the word "of"; on the same page, line 39, strike out the words "the bonds issued in the original", and insert in lieu thereof the words "such recordation."; strike out all of lines 40, 41, 42, 43 and in line 44 the word "bonds."; also in line 44, following the word "until", insert the words "said reassessment and all interest and penalties thereon are paid or until"; on the same page, line 47, strike out everything following the word "of", and insert in lieu thereof the words "such recordation."; also strike out all of lines 48, 49, 50 and all of the words preceding the comma in line 51.

AMENDMENT NUMBER THIRTEEN.

On page 11, line 2, of the printed amended bill, strike out the words "the bonds refunded", and insert in lieu thereof the words "such recordation."; strike out all of line 3, and in line 4 strike out the word "be."; on the same page, line 10, strike out the word "parties", and in lieu thereof insert the word "persons"; on the same page, line 18, following "ment", insert the words "The officer with which said reassessment is recorded shall give notice by publication for ten days in a daily newspaper of general circulation printed and published in the county in which the lands reassessed lie or by three successive insertions in a weekly newspaper of general circulation printed in such county that said reassessment has been recorded in his office and that all sums assessed therein became due and payable upon the recordation of said reassessment, stating the date of such recordation and that the payment of the said sums is to be made to him within thirty days after the date of such recordation. Said notice shall also contain a statement that for any assessment not paid before the expiration of said thirty days, a bond will issue in the manner and form provided in this act and shall state the period over which said bond or bonds shall extend and the rate of interest which shall be payable thereon. Notice shall also be given by mailing a post card to the owner of each lot, piece or parcel of land reassessed according to the name and address appearing on the last equalized assessment roll for county taxes prior thereto or as known to the superintendent or surveyor; *provided*, that a failure of the superintendent or surveyor to give such notice by mailing or of the person addressed to receive the same shall not affect the validity of the proceedings or the validity of the lien of any reassessment or of any bond issued thereon."; on the same page, line 39, strike out the word "Said", and insert in lieu thereof the word "Any"; on the same page, line 40, after the word "property", insert the words "not in use in the performance of a public function".

AMENDMENT NUMBER FOURTEEN.

On page 12, line 1, strike out the word "pay", and insert in lieu thereof the word "advance"; in the same line, following the word "the", insert the word "plaintiff's"; on the same page, line 2, strike out the words "the city attorney or by any other", and insert in lieu thereof the word "any"; on the same page, line 10, strike out the period and insert in lieu thereof ", and the list of unpaid reassessments to be filed with the treasurer shall not include any unpaid reassessment upon public property."; on the same page, line 15, following the word "validity", insert the word "of"; on the same page, line 27, following the word "list", insert the words "(except for reassessments upon public property)"; on the same page, line 30, following the word "list", insert the words "(except for reassessments upon public property)"; on the same page, line 32, following the word "reassessments", insert the words "on said list"; on the same page, line 35, strike out the words "filing of said list", and insert in lieu thereof the words "recordation of the reassessment"; on the same page, line 40, strike out the words "filing of such list", and insert in lieu thereof the word "recordation", and in line 41, strike out the word "unpaid", and insert in lieu thereof the word "such".

AMENDMENT NUMBER FIFTEEN.

On page 13, line 7, of the printed amended bill, strike out the word "succeeding".

AMENDMENT NUMBER SIXTEEN.

On page 14, line 19, of the printed amended bill, strike out the word "there", and insert in lieu thereof the word "it".

AMENDMENT NUMBER SEVENTEEN.

On page 15, line 7, of the printed amended bill, following the word "the", insert a blank; on the same page, line 34, following the words "to the", insert a blank.

AMENDMENT NUMBER EIGHTEEN.

On page 16, line 27, of the printed amended bill, strike out the word "percentage," and insert in lieu thereof the words "whole number per cent or one-half per cent (such for example as)"; on the same page, line 28, strike out each of the commas in said line, and insert in lieu of each of said commas, the word "or"; on the same page, line 29, following the word "cent," insert the sign ")".

AMENDMENT NUMBER NINETEEN.

On page 17, line 3, of the printed amended bill, following the word "and", insert the words "until paid"; on the same page, line 5, strike out the word "with", and

insert in lieu thereof the words "shall have"; on the same page, line 37, following the words "for the", strike out the word "county", and insert in lieu thereof the word "city".

AMENDMENT NUMBER TWENTY.

On page 18, line 11, of the printed amended bill, strike out the word "whether", and insert in lieu thereof the word "that"; also in the same line, strike out the words "to the city treasurer or"; on the same page, line 13, strike out the words "within the jurisdiction of more than one legislative body," and insert in lieu thereof the words "partly within one or more cities and partly within unincorporated territory of the county or partly within two or more cities"; on the same page, line 15, strike out all the words following the word "certify"; on the same page, in line 16, strike out the words "upon the property in said assessment district", and in line 17, strike out the words "for the property upon which taxes are collected by said", and insert in lieu thereof the words "to the county"; on the same page, line 18, strike out the period, and insert in lieu thereof the words "who shall cause the said notice to be given."; on the same page, line 21, following the word "any", insert the word "refunding".

AMENDMENT NUMBER TWENTY-ONE.

On page 19, line 5, of the printed amended bill, strike out the word "payment", and insert in lieu thereof the word "payments"; on the same page, line 13, strike out the word "by", and insert in lieu thereof the word "be"; on the same page, line 27, strike out the word "hereinbefore"; on the same page, line 28, strike out the word "title", and insert in lieu thereof the word "act"; on the same page, line 38, strike out the word "to", and insert in lieu thereof the word "of".

AMENDMENT NUMBER TWENTY-TWO.

On page 20, line 21, of the printed amended bill, add the word "refunding"; following line 20 of page 20, of the printed amended bill, insert the words "In the matter of acquisition and improvement district No. ----- of the ----- (city or county) of -----"; on the same page, line 22, strike out the words "the improvement", and insert in lieu thereof the words "an ----- (acquisition or improvement or acquisition and improvement)"; on the same page, line 23, strike out all matter which precedes the period; on the same page, line 45, following the blank, insert the word "dollars"; on the same page, line 46, following the blank, insert the word "dollars"; on the same page, line 51, following the blank, insert the word "dollars".

AMENDMENT NUMBER TWENTY-THREE.

On page 21, line 13, of the printed amended bill, strike out the period, and insert in lieu thereof the words ", and special assessments having priority thereover under the provisions of this act."; on the same page, line 15, following the word "any", insert the words "of the bonds to be refunded or in any"; on the same page, following line 26, insert the words "Said summons shall contain a general description of the boundaries of the district of the lands upon which said reassessment is levied."; on the same page, line 33, strike out the word "may", and insert the word "shall".

AMENDMENT NUMBER TWENTY-FOUR.

On page 25, line 14, of the printed amended bill, following the word "levy", insert the words ", collection and enforcement"; on the same page, line 13, strike out "vision", and insert in lieu thereof "visions"; on the same page, line 16, add the words "Until all unpaid bonds issued under the provisions of the acquisition and improvement act of 1925 for any district organized under said act have been fully paid or have been legally refunded under the provisions of this act, it shall be and remain the duty of the legislative body empowered and directed to levy the special assessment taxes for the payment of such bonds to proceed under the provisions of said acquisition and improvement act of 1925 as amended to levy the said taxes provided in said acquisition and improvement act of 1925 in accordance with the provisions of said act and said special assessment taxes shall be levied, collected and enforced as is provided in said act."

Bill ordered to print, and re-referred to Committee on Municipal Corporations.

ON EDUCATION.

SENATE CHAMBER, SACRAMENTO, May 4, 1931.

MR. PRESIDENT: Your Committee on Education, to which was referred Assembly Bill No. 554—An act to amend section 2 of chapter 462 of the Statutes of 1929, entitled "An act to accept the provisions and benefits of an act passed by the Senate and House of Representatives of the United States of America in Congress assembled, and approved February 5, 1929, to provide for the further development of vocational education: to create a Vocational Education Fund and making an appropriation therefor," approved May 24, 1929, relating to an appropriation for vocational

education—has had the same under consideration, and respectfully reports the same back, and recommends that it do pass, and be re-referred to Committee on Finance. Committee membership—14.

(Signed out)

SLATER, Chairman.
CASSIDY.
CLOCK.
HARPER.
HAYS.
JONES.
MIXTER.
SHARKEY.

Assembly Bill No. 554 ordered re-referred to Committee on Finance.

ON COUNTY GOVERNMENT.

SENATE CHAMBER, SACRAMENTO, May 4, 1931.

MR. PRESIDENT: Your Committee on County Government, to which was referred Assembly Bill No. 822—An act to amend section 737a of the Political Code, relating to the salaries of the judges of the superior court of the county of Alameda—has had the same under consideration, and respectfully reports the same back, and recommends that same be re-referred to Committee on Finance.

Committee membership—9.

(Signed out)

WAGY, Chairman.
CASSIDY.
McCORMACK.
RICH.
RILEY.
SCHOTTKY.
SLATER.
SWING.

Assembly Bill No. 822 ordered re-referred to Committee on Finance.

ON ELECTIONS.

SENATE CHAMBER, SACRAMENTO, May 4, 1931.

MR. PRESIDENT: Your Committee on Elections, to which was referred Senate Bill No. 389—An act to amend section 2,878 of the School Code, relating to electors at school district elections—has had the same under consideration, and respectfully reports the same back, and recommends that it do pass.

Committee membership—11.

(Signed out)

FELLOM, Chairman.
CRITTENDEN.
INGELS.
JONES.
McCORMACK.
TUBBS.
WAGY.

Senate Bill No. 389 ordered on file for second reading.

MESSAGES FROM THE ASSEMBLY.

The following messages from the Assembly were received and read:

ASSEMBLY CHAMBER, SACRAMENTO, May 4, 1931.

MR. PRESIDENT: I am directed to inform your honorable body that the Assembly on this day passed Assembly Bill No. 1348—An act to provide for the planting, protection, maintenance and removal of trees, shrubs and other ornamental vegetation within municipalities, and providing a method for the assessment of the costs and expenses thereof, authorizing the municipality to contribute to the cost thereof, and providing for the establishment of a city forester, and describing his duties, and fixing his compensation;

Also: Assembly Bill No. 1949—An act to amend sections 2 and 8 of an act entitled "An act to define commercial feeding stuffs and to establish a standard therefor, providing for the branding and labeling of same, empowering the State Board of Health to enforce the provisions of the act and providing penalties for the violation of same," approved May 16, 1919, relating to commercial feeding stuffs;

Also: Assembly Bill No. 1015—An act to amend section 2403 of the Civil Code, relating to the authority of partners;

Also: Assembly Bill No. 29—An act to amend sections 1012 and 1013 of the Code of Civil Procedure, and to add section 1013a thereto, relating to service by mail.

ARTHUR A. OHNMUS, Chief Clerk.
By FRED J. DESCH, Assistant Clerk.

Assembly Bill No. 1348 read first time, and referred to Committee on Municipal Corporations.

Assembly Bill No. 1949 read first time, and referred to Committee on Agriculture and Live Stock.

Assembly Bills Nos. 1015 and 29 read first time, and referred to Committee on Judiciary.

Also:

ASSEMBLY CHAMBER, SACRAMENTO, May 4, 1931.

MR. PRESIDENT: I am directed to inform your honorable body that the Assembly on this day passed Assembly Bill No. 1921—An act to amend section 3713 of the Political Code, relative to State taxation;

Also: Assembly Bill No. 1930—An act to amend section 14 of an act entitled "An act to allow unincorporated towns and villages to establish, equip, and maintain public libraries to provide for the formation, government and operation of library districts; the acquisition of property thereby; the calling and holding of elections in such districts; the assessment, collection, custody and disbursement of taxes therein; and to create boards of library trustees," approved April 12, 1909, as amended, relating to the registration of library district warrants;

Also: Assembly Bill No. 1378—An act to amend section 628e of the Penal Code, relating to the protection of fish and game;

Also: Assembly Bill No. 224—An act to add a new section to be numbered 18a to an act entitled "An act to provide for the laying out, opening, extending, widening, or straightening, in whole or in part, of public highways, roads, streets, squares, lanes, alleys, courts, and places, within municipalities, or within unincorporated territory and one or more municipalities, or lying within two or more municipalities; for the condemnation of property necessary or convenient for such purposes, or of any interest therein, and for the establishment of assessment districts and the assessment of property therein to pay the expense of such improvement, and providing for aid from the county or municipalities toward the expense of such improvement," approved March 24, 1903, Statutes 1903, page 376, as amended.

ARTHUR A. OHNIMUS, Chief Clerk.

By FRED J. DESCH, Assistant Clerk.

Assembly Bills Nos. 1921 and 1930 read first time, and referred to Committee on Revenue and Taxation.

Assembly Bill No. 1378 read first time, and referred to Committee on Fish and Game.

Assembly Bill No. 224 read first time, and referred to Committee on Municipal Corporations.

Also:

ASSEMBLY CHAMBER, SACRAMENTO, May 4, 1931.

MR. PRESIDENT: I am directed to inform your honorable body that the Assembly on this day passed Assembly Bill No. 412—An act to amend section 736b and repeal section 736c of the Political Code, relating to the salaries of judges of the superior court and to make an appropriation to cover increases in the payments by the State therefor;

Also: Assembly Bill No. 1021—An act authorizing and empowering any county, city and county, or city, in the State of California, to donate, convey and grant to the State of California any real property owned by it, or which it may hereafter acquire, within its corporate limits, and to donate such part of its funds as deemed necessary for the purpose of assisting the State of California to purchase and acquire parks, playgrounds, recreation centers, or beaches for recreational purposes within its corporate limits;

Also: Assembly Bill No. 319—An act defining runners and cappers and prohibiting the solicitation of business by runners and cappers for attorneys at law; providing that contracts secured by them shall be void; and providing penalties for any violation of this act;

Also: Assembly Bill No. 781—An act to authorize counties to dispose of material removed from stream beds which belong to the State, when making improvements thereof;

Also: Assembly Bill No. 1080—An act to amend section 1033 of the Code of Civil Procedure, relating to the filing of and affidavit to bill of costs.

ARTHUR A. OHNIMUS, Chief Clerk.

By FRED J. DESCH, Assistant Clerk.

Assembly Bills Nos. 412 and 1021 read first time, and referred to Committee on Governmental Efficiency.

Assembly Bill No. 319 read first time, and referred to Committee on Judiciary.

Assembly Bill No. 781 read first time, and referred to Committee on Conservation.

Assembly Bill No. 1080 read first time, and referred to Committee on Judiciary.

INTRODUCTION, FIRST READING AND REFERENCE OF BILLS.

The following resolution was offered:

By Senator Jones: Senate Concurrent Resolution No. 37—Relative to leaves of absence of the State Controller and the Attorney General. Referred to Committee on Rules.

ADJOURNMENT.

At five o'clock and ten minutes p.m., on motion of Senator Breed, the President declared the Senate adjourned until ten o'clock a.m., Tuesday, May 5, 1931.

HAROLD J. POWERS, Minute Clerk.

IN SENATE.

SENATE CHAMBER,
SACRAMENTO, Tuesday, May 5, 1931.

The Senate met at ten o'clock a.m.

Lieutenant Governor Frank F. Merriam, President of the Senate, in the chair.

Secretary Joseph A. Beek at the desk.

ROLL CALL.

The roll was called, and the following answered to their names:

Senators Allen, Baker, Breed, Bush, Carter, Cassidy, Christian, Cleveland, Clock, Crittenden, Deuel, Duval, Edwards, Evans, Fellom, Harper, Hays, Ingels, Inman, Jones, Maloney, McCormack, McKinley, Mixter, Moran, Nelson, Pedrotti, Rich, Riley, Rochester, Schottky, Sharkey, Slater, Swing, Treacy, Tubbs, Wagy, and Williams—38.

Quorum present.

PRAYER.

Prayer was offered by the Chaplain, Rev. Sherman L. Divine.

READING OF THE JOURNAL.

During the reading of Journal of Monday, May 4, 1931, the further reading was dispensed with, on motion of Senator Slater.

PRIVILEGE OF FLOOR OF SENATE EXTENDED.

On request of Senator Bush, the privilege of the floor of the Senate Chamber for this day was unanimously extended to E. T. Hamlin of the agricultural commission, Stanislaus County, and E. N. Holm of Sacramento.

On request of Senator McKinley, the privilege of the floor of the Senate Chamber for this day was unanimously extended to Hon. Joe Crail, Congressman, Tenth District of California.

On request of Senator McCormack, the privilege of the floor of the Senate Chamber for this day was unanimously extended to Crystal School, eighth grade pupils as follows: Margaret Hale, Molly McFall,

Lily Sill, Koaru Nozawa, Marion Okell, Irene Bustle, Alice Gonex, William Schaefer, John Colla, Ivan Loomis, Bob Reams, Gerald Pollard, Ellie Buzzini, Bill Calling, Herbert Mauro, Mrs. N. C. Hale, Mrs. Almo Tomasini, Mrs. Ray McFall, Mrs. N. F. Calling, Mr. and Mrs. J. J. Finney.

On request of Senator Cassidy the privilege of the floor of the Senate Chamber for this day was unanimously extended to Auburn Union Grammar School, Mr. Benton Welty, principal, Mrs. E. S. Keith, Helen Sully, teachers; and pupils as follows: Audrey Armes, Dorota Baricau, Rita Carney, Nellie Castle, Anna Dorer, Ruth Hadlow, Bernice Haines, Bertha Harris, Tillie Horath, Anna Hulbert, Betty Keleher, Katherine McGrath, Bernice O'Connor, Lorraine Shaves, Katherine Tuttle, Della Voyiatzes, Mary Voyiatzes, June Ammon, Alice Kurimoto, Mary Souza, Levell Threlkel, Tashiye Takagi, Evelyn Gibson, Blossom Meltz, Avis Teagarden, Margaret Yamada, Nobu Yamada, Amel Belfa, Milton Belyea, Joe Calder, Arthur Chute, Billie Crow, Howard Federer, George Gianni, Robert Haines, Alvan Hollinger, Wilda Howcroft, Clay Huekaby, Bill Hunt, Don Hutchinson, Warren Madely, Jim Martin, Howard May, Glenn McCrary, Bob Robinson, Louis Ronco, Raymond Sing, Warren Vanderbilt, Charles Warwick, Alvin White, Clarence Holt, Fred Kurimoto, Evert Olson, Nuel Smith, Robert Holmes, Wendell Holmes, Richard Marty, Kiyoshi Masaoka, Hozumi Takagi, Lester Bell and Clarence Dooley.

MESSAGES FROM THE ASSEMBLY.

The following messages from the Assembly were received and read:

ASSEMBLY CHAMBER, SACRAMENTO, May 4, 1931.

MR. PRESIDENT: I am directed to inform your honorable body that the Assembly on May 1, 1931, passed Assembly Bill No. 955—An act to amend section 22 of "An act authorizing the establishment of municipal courts, prescribing their constitution, regulation, government, procedure and jurisdiction, and providing for the election and appointment of the judges, clerks and other attaches of such courts, their terms of office, qualification and compensation and for the selection of jurors therein," approved May 23, 1925, relating to municipal courts.

ARTHUR A. OHNIMUS, Chief Clerk.
By FRED J. DESCH, Assistant Clerk.

Assembly Bill No. 955 read first time, and referred to Committee on Judiciary.

Also:

ASSEMBLY CHAMBER, SACRAMENTO, May 4, 1931.

MR. PRESIDENT: I am directed to inform your honorable body that the Assembly on this day passed Assembly Bill No. 1134—An act to amend section 363a of the Political Code relating to the Department of Public Works.

ARTHUR A. OHNIMUS, Chief Clerk.
By FRED J. DESCH, Assistant Clerk.

Assembly Bill No. 1134 read first time, and referred to Committee on Governmental Efficiency.

Also:

ASSEMBLY CHAMBER, SACRAMENTO, May 4, 1931.

MR. PRESIDENT: I am directed to inform your honorable body that the Assembly on this day passed Assembly Bill No. 1599—An act to amend section 19251 of the Juvenile Court Law, relating to probation officers in counties of the fifty-first class:

Also: Assembly Bill No. 1756—An act to amend section 16213, Weights and Measures Act, relating to sealers of weights and measures in counties of the thirteenth class:

Also: Assembly Bill No. 1764—An act to add section 1621 to the Weights and Measures Act, relating to sealers of weights and measures in counties of the first class:

Also: Assembly Bill No. 1781—An act to add a new section, to be numbered 9a43, to an act entitled "An act to provide for the establishment and maintenance of county free libraries in the State of California, and repealing 'An act entitled 'An act to provide county library systems,' approved April 12, 1909, and all acts and parts of acts in conflict with this act,'" approved February 25, 1911, as amended, relating to libraries in counties of the forty-third class;

Also: Assembly Bill No. 1150—An act making an appropriation for the construction and equipment of an armory at the city of San Jose.

ARTHUR A. OHNIMUS, Chief Clerk.
By FRED J. DESCH, Assistant Clerk.

Assembly Bills Nos. 1599, 1756, 1764 and 1781 read first time, and referred to Committee on County Government.

Assembly Bill No. 1150 read first time, and referred to Committee on Finance.

Also:

ASSEMBLY CHAMBER, SACRAMENTO, May 4, 1931.

MR. PRESIDENT: I am directed to inform your honorable body that the Assembly on this day passed Assembly Bill No. 1227—An act to add a new section, to be numbered section 5a, to chapter 350, Statutes of 1907, entitled "An act to regulate the conduct of election campaigns, and repealing an act entitled 'An act to promote the purity of elections by regulating the conduct thereof, and to support the privilege of free suffrage by prohibiting certain acts and practices in relation thereto, and providing for the punishment thereof,' approved February 23, 1893," approved March 19, 1907, as amended, relating to campaign expenditures, and providing that a candidate for public office who incurs unpaid campaign expenses in excess of the legal limit set forth in the said act, shall be liable to any person, firm, association or corporation whose claim he or she is unable to meet because of the provisions of this law, for the amount that would be due such person, firm, association or corporation were it not for the provisions of this act, as a civil penalty for having exceeded the legal limit, and providing for the enforcement of such penalty;

Also: Assembly Bill No. 316—An act to amend section 928 of the Penal Code, relating to grand juries;

Also: Assembly Bill No. 745—An act to amend the California Irrigation District Act by adding thereto a new section, to be numbered 52a, relating to agreements with bondholders;

Also: Assembly Bill No. 1542—An act to amend section 4291 of the Political Code, relating to the compensation of county and township officers.

ARTHUR A. OHNIMUS, Chief Clerk.
By FRED J. DESCH, Assistant Clerk.

Assembly Bill No. 1227 read first time, and referred to Committee on Elections.

Assembly Bill No. 316 read first time, and referred to Committee on Judiciary.

Assembly Bill No. 745 read first time, and referred to Committee on Irrigation.

Assembly Bill No. 1542 read first time, and referred to Committee on County Government.

Also:

ASSEMBLY CHAMBER, SACRAMENTO, May 4, 1931.

MR. PRESIDENT: I am directed to inform your honorable body that the Assembly on this day passed Assembly Bill No. 1805—An act to amend section 19a24 of the Juvenile Court Law, relating to probation officers in counties of the twenty-fourth class;

Also: Assembly Bill No. 1828—An act to amend section 2322a43 of the Political Code, relating to the office of agricultural commissioner in counties of the forty-third class;

Also: Assembly Bill No. 1846—An act to amend section 19a43 of the Juvenile Court Law, relating to probation officers in counties of the forty-third class;

Also: Assembly Bill No. 193—An act to amend section 737rr of the Political Code, relating to the salary of the superior judge in and for the county of Santa Cruz;

Also: Assembly Bill No. 194—An act to amend section 737ii of the Political Code, relating to the salary of the superior judge in and for the county of San Benito.

ARTHUR A. OHNIMUS, Chief Clerk.
By FRED J. DESCH, Assistant Clerk.

Assembly Bills Nos. 1805, 1828 and 1846 read first time, and referred to Committee on County Government.

Assembly Bills Nos. 193 and 194 read first time, and referred to Committee on Governmental Efficiency.

REPORTS OF STANDING COMMITTEES.

The following reports of standing committees were received and read:

ON ENGROSSMENT, ENROLLMENT AND PRINTING.

SENATE CHAMBER, SACRAMENTO, May 5, 1931.

MR. PRESIDENT: Your Committee on Engrossment, Enrollment and Printing has examined Senate Bill No. 257—An act to add a new section to the Political Code to be numbered 4041.28, relating to the disposition of courthouse and other sites dedicated to public use;

Also: Senate Bill No. 372—An act to add a new section to the Political Code, to be numbered 4041.24a, relating to the withdrawal of county records;

Also: Senate Bill No. 534—An act to declare provisions in contracts of employment whereby either party undertakes not to join, become or remain a member of a labor union or of any organization of employers or undertakes in such event to withdraw from the contract of employment, to be against public policy and void;

Also: Senate Bill No. 630—An act to amend section 2 of an act entitled "An act providing for the regulation and supervision of companies, brokers, agents, and sales of securities as the same are therein defined, and to prevent fraud in the sale of securities; providing for the enforcement of said act and penalties for the violation thereof; and creating a State Corporation Department and the office of Commissioner of Corporations," approved May 18, 1917, as amended, relating to fees;

Also: Senate Bill No. 842—An act to add a new article to chapter VI of part III of division III of the School Code to be known as article VII, embracing sections 3.415 and 3.416, relating to the attendance of students upon junior colleges;

Also: Senate Bill No. 949—An act to amend section 37 of an act entitled "An act providing for the incorporation of public utility districts in unincorporated territory, authorizing such districts to incur bonded indebtedness for the purpose of the construction of works and the acquisition of property, and to levy and collect taxes to pay the principal and interest on bonds and for carrying on their operations, and providing for the powers, management and government of such districts, and imposing certain duties and functions in connection with such districts upon certain county officers," approved May 31, 1921, relating to books of account of public utility districts;

And reports that the same have been correctly engrossed.

DEUEL, Vice Chairman.

ON CONSERVATION.

SENATE CHAMBER, SACRAMENTO, May 5, 1931.

MR. PRESIDENT: Your Committee on Conservation, to which was referred Senate Constitutional Amendment No. 26—A resolution to propose to the people of the State of California, an amendment to the constitution of said State by adding a new article thereto to be numbered article XXIV, relating to the development, conservation, control, utilization, and regulation of the water resources of the State—and recommends that this bill be reported out to be reheard by the Senate sitting as a Committee of the Whole, the proponents of the measure to ask for that consideration.

Committee membership: 7; committee vote: Ayes: 1; noes: -1; absent: 2.

EVANS, Chairman.

Senate Constitutional Amendment No. 26 ordered on file.

ON JUDICIARY.

SENATE CHAMBER, SACRAMENTO, May 5, 1931.

MR. PRESIDENT: Your Committee on Judiciary, to which was referred Assembly Bill No. 639—An act to amend section 2980 of the Civil Code, relating to conditional sales contracts;

Also: Assembly Bill No. 397—An act to add two new sections to be numbered 865 and 1532½ to the Probate Code, relating to dedication of real property for street or highway purposes by executors, administrators and guardians;

Has had the same under consideration, and respectfully reports the same back with amendments, and recommends that the amendments be adopted and that they do pass as amended.

Committee membership—17; committee vote: Ayes—12; absent—5.

CHRISTIAN, Chairman.

Assembly Bills Nos. 639 and 397 ordered on file for second reading.

ON PUBLIC HEALTH AND QUARANTINE.

SENATE CHAMBER, SACRAMENTO, May 4, 1931.

MR. PRESIDENT: Your Committee on Public Health and Quarantine, to which was referred Assembly Bill No. 628—An act relating to the extermination of rats by mosquito abatement districts;

Also: Assembly Bill No. 629—An act to amend section 7*b* of chapter 584, Statutes of 1915, entitled "An act to provide for the formation, government, operation and dissolution of mosquito abatement districts in any part of the State, to facilitate the extermination of mosquitoes, flies and other insects; and to provide for the assessment, levy, collection and disbursement of taxes therein," approved May 29, 1915, as amended, relating to mosquito abatement district tax levies;

Has had the same under consideration, and respectfully reports the same back, and recommends that they do pass.

Committee membership—7; committee vote: Ayes—4.

WILLIAMS, Chairman.

Senate Bills Nos. 628 and 629 ordered on file for second reading.

ON JUDICIARY.

SENATE CHAMBER, SACRAMENTO, May 5, 1931.

MR. PRESIDENT: Your Committee on Judiciary, to which was referred Assembly Bill No. 562—An act to amend section 710 of the Code of Civil Procedure, relating to the collection of moneys due from a judgment debtor;

Also: Assembly Bill No. 1437—An act to amend section 683 of the Code of Civil Procedure, relating to executions;

Also: Assembly Bill No. 729—An act to amend section 4191 of the Political Code, relating to purposes for which Law Library Fund may be used;

Also: Assembly Bill No. 1014—An act to amend section 1980 of the Civil Code, relating to contracts for personal service;

Also: Assembly Bill No. 1307—An act to add a new section to the Penal Code, to be numbered 367*b*, relating to the printing, publishing or sale of copyrighted musical compositions;

Also: Assembly Bill No. 214—An act to add a new section to the Political Code, to be numbered 4177, relating to the sheriff's duty in caring for money and property of prisoners;

Has had the same under consideration, and respectfully reports the same back, and recommends that they do pass.

Committee membership—17; committee vote: Ayes—12; absent—5.

CHRISTIAN, Chairman.

Assembly Bills Nos. 562, 1437, 729, 1014, 1307 and 214 ordered on file for second reading.

Also:

MR. PRESIDENT: Your Committee on Judiciary, to which was referred Assembly Bill No. 1917—An act to add a new section to the Penal Code to be numbered 1381, providing for the time within which a defendant must be brought to trial upon a pending indictment or information after such defendant's conviction on another charge—has had the same under consideration, and respectfully reports the same back, and recommends that it do pass.

Committee membership—17; committee vote: Ayes—12; absent—5.

CHRISTIAN, Chairman.

Assembly Bill No. 1917 ordered on file for second reading.

ON CONSERVATION.

SENATE CHAMBER, SACRAMENTO, May 5, 1931.

MR. PRESIDENT: Your Committee on Conservation, to which was referred Assembly Bill No. 425—An act to add a new section to the Political Code to be numbered 690.10 authorizing the construction, alteration and maintenance of certain structures upon the swamp, overflowed, marsh, tide or submerged lands of this State, defining the powers and duties of the Department of Finance and of certain municipalities, districts, or other political subdivisions, in connection therewith; and prohibiting the construction or maintenance of fences or structures other than as herein authorized upon any accretions occasioned by such structures as are authorized hereunder;

Also: Assembly Bill No. 426—An act to add section 7½ to chapter 763, Statutes of 1927, entitled "An act to provide that the Department of Natural Resources, through the State Park Commission, shall have control of the State park system; to establish and define the State park system; to define certain powers and duties of the State Park Commissioner; to make an appropriation for carrying out the

purposes of this act; and to establish a contingent fund and a revolving fund," approved May 25, 1927, relating to the Seashore Parks Fund, creating the same and providing for its use;

Also: Assembly Bill No. 427—An act to amend section 19 of chapter 303, Statutes of 1921, entitled "An act to reserve all minerals in State lands; to provide for examination, classification and report on the mineral and other character of State lands; to provide for the granting of permits and leases to prospect for and take any such minerals; to provide for the rents and royalties to be paid, and granting certain preference rights; to provide for the making of rules, regulations and contracts necessary to carry out the purposes of this act; and repealing acts or parts of acts in conflict herewith; providing for an appropriation to defray the cost of administering this act," approved May 25, 1921, as amended, directing that certain moneys be paid into the Seashore Parks Fund;

Also: Assembly Bill No. 1550—An act to add a new section to the Political Code to be numbered 2906a and relating to the granting of authority to a city, city and county, person or corporation to construct recreational wharves on certain State lands;

Has had the same under consideration, and respectfully reports the same back, and recommends that they do pass.

Committee membership—7; committee vote: Ayes—5; absent—2

EVANS, Chairman.

Assembly Bills Nos. 425, 426, 427 and 1550 ordered on file for second reading.

Also:

MR. PRESIDENT: Your Committee on Conservation, to which was referred Assembly Bill No. 1125—An act to amend sections 1, 2, 3 and 4 of, and to add sections 5, 6, 7, 8, 9, 10, 11 and 12 to, chapter 389, Statutes of 1915, entitled "An act providing for the sale of certain State lands," as approved May 19, 1915, relating to state lands—has had the same under consideration, and respectfully reports the same back with amendments, and recommends that the amendments be adopted, and that it do pass as amended.

Committee membership—7; committee vote: Ayes—5; absent—2.

EVANS, Chairman.

Assembly Bill No. 1125 ordered on file for second reading.

CONSIDERATION OF DAILY FILE.

SECOND READING OF SENATE BILLS.

Senate Bill No. 389—An act to amend section 2,878 of the School Code, relating to electors at school district elections.

Bill read second time, ordered engrossed, and on file for third reading.

CONSIDERATION OF DAILY FILE.

SECOND READING OF ASSEMBLY BILLS.

Assembly Bill No. 363—An act to amend section 4242 of the Political Code, relating to the salaries, fees and expenses of officers in counties of the thirteenth class.

COMMITTEE AMENDMENT.

During the second reading of the bill, the following committee amendment was offered:

AMENDMENT NUMBER ONE.

On page 1 of the printed bill, strike out lines 3 to 25, inclusive, and all of pages 2 to 29, inclusive, and insert in lieu thereof the following:

"4242. In counties of the thirteenth class, the county and township officers shall receive as full compensation for the services required of them by law or by virtue of their office, the following salaries:

1. Clerk. The county clerk, five thousand dollars per annum; *provided*, that in counties of this class, there shall be and there is hereby allowed to the county clerk the following clerks, deputies and employees, who shall be appointed by the county clerk and shall be paid salaries as follows: one chief deputy at a salary of two hundred twenty-five dollars per month; two courtroom deputies at a salary of two hundred dollars each per month; one office deputy at a salary of one hundred seventy-five dollars per month; one office deputy at a salary of one hundred sixty-five dollars per month; *provided*, that this deputyship shall become effective on the first day of January, 1930; two office deputies at a salary of one hundred fifty dollars

each per month; one office deputy at a salary of one hundred forty dollars per month; *provided, further*, that in any year when a general election is to be held or the compilation of a registration of voters is required by law or supplements to be made thereto, the county clerk shall receive as expenses for compiling such registration of voters and making supplements thereto and work incidental to election, the sum of seven and one-half cents for each name registered or appearing on the great register for each general election, to be paid upon filing and presentation of duly verified claims therefor, by the county clerk, with the board of supervisors of said county; and *provided, further*, that in any year when a registration of voters is required by law or supplements to be made thereto, the said county clerk may appoint such number of registration deputies as may be necessary for the registration of voters in their respective precincts, each of said deputies to receive the sum of ten cents per name for each elector registered by him; said registration deputies to be paid for their services on the presentation and filing with the board of supervisors of said county, a duly verified claim therefor on the general fund of said county; after proper allowance of said claim by said board of supervisors; the salary of the deputies, clerks and employees herein provided for shall be paid by said county in monthly installments at the same time and in the same manner and out of the same fund as the salary of the county clerk is paid; *provided, further*, that the compensation for registration of electors and compilation of the registration of voters and supplements thereto as herein provided for, shall not be paid in monthly installments but shall be paid after proper allowance of verified claims therefor by the board of supervisors of said county.

2. Sheriff. The sheriff six thousand dollars per annum. All mileage for service of papers in civil actions arising either inside or outside of the county, excepting actions in which the county is interested. All fees for service of papers in civil actions. All expenses incurred in criminal cases and mileage in criminal cases, for each mile actually and necessarily traveled by automobile, eight cents per mile; *provided*, that in counties of this class there shall be and there hereby is allowed to the sheriff the following deputies, clerks and employees, who shall be appointed by the sheriff, and shall be paid salaries as follows: one undersheriff at a salary of two hundred fifty dollars per month; one deputy sheriff at a salary of two hundred twenty-five dollars per month; two deputy sheriffs at a salary of two hundred dollars per month each; one deputy sheriff to act in criminal cases, at a salary of two hundred dollars per month; one deputy sheriff to act as day jailer at a salary of one hundred seventy-five dollars per month; one deputy sheriff to act as night jailer at a salary of one hundred seventy-five dollars per month; two deputy sheriffs to act as bailiffs at a salary of one hundred eighty-five dollars each per month; two deputy sheriffs at a salary of one hundred sixty dollars per month each; one stenographer to the sheriff at a salary of one hundred fifty dollars per month; one office stenographer to the sheriff at a salary of one hundred forty dollars per month; one stenographer to the sheriff at a salary of one hundred twenty-five dollars per month; one jail matron to act on all occasions at a salary of ninety dollars per month; one clerk for identification bureau at a salary of seventy-five dollars per month; *provided*, that the sheriff may employ from one to five persons to act as deputy sheriffs at a salary of five dollars per day each, when in the judgment of the sheriff such deputies are necessary; *provided, however*, that the total amount of the compensation for such additional deputies to be paid per diem shall not in any fiscal year exceed the total sum of one thousand five hundred dollars; *provided, further*, that the compensation of said last mentioned deputies shall be paid upon presentation of duly verified claims filed with the board of supervisors of the said county in the same manner that other claims are filed and paid. The salaries of the deputies, clerks and employees herein provided for shall be paid by the county in monthly installments at the same time and in the same manner and out of the same fund as the salary of the sheriff is paid.

3. Recorder. The recorder, four thousand dollars per annum; *provided*, that in counties of this class there shall be and there is hereby allowed to the recorder the following deputies, clerks, and employees, who shall be appointed by the county recorder, and shall be paid salaries as follows: one chief deputy at a salary of two hundred twenty-five dollars per month; one deputy at a salary of one hundred seventy-five dollars per month; two index clerks at a salary of one hundred thirty-five dollars each per month; four copyists at a salary of one hundred thirty-five dollars each per month; and one copyist, at such time as in the judgment of the county recorder is necessary, at a salary of one hundred thirty-five dollars per month; and such copyists as the county recorder may appoint at a salary of four dollars and twenty-five cents per day each; *provided, however*, that the total salary on a per diem basis paid to such last named copyists, shall not exceed the sum of three thousand five hundred dollars per annum; and such last named copyists, employed on a per diem basis, shall be paid for their services on the presentation and filing with the board of supervisors of said county, of their duly verified claims therefor, from the same fund as the salary of the county recorder is paid. The salaries of the other deputies, clerks and employees herein provided for, shall be paid by the county in monthly installments, at the same time and in the same manner and out of the same fund as the salary of the county recorder is paid.

4. Auditor. The auditor, four thousand dollars per annum; *provided*, that in counties of this class there shall be and there hereby is allowed to the auditor the following deputies, clerks and employees who shall be appointed by the county

auditor and who shall be paid salaries as follows: one deputy auditor at a salary of two hundred seventy-five dollars per month; one deputy auditor at a salary of two hundred twenty-five dollars per month; two clerks at a salary of one hundred thirty-five dollars per month each; one clerk at a salary of one hundred twenty-five dollars per month; one clerk at a salary of one hundred dollars per month; the salaries of the deputies and employees hereinabove provided for shall be paid by the county in monthly installments at the same time and in the same manner and out of the same fund as the salary of the auditor is paid; *provided, further*, that the said auditor is hereby allowed such clerks and employees as he may deem necessary, and appoint at a salary of five dollars per day each; *provided, however*, that the total amount of salary and compensation paid to such clerks and employees on a per diem basis shall not exceed the total sum of one thousand five hundred dollars per annum; *provided, further*, that such clerks and employees shall be paid for their services out of the same fund as the auditor is paid upon filing with the board of supervisors of said county, their duly verified claims for the sums due them.

5. Treasurer. The treasurer, four thousand dollars per annum; *provided*, that in counties of this class there shall be and there is hereby allowed to the treasurer, one deputy treasurer who shall be appointed by the treasurer and who shall receive a salary of two hundred dollars per month, said salary to be paid in monthly installments at the same time and in the same manner and out of the same fund as the salary of the treasurer is paid; *provided, further*, that the said treasurer is hereby allowed such clerks and employees as he may deem necessary to appoint at a salary of five dollars per day each; *provided, however*, that the total amount of salary and compensation paid to such clerks and employees on a per diem basis shall not exceed the total sum of one thousand two hundred dollars per annum; and *provided, further*, that such clerks and employees shall be paid for their services out of the same fund as the salary of the treasurer is paid upon filing with the board of supervisors of said county, their duly verified claims for the sums due them; *provided, however*, that the bond of the treasurer and his deputy shall be executed with a reliable bonding and surety company and that the premiums on said bonds when the same have been duly approved, shall be a charge against the county and payable out of the general fund upon the presentation and filing of duly verified claims therefor with the board of supervisors.

6. Tax collector. The tax collector, four thousand dollars per annum; *provided*, that in counties of this class there shall be and there hereby is allowed to the tax collector the following clerks, deputies and employees, who shall be appointed by the tax collector, and shall be paid salaries as follows: one deputy tax collector at a salary of two hundred twenty-five dollars per month; one deputy tax collector at a salary of two hundred dollars per month; one deputy tax collector at a salary of one hundred fifty dollars per month; one clerk at a salary of one hundred thirty-five dollars per month; one stenographer to the tax collector at a salary of one hundred twenty-five dollars per month; and such copyists as the tax collector may appoint at a salary of three and one-half dollars per day each; and such clerks as the tax collector may appoint at a salary of four dollars per day each; *provided, however*, that the total amount of salary and compensation paid to such copyists and clerks shall not exceed the sum of four thousand dollars per annum; and such copyists and clerks to be paid for their services on presenting and filing with the board of supervisors of said county, their duly verified claims therefor. The salaries of the deputies, clerks and employees herein provided for, shall be paid by said county in monthly installments at the same time and in the same manner and out of the same fund as the salary of the tax collector is paid; *provided, however*, that the compensation of said copyists and clerks shall be paid on presenting and filing of the claims with the board of supervisors as hereinbefore provided.

7. District attorney. The district attorney, six thousand dollars per annum; *provided*, that in counties of this class there shall be and hereby is allowed to the district attorney the following deputies, clerks and employees, who shall be appointed by the district attorney, who shall hold office at the pleasure of the district attorney and shall be paid salaries as follows: One deputy district attorney at a salary of three hundred dollars per month; two deputy district attorneys at a salary of two hundred twenty-five dollars per month each; one detective who shall assist the district attorney in the detection of crime and prosecution of criminal cases whose salary is hereby fixed at the sum of two hundred fifty dollars per month; and one stenographer to the district attorney at a salary of one hundred forty-five dollars per month; one stenographer at a salary of one hundred twenty-five dollars per month. The salaries of the deputies, clerks and employees herein provided for shall be paid by the said county in monthly installments at the same time and in the same manner and out of the same fund as the salary of the district attorney is paid. The district attorney and his deputies shall be allowed eight cents per mile without any constructive mileage for his expenses for traveling, necessarily done by automobile, and his actual traveling expenses when he travels by rail.

8. Superintendent of schools. The superintendent of schools, five thousand dollars per annum; *provided*, that in counties of this class there shall be and there hereby is allowed to the superintendent of schools, one deputy superintendent of schools, who shall be appointed by the superintendent of schools, and shall be paid a salary of two hundred dollars per month; one field deputy superintendent of schools, who shall

be appointed by the superintendent of schools to assist the superintendent of schools in the discharge of his duty in visiting and examining schools, as provided by the state law, and it shall be the duty of said field deputy superintendent of schools to make written report of his examination to be transmitted by the superintendent of schools to each trustee of all districts so examined, said field deputy shall receive a salary of three hundred dollars per month, and his actual and necessary traveling expenses while engaged in performing the duties of his office under the direction of the superintendent of schools; one deputy superintendent of schools who shall be appointed by the superintendent of schools and who shall receive a salary of one hundred seventy-five dollars per month; one deputy superintendent of schools who shall be appointed by the superintendent of schools and who shall receive a salary of one hundred ten dollars per month. The salary of the deputies provided for shall be paid by said county in monthly installments at the same time and in the same manner, and out of the same fund as the salary of the superintendent of schools is paid.

9. Assessors. The assessor, six thousand dollars per annum; *provided*, that in counties of this class there shall be and there hereby is allowed to the assessor the following deputies, clerks and employees who shall be appointed by the assessor and shall be paid salaries as follows: One deputy assessor at a salary of two hundred fifty dollars per month; one improvement valuation deputy assessor at a salary of two hundred twenty-five dollars per month; one deputy assessor at one hundred eighty dollars per month; four field deputy assessors to hold office not to exceed five months each in any one year at a salary of one hundred sixty-five dollars per month each; one transfer deputy at a salary of one hundred fifty dollars per month; one stenographer at a salary of one hundred twenty-five dollars per month, and such additional deputy assessors at a salary not to exceed seven and one-half dollars per day each, and such additional clerks at a salary not to exceed four and one-half dollars per day each, and such additional copyists at a salary not to exceed four dollars per day each, as the assessor may appoint; *provided, however*, that the total compensation of said additional deputy assessors, clerks and copyists shall not exceed the sum of nine thousand five hundred dollars per annum. The salaries of the deputies, clerks and employees herein provided for, shall be paid by said county in monthly installments at the same time and in the same manner and out of the same fund as the salary of the assessor is paid; *provided, however*, that the compensation of said additional deputy assessors, clerks and copyists, shall be paid out of the same fund as the salary of the assessor is paid on the presentation and filing of verified claims with the board of supervisors, as hereinbefore provided; *provided, however*, that in counties of this class the assessor shall receive no compensation or commission for collection of personal property taxes, nor shall such assessor receive any compensation or commission for making out the military roll of persons returned by him as subject to military duty as provided by section 1901 of the Political Code; *provided, further*, that in counties of this class the assessor is hereby authorized to contract with an abstract and title company for copies of transcripts of recorded instruments affecting titles, at a compensation not to exceed forty dollars per month.

10. Coroner. The coroner, such fees as are now or may hereafter be allowed by law; *provided, however*, that in counties of this class the coroner shall be allowed for general services in holding an inquest, the sum of twenty-five dollars, and there shall be and there hereby is allowed to the county coroner, one stenographer to the county coroner whose duty it shall be to act as reporter, and take down in shorthand and transcribe into longhand the testimony of the witnesses at all inquests. Said stenographer to the coroner shall be appointed by the coroner and be paid a salary of one hundred twenty-five dollars per month, which salary shall be paid by said county in monthly installments at the same time and in the same manner and out of the same fund as the salary of the county officers are paid. The county coroner is further allowed to rent an office for a sum not to exceed fifteen dollars per month, which rental shall be paid on the presentation and filing of the duly verified claims therefor with the board of supervisors of said county. All subpoenas or processes issued by said coroner may be served by any peace officer and fees for such service shall be paid as provided by law.

11. Public administrator. The public administrator, such fees as are now or may hereafter be allowed by law.

12. Surveyor. The surveyor, six thousand dollars per annum, *provided*, that in counties of this class there shall be and there is hereby allowed to the surveyor the following deputies and employees who shall be appointed by the surveyor, and hold office at his pleasure, to wit: One deputy surveyor at a salary of three hundred dollars per month; one deputy surveyor at a salary of two hundred fifty dollars per month; one stenographer to the surveyor at a salary of one hundred twenty-five dollars per month. The salaries of the deputies and the stenographer herein provided for shall be paid by the said county at the same time and in the same manner and out of the same fund as the salary of the surveyor is paid. In addition to the deputies and the stenographer herein provided for the surveyor, the surveyor shall be allowed the following engineers and employees: One engineer at ten dollars per day; six engineers at eight and one-half dollars per day each; four field engineers at eight and one-half dollars per day each; three draughtsmen at seven and one-half dollars per day each; four instrument men at seven and one-half dollars per day each; eight chainmen at

five and one-half dollars per day each; *provided, however*, that the total compensation for said engineers and employees shall not exceed the sum of eighteen thousand dollars per year; and *provided, further*, that the compensation of said engineers and employees shall be paid by the county on the presentation and filing of claims therefor with the board of supervisors as hereinbefore provided, said payment to be made from the same fund as the salary of the surveyor is paid.

13. Classification of townships. The population of the several judicial townships, for the purpose of fixing the compensation of township officers, shall be ascertained and declared by the board of supervisors in the month of July, 1930, and in the month of July every four years thereafter.

14. Justices of the peace. Justices of the peace shall receive the following monthly salaries to be paid each month as the salaries of county officers are paid which shall be in full for all services rendered by them in criminal cases:

(1) In townships having a population of fifteen thousand and one or more, three hundred fifty dollars per month;

(2) In townships having a population of from ten thousand and one or more to fifteen thousand, inclusive, two hundred fifty dollars per month;

(3) In townships having a population of from seven thousand and one or more to ten thousand, inclusive, one hundred seventy-five dollars per month;

(4) In townships having a population of from four thousand and one to seven thousand, inclusive, one hundred fifty dollars per month;

(5) In townships having a population of three thousand and one to four thousand, inclusive, one hundred twenty-five dollars per month;

(6) In townships having a population of two thousand five hundred or more and less than three thousand, fifty dollars a month;

(7) In townships having a population of two thousand or more, and less than two thousand five hundred, forty-five dollars a month;

(8) In townships having a population of one thousand two hundred or more, and less than two thousand, forty dollars a month;

(9) In townships having a population of one thousand or more and less than one thousand two hundred, twenty dollars a month;

(10) In townships having a population of four hundred fifty or more, and less than one thousand, fifteen dollars a month;

(11) In townships having a population of less than four hundred fifty, five dollars per month;

Each justice must pay into the county once a month, all fines and fees collected by him in criminal and civil cases, and the auditor must withhold warrants for salary until a certified statement has been filed with him of all criminal and civil cases tried or filed and fines and fees collected and paid into the county treasury.

In addition to the monthly salary herein, each justice may receive as expenses for maintaining his office such sum as may be necessary, not to exceed twenty per cent of the amount allowed him as salary.

15. Constables. Constables shall receive the following salaries to be paid each month as salaries of county officers are paid, which shall be in full for all services rendered by them in criminal cases:

(1) In townships having a population of three thousand or more, one hundred eighty dollars a month;

(2) In townships having a population of two thousand five hundred or more, and less than three thousand, ninety-six dollars a month;

(3) In townships having a population of two thousand or more and less than two thousand five hundred, ninety-three dollars a month;

(4) In townships having a population of one thousand two hundred or more, and less than two thousand, ninety dollars a month;

(5) In townships having a population of one thousand and more, and less than one thousand two hundred, thirty-five dollars a month;

(6) In townships having a population of four hundred fifty or more, and less than one thousand, twenty-five dollars a month;

(7) In townships having a population of less than four hundred fifty, five dollars a month;

Provided, further, that in addition to the salary herein allowed, each constable shall be paid out of the treasury of the county for traveling expenses, outside of his own township, for services of warrant of arrest or any other paper in a criminal case, such fees as are now or may be hereafter allowed by law.

(Fees) For serving a coroner's subpoena the same fees and mileage as are now or may hereafter be allowed by law for the service of a subpoena issued out of a justice's court. For summoning a coroner's jury the same fees as are now or may be hereafter allowed for summoning a jury in a civil action in the justice's court. For transporting prisoners to the county jail, the expenses for such transportation.

In addition to the monthly salary allowed him herein, each constable may receive for his own use in civil cases the fees allowed by law. In addition to the monthly salary allowed herein, each constable in townships having a population of three thousand five hundred or more may receive as expenses for maintaining his office each month a sum not to exceed twenty-five per cent of the amount allowed him as salary.

16. Supervisors. Each member of the board of supervisors, two thousand four hundred dollars per annum for personal services performed by him as supervisor,

member of the board of equalization and road commissioner. Each supervisor shall also receive as expenses, as supervisor and road commissioner, twenty cents per mile each way traveling to and from his residence while engaged in the performance of the duties of supervision of public road as commissioner, or other business of the county, said expenses not to exceed fifty dollars in any one month, and in addition thereto the necessary actual expenses incurred by him while engaged in county business outside of his county.

17. Bonds. The bonds of county officers, their assistants, deputies and employees such as required by law to be furnished when executed with a reliable bond and surety company, the cost of said bond when duly approved, shall be a charge against the county payable out of the general fund.

18. Traffic officer. The traffic officer, one hundred seventy-five dollars per month; *provided*, that in counties of this class there shall be and there hereby is allowed to the traffic officer the following deputies, which officers are hereby created, who shall be appointed by the traffic officer and be paid salaries as follows: Six deputy traffic officers at a salary of one hundred sixty-five dollars per month each. The salaries of the deputies herein provided for shall be paid by the county monthly at the same time and in the same manner and out of the same fund as the salary of the traffic officer is paid; *provided*, that all the provisions of this subsection are to apply to the office of the county traffic officer whenever said office of county traffic officer is created by law.

19. Sealer. Sealer of weights and measures, two thousand four hundred dollars per annum; *provided*, that in counties of this class, there shall be and there hereby is allowed to the sealer of weights and measures, one deputy, who shall be paid a salary as follows: One hundred fifty dollars per month; the salary of the sealer of weights and measures and the deputy herein provided for, shall be paid by said county in monthly installments at the same time and in the same manner and from the same fund as the salaries of other county officers are paid; *provided, further*, that verified claims of the sealer of weights and measures and his deputy for traveling expenses necessarily and actually incurred in the performance of their duties shall be presented and filed with the board of supervisors each month for the amounts claimed for the preceding month, which said claim shall be paid out of the general fund of the county, after due allowance thereof by the board of supervisors of said county.

20. Librarian. County librarian, three thousand dollars per annum; *provided*, the salary of the county librarian shall be paid by said county in monthly installments at the same time, and in the same manner and from the same funds as the salaries of other county officers are paid; *provided, further*, that verified claims of the county librarian for traveling expenses necessarily and actually incurred in the performance of the duties of the office shall be presented and filed with the board of supervisors each month for the amounts claimed for the preceding month.

21. Allowances for actual and necessary expenses. Actual, reasonable and necessary expenses shall be allowed all the officers of the county in the discharge of their official duties. Detail expense accounts must be rendered on the first day of each month for the expenses incurred within the previous month. For traveling necessarily done by automobile an officer shall be allowed mileage at the rate of eight cents per mile without any constructive mileage except as herein otherwise provided; *provided, however*, that the provisions of this paragraph shall not apply to or limit the provisions of paragraph sixteen of this section, providing for mileage of supervisors in counties of this class.

22. Declaration of necessity. *Provided*, that all deputies, assistants and employees herein provided for in addition to the deputies, assistants and employees provided for by any effective law on the second day of November, 1926, are hereby declared to be necessary and proper deputies, assistants and employees to be allowed to the principal in each county office herein mentioned during his term of office.

23. Vacations for per diem employees of county. There shall be allowed to each of the employees of the county who shall receive his compensation on a per diem basis, one day's leave with pay for each twenty-three days so employed during the preceding twelve months; *provided, however*, that no such leave shall be due until the completion of at least one hundred thirty-eight working days of such employment, nor shall such leave exceed twelve working days in any one calendar year."

Amendment adopted.

Bill read second time, ordered to print, and on file for third reading.

CONSIDERATION OF DAILY FILE.

THIRD READING OF SENATE BILLS.

Senate Bill No. 85—An act to amend section 2 of chapter 620, Statutes of 1915, entitled "An act authorizing any city, city and county, county, town, municipality or other political subdivision to acquire certain liens or property offered for sale for the nonpayment of certain

assessments." approved June 4, 1915, relating to the disposal of such lien or property.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Senate Bill No. 85 passed by the following vote:

AYES—Senators Allen, Breed, Bush, Cassidy, Christian, Cleveland, Deuel, Duval, Evans, Harper, Hays, Ingels, Inman, Maloney, McCormack, McKinley, Mixer, Moran, Pedrotti, Riley, Rochester, Schottky, Sharkey, Slater, Treacy, Tubbs, Wagy, and Williams—28.

NOES—None.

Title read and approved.

Bill ordered transmitted to the Assembly.

Senate Bill No. 418—An act to amend sections 777 and 874 of an act entitled "An act to provide for the organization, incorporation and government of municipal corporations," approved March 13, 1883, as amended, relating to the cities of the fifth and sixth class.

On motion of Senator Harper, Senate Bill No. 418 was ordered re-referred to Committee on Municipal Corporations.

Senate Bill No. 948—An act amending section 1 of an act entitled "An act to authorize and empower boards of supervisors to levy a tax for advertising, exploiting, promoting and aiding measures designed to preserve, aid or develop the agricultural, horticultural, viticultural and water resources and advantages of their several counties," approved April 17, 1929, relating to investigation of matters affecting the economic welfare of counties and their inhabitants.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Senate Bill No. 948 passed by the following vote:

AYES—Senators Allen, Breed, Bush, Cassidy, Christian, Cleveland, Crittenden, Deuel, Duval, Evans, Fellom, Harper, Hays, Ingels, Inman, Maloney, McCormack, McKinley, Mixer, Moran, Pedrotti, Rich, Riley, Schottky, Sharkey, Slater, Treacy, Tubbs, and Wagy—29.

NOES—None.

Title read and approved.

Bill ordered transmitted to the Assembly.

MOTION TO WITHDRAW SENATE BILL.

Senator Tubbs moved that Senate Bill No. 295 be withdrawn from Committee on Public Morals.

The question being on Senator Tubbs' motion to withdraw Senate Bill No. 295 from Committee on Public Morals.

The roll was called, and Senator Tubbs' motion lost by the following vote:

AYES—Senators Fellom, Maloney, Pedrotti, Treacy, and Tubbs—5.

NOES—Senators Allen, Baker, Breed, Bush, Carter, Cassidy, Christian, Cleveland, Cloek, Crittenden, Deuel, Duval, Edwards, Evans, Harper, Hays, Ingels, Inman, Jones, McCormack, McKinley, Mixer, Moran, Nelson, Rich, Riley, Rochester, Schottky, Slater, Swing, Wagy, and Williams—32.

MOTION TO WITHDRAW SENATE BILL.

Senator Maloney moved that Senate Bill No. 234 be withdrawn from Committee on Public Morals, and placed on file.

The question being on Senator Maloney's motion to withdraw Senate Bill No. 234 from Committee on Public Morals, and place on file.

The roll was called.

CALL OF THE SENATE.

Pending the announcement of the vote, Senator Maloney moved a call of the Senate.

Motion carried.

The Secretary was directed to call the roll.

The roll was called, and the following answered to their names:

Senators Allen, Baker, Breed, Bush, Carter, Cassidy, Christian, Cleveland, Crittenden, Deuel, Duval, Edwards, Evans, Fellom, Harper, Hays, Ingels, Inman, Jones, Maloney, McCormack, McKinley, Mixter, Moran, Nelson, Pedrotti, Rich, Riley, Rochester, Schottky, Sharkey, Slater, Swing, Treacy, Tabbs, and Wagye—36.

The Secretary announced the absentees.

Time, eleven o'clock and fifty-eight minutes a.m.

The President directed the Sergeant-at-Arms to close the doors.

The Sergeant-at-Arms, having been furnished with the names of the absentees, was directed to bring them to the bar of the Senate.

PROCEEDINGS UNDER CALL OF THE SENATE.

REPORT OF SPECIAL COMMITTEE.

The following report of Special Committee was received and read:

REPORT.

MR. PRESIDENT: Your committee appointed under Senate resolution of April 24, 1931, to further investigate the desirability of the site selected by the State for the construction of "The California Institution for Women" under provision of an act entitled "An act to establish an institution for the confinement, care and reformation of women misdemeanants and women convicted of a felony, the punishment for which is less than death; to provide for its maintenance, conduct and government, and to make an appropriation therefor," approved May 9, 1929, respectfully reports as follows:

That on the second day of May, 1931, the committee, in pursuance of said resolution, and accompanied by W. H. Rockingham, Engineer of State Department of Public Works, Owen Duffy, Superintendent, Napa State Farm, and Supervisor of Agriculture in Department of Institutions, and R. H. Jamison, Engineer Division of Water Rights, visited the premises, selected by the State, and submits the following facts, and recommendations:

The property is located in Cummings Valley, about nine miles from the town of Tehachapi, in the Tehachapi Mountains, and distant, approximately, fifty miles southeasterly from the city of Bakersfield; that the town of Tehachapi is the nearest point of transportation by rail; that the property is reached by a good road from Tehachapi.

Cummings Valley has an elevation of 3800 to 3900 feet above sea level: it has an area of about two miles in width by seven miles in length, surrounded by rugged hills, with a high mountain to the south four miles distant, thickly covered with timber, which furnishes a large watershed contributory to the valley.

The soil of the valley is of a sandy loam, and suitable for raising vegetables of all kinds, and fruits such as apples and pears.

WATER.

Your committee paid particular attention to the source and quantity of the water supply. There are two wells upon the premises, one at the lower end of the State tract, which was being pumped during the visit of the committee, delivering an estimated volume of 80 to 90 inches, and the committee was informed that this volume can be maintained by continuous pumping.

There is another well upon the premises, which was not tested by reason of not having a pump on the same, but which the committee was informed has produced, and is capable of producing at least 60 to 70 inches of water. This well, at the present time, has been sanded up by reason of silt from a surface overflow, and will require cleaning out to put it in use. The water is of good quality for domestic use.

Mr. W. H. Rockingham, Engineer of the State Department of Public Works, informed the committee it has been the experience in public institutions of the State that 150 gallons of water per day for each inmate is a safe basis in the estimate of quantity required for domestic use. The board of trustees of the institution estimates that the institution will ultimately have a capacity of 500 inmates. Upon the basis indicated, there is an abundance of water for the full capacity of such an

institution, including water for irrigating such quantity of land as may be needed for the institution.

There is a flowing spring on the premises, furnishing a small amount of water. As to this spring, however, we find part of the water has for many years, and is now being diverted to other property, though no legal claim has been made to the right of diversion. The board of trustees should at once take steps to secure exclusive use of all the water flowing in this spring.

Your committee further reports that the place selected for the buildings is located over a wash of the valley, and upon poor soil, and is not a desirable location for the buildings. The committee recommends in this matter that the location of the buildings be changed to higher and more fertile ground which the committee indicated to members of the board of trustees, and which recommendation was approved by the members of the board of trustees present at viewing the site.

The committee further reports that by reason of the conformation of the surrounding country, the site is secluded from intrusion and away from highways, which is a desirable feature for an institution of this character, and that no better site could be selected in the State.

WHEREFORE, Your committee concludes that the site is available for the purposes of the act, creating the California Institution for Women, and is most admirably adapted for the same, and hereby recommends that the request directed to the Director of Public Works to withhold the award of contract for construction and improvement of said site be revoked to the end that the board of trustees may proceed with the improvement of the property.

That immediate steps should be taken by the board of trustees to remove any cloud on the title of the spring from which water is being diverted.

Respectfully submitted.

DUVAL, Chairman.
CARTER,
MORAN,
Committee.

Report read, and on motion of Senator Duval adopted.

CONSIDERATION OF DAILY FILE.

THIRD READING OF SENATE BILLS—(RESUMED).

Senate Bill No. 356—An act to repeal sections 2653 and 2654 of the Political Code, relating to a property tax for road purposes.

Bill read third time.

MOTION TO REFER TO SPECIAL COMMITTEE OF ONE.

During third reading of the bill, Senator Ingels moved to refer Senate Bill No. 356 to Senator Rich, as a Special Committee of One, to amend as follows:

AMENDMENT NUMBER ONE.

In line 1 of the title of the printed bill, strike out "repeal sections 2653 and 2654", and insert in lieu thereof the following: "amend section 2653".

AMENDMENT NUMBER TWO.

On page 1, line 1, of the printed bill, strike out "and section 2654".

AMENDMENT NUMBER THREE.

On page 1, line 2, of the printed bill, strike out "are hereby repealed.", and insert in lieu thereof the following: "is hereby amended to read as follows:

2653. The board of supervisors must, each year, at the meeting at which they are required to levy the property tax for county purposes, estimate the probable amount of property tax for highway purposes which may be necessary for the ensuing year, over and above the road tax, and must regulate and fix the amount of property highway tax, and levy the same thereby; *provided*, that said property tax for highway purposes shall not exceed the sum of twenty cents upon each one hundred dollars of assessable property in any one year."

Motion carried.

REPORT OF SPECIAL COMMITTEE OF ONE.

SENATE CHAMBER, SACRAMENTO, May 5, 1931.

MR. PRESIDENT: Your Special Committee of One, to which was referred Senate Bill No. 356, with instructions to amend, respectfully reports the same back, amended as per instructions.

RICH, Committee.

Report read, and on motion of Senator Ingels adopted.

Bill ordered to print, and re-engrossment.

FURTHER PROCEEDINGS UNDER CALL OF THE SENATE DISPENSED WITH.

At twelve o'clock and eighteen minutes p.m., further proceedings under the call of the Senate were dispensed with, on motion of Senator Maloney.

The Secretary was directed to call the roll on Senator Maloney's motion to withdraw Senate Bill No. 234 from Committee on Public Morals, and place on file.

The roll was called, and Senator Maloney's motion carried by the following vote:

AYES—Senators Allen, Bush, Carter, Cassidy, Christian, Clock, Crittenden, Fellom, Ingels, Inman, Maloney, McCormack, Pedrotti, Riley, Rochester, Sharkey, Slater, Swing, Treacy, Tubbs, and Williams—21.

NOES—Senators Baker, Breed, Cleveland, Deuel, Duval, Edwards, Evans, Harper, Hays, Jones, McKinley, Mixter, Moran, Nelson, Rich, Schottky, and Wagy—17.

MOTION BY SENATOR INMAN.

Senator Inman moved that the Secretary of the Senate be directed to request the Attorney General, in behalf of the Senate, for an opinion as to whether the questions proposed to be submitted to the people by Senate Bill No. 234 can be legally submitted to the people on the ballot as proposed by said bill.

CONSIDERATION OF DAILY FILE.

THIRD READING OF SENATE BILLS—(RESUMED).

Senate Bill No. 257—An act to add a new section to the Political Code to be numbered 4041.28, relating to the disposition of courthouse and other sites dedicated to public use.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Senate Bill No. 257 passed by the following vote:

AYES—Senators Allen, Baker, Breed, Bush, Carter, Cassidy, Cleveland, Clock, Crittenden, Deuel, Duval, Edwards, Evans, Fellom, Harper, Ingels, Inman, Maloney, McCormack, McKinley, Mixter, Moran, Nelson, Rich, Riley, Rochester, Sharkey, Slater, Swing, Tubbs, and Wagy—31.

NOES—None.

Title read and approved.

Bill ordered transmitted to the Assembly.

Senate Bill No. 949—An act to amend section 37 of an act entitled "An act providing for the incorporation of public utility districts in unincorporated territory, authorizing such districts to incur bonded indebtedness for the purpose of the construction of works and the acquisition of property, and to levy and collect taxes to pay the principal and interest on bonds and for carrying on their operations, and providing for the powers, management and government of such districts, and imposing certain duties and functions in connection with such districts upon certain county officers," approved May 31, 1921, relating to books of account of public utility districts.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Senate Bill No. 949 passed by the following vote:

AYES—Senators Allen, Bush, Cassidy, Cleveland, Crittenden, Deuel, Duval, Edwards, Evans, Fellom, Harper, Inman, Maloney, McCormack, McKinley, Mixer, Moran, Nelson, Rich, Riley, Sharkey, Slater, and Tubbs—23.

NOES—None.

Title read and approved.

Bill ordered transmitted to the Assembly.

Senate Bill No. 622—An act to amend the title and sections 2 and 4 of an act entitled "An act to create a flood control district to be called 'Los Angeles County Flood Control District'; to provide for the control and conservation of flood and storm waters, and for the protection of harbors, waterways, public highways and property in said district from damage from such waters, and for the construction of works and the acquisition of property therefor; to authorize the incurring of indebtedness, and the voting, issuing and selling of bonds, and the levying and collecting of taxes by said district; to provide for the government and control of said district, and to define the powers and duties of the officers thereof," approved June 12, 1915, as amended, relating to the objects and purposes of said act and the powers of the board of supervisors thereunder.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Senate Bill No. 622 passed by the following vote:

AYES—Senators Allen, Breed, Bush, Carter, Cassidy, Crittenden, Deuel, Duval, Edwards, Evans, Fellom, Harper, Hays, Inman, McCormack, McKinley, Mixer, Nelson, Rich, Riley, Schottky, Sharkey, Slater, Treacy, Tubbs, and Wagy—26.

NOES—None.

Title read and approved.

Bill ordered transmitted to the Assembly.

RECESS.

On motion of Senator Breed, at twelve o'clock and thirty minutes p.m., the President of the Senate declared recess until two o'clock p.m.

RECONVENED.

At two o'clock p.m., the Senate reconvened.

Lieutenant Governor Frank F. Merriam, President of the Senate, in the chair.

Secretary Joseph A. Beek at the desk.

MESSAGES FROM THE ASSEMBLY.

The following messages from the Assembly were received and read:

ASSEMBLY CHAMBER, SACRAMENTO, May 5, 1931.

MR. PRESIDENT: I am directed to inform your honorable body that the Assembly on this day passed Assembly Bill No. 1082—An act to amend section 636 of the Penal Code, relating to the protection of fish and game;

Also: Assembly Bill No. 1081—An act to amend section 62 of an act entitled "An act to divide the State of California into fish and game districts and to repeal an act entitled 'An act to divide the State of California into fish and game districts and to repeal an act entitled 'An act to divide the State of California into six fish and game districts,' approved March 21, 1911, and all acts or parts of acts inconsistent herewith,' approved May 19, 1915," approved May 28, 1917, as amended and revised, and to add a new section thereto to be numbered section 62a;

Also: Assembly Bill No. 506—An act to add a new section to the School Code to be numbered 6479, relating to the purchase and maintenance of school buses;

Also: Assembly Bill No. 1356—An act to amend an act, entitled "An act providing for the organization of water districts by the board of supervisors of the different counties of the State upon petition therefor by the landowners; providing for the joint government and control thereof by the landowners thereof and the board of supervisors of the county in which the same are formed; providing for the duties in connection therewith of the county officials of each county in which any of the lands contained in said district are located; providing for the acquisition and construction by said district of irrigation works, for the irrigation of the lands embraced therein and for the distribution thereby of water for irrigation purposes; providing for the payment of the debts thereof by a tax levied on the lands embraced therein; providing for the issuance and sale of bonds thereby; providing for the transfer of the properties of such districts to any reclamation, drainage or irrigation project and the extension of contracts providing for such transfer in exchange for the right to receive and use water; providing for the approval of the California Bond Certification Commission of such contracts or transfers; providing that said bonds and contracts or transfers may be investigated by the California Bond Certification Commission; providing for the approval of said bonds and such transfers, or contracts providing therefor by the California Bond Certification Commission in case said investigation is favorably reported and that thereafter said bonds may be lawfully purchased, or received in pledge as security for any money or deposits or for the performance of any act, by banks, banking institutions, insurance companies, trust companies, guardians, executors, administrators and special administrators; providing in certain cases for the transfer of districts from the supervision of one county board of supervisors to another; providing for the dissolution of said districts for nonuser of corporate power; and providing for the annexation of lands to and the exclusion of lands from such districts," approved June 13, 1913, as amended, by amending section 1a thereof to repeal the provision permitting a water district to be organized within the boundaries of an irrigation district.

ARTHUR A. OHNIMUS, Chief Clerk.
By A. W. ENGELKE, Assistant Clerk.

Assembly Bills Nos. 1082 and 1081 read first time, and referred to Committee on Fish and Game.

Assembly Bill No. 506 read first time, and referred to Committee on Education.

Assembly Bill No. 1356 read first time, and referred to Committee on Municipal Corporations.

Also:

ASSEMBLY CHAMBER, SACRAMENTO, May 5, 1931.

MR. PRESIDENT: I am directed to inform your honorable body that the Assembly on this day passed Assembly Bill No. 1896—An act to amend sections 5 and 6 of the Direct Primary Law, relative to primary elections;

Also: Assembly Bill No. 1938—An act relating to a Convalescent Colony and empowering the Department of Finance to accept land or contributions for the Convalescent Colony upon recommendation of the Convalescent Colony Board; creating a Convalescent Colony Board, and providing for the disposition and expenditure of moneys in connection with said Convalescent Colony;

Also: Assembly Bill No. 1464—An act to amend section 2322.28 of the Political Code, relating to the office of agricultural commissioner in counties of the twenty-eighth class;

Also: Assembly Bill No. 687—An act increasing the number of judges of the superior court of the State of California, in and for the county of San Mateo, and providing for the appointment of an additional judge and for his compensation;

Also: Assembly Bill No. 801—An act to amend sections 7, 8 and 9 of chapter 221, Statutes of 1929, entitled "An act to regulate the erection, construction, alteration, maintenance and use of mausoleums, columbariums and all buildings whatsoever called, erected, or used for, the permanent interment of all the remains of 15 or more deceased persons, in all parts of the State of California; provide for the inspection of the same, and to provide penalties for the violation thereof; and repealing all acts and parts of acts in conflict therewith," approved May 4, 1929.

ARTHUR A. OHNIMUS, Chief Clerk.
By A. W. ENGELKE, Assistant Clerk.

Assembly Bill No. 1896 read first time, and referred to Committee on Elections.

Assembly Bill No. 1938 read first time, and referred to Committee on Governmental Efficiency.

Assembly Bill No. 1464 read first time, and referred to Committee on County Government.

Assembly Bill No. 687 read first time, and referred to Committee on Governmental Efficiency.

Assembly Bill No. 801 read first time, and referred to Committee on Judiciary.

Also:

ASSEMBLY CHAMBER, SACRAMENTO, MAY 5, 1931.

MR. PRESIDENT: I am directed to inform your honorable body that the Assembly on May 4, 1931, passed Assembly Bill No. 1156—An act to amend section 2349 of the Political Code, relating to navigable streams and public water ways.

ARTHUR A. OHNIMUS, Chief Clerk.
By A. W. ENGELKE, Assistant Clerk.

Assembly Bill No. 1156 read first time, and referred to Committee on Commerce and Navigation.

REPORTS OF STANDING COMMITTEES—RESUMED.

The following reports of standing committees were received and read:

ON ENGROSSMENT, ENROLLMENT AND PRINTING.

SENATE CHAMBER, SACRAMENTO, MAY 5, 1931.

MR. PRESIDENT: Your Committee on Engrossment, Enrollment and Printing has examined Senate Bill No. 328—An act to amend sections 5 and 10 of an act entitled "An act authorizing the creation, government, maintenance and dissolution of county sanitation districts, the annexation of contiguous territory to such districts, the issuance of bonds by such districts and the powers thereof," approved May 29, 1923, as amended, by providing for the sale and disposition by such districts of water, sewage effluent, fertilizer and other by-products resulting from the operation of sewage plants, and for the conservation of water, and for distributing the proceeds of the sales of bonds:

Also: Senate Bill No. 336—An act to amend section 1 of an act entitled "An act authorizing California Toll Bridge Authority and the Department of Public Works of the State of California to lay out, acquire and construct a highway crossing from the city of San Francisco across the bay of San Francisco to the county of Alameda and providing for the payment of the cost thereof," approved June 10, 1929, relating to the cost of said bridge and its adoption as a State highway:

Also: Senate Bill No. 377—An act to amend the School Code of the State of California by adding section 4.982 thereto, relating to school bonds:

Also: Senate Bill No. 452—An act to amend section 4.821 of the School Code, relating to the increase of apportionments to elementary school districts:

Also: Senate Bill No. 500—An act to amend section 200 of the Code of Civil Procedure, relating to exemption from jury duty:

And reports that the same have been correctly enrolled and presented to the Governor on the fifth day of May, at eleven o'clock and thirty minutes a.m.

CASSIDY, Vice Chairman.

Also:

MR. PRESIDENT: Your Committee on Engrossment, Enrollment and Printing has examined Senate Bill No. 381—An act providing that any person, firm, association, or corporation, agent, superintendent or manager thereof, employing special agents, detectives or so-called spotters, before disciplining or discharging any employee upon a report by such special agent, detective or so-called spotters, give notice and accord a hearing to such employee upon his request therefor, and providing for the punishment for the violation thereof, and repealing chapter 65, Statutes of 1915, entitled "An act providing that any public service corporation, agent, superintendent, or manager thereof, employing special agents, detectives, or so-called spotters shall, before disciplining or discharging any employee upon a report by such special agent, detective, or so called spotters, give notice and accord a hearing to such employee upon his request therefor, and providing for the punishment for the violation thereof," approved April 14, 1915, as amended:

Also: Senate Bill No. 457—An act to amend section 77 of chapter 206, Statutes of 1923, entitled the "California Vehicle Act," relating to the additional weight fee required on commercial vehicle other than those operating under a franchise granted by the State Railroad Commission:

Also: Senate Bill No. 666—An act to amend sections 4.370, 4.371, 4.372 and 4.373 of article VIII, chapter 1, part III of division IV of the School Code of the State of California, relating to levy of school district taxes:

Also: Senate Bill No. 834—An act to amend section 4,290 of the School Code, relating to temporary transfers of moneys from the funds of a county or city to the funds of a school district within such county or city;

Also: Senate Bill No. 839—An act to amend section 2,1427 of the School Code, relating to the duties of the Superintendent of Public Instruction;

Also: Senate Bill No. 913—An act to amend section 737*bb* of the Political Code, relating to the salary of the judge of the superior court in and for the county of Napa;

And reports that the same have been correctly engrossed.

CASSIDY, Vice Chairman

Also:

MR. PRESIDENT: Your Committee on Engrossment, Enrollment and Printing has examined Senate Bill No. 362—An act to prohibit and prevent the waste of crude petroleum oil in the State of California and defining such waste, and in that behalf creating an Oil Conservation Commission; providing for the appointment of the members of said commission; fixing the terms of office of the members of said commission; providing for the filling of vacancies in the membership of said commission; providing for the powers, duties and authority of said commission and the members thereof; requiring producers of crude petroleum oil and operators of wells and owners and operators of any storage facilities of crude petroleum oil to make and file certain reports; providing for the filing and hearing of complaints concerning the waste of crude petroleum oil and for oaths, subpoenas and depositions; providing for the fixing of allowable production of crude petroleum oil for the State and for the several oil fields thereof, respectively, and for the several zones properties and wells in each such oil field, respectively, so as to stop such waste; providing for the enforcement of said act; providing penalties for refusing to permit the commission or its representatives to inspect any drilling or producing well or storage facilities and for failing, neglecting or refusing to furnish any report or record or statement required by the commission and for wilfully rendering or furnishing a false or fraudulent report, statement or record, creating a fund for the purposes of said act and providing for the assessment and collection thereof—and reports that the same has been correctly re-engrossed.

CASSIDY, Vice Chairman.

ON FINANCE.

SENATE CHAMBER, SACRAMENTO, May 5, 1931.

MR. PRESIDENT: Your Committee on Finance, to which was referred Senate Bill No. 27—An act to amend section 736*b* of the Political Code, prescribing the payment of compensation of judges of the superior court;

Also: Senate Bill No. 28—An act to amend section 736*c* of the Political Code, prescribing the payment of salaries of judges of the superior court;

Has had the same under consideration, and respectfully reports the same back, without recommendation.

Committee membership—18; committee vote: Ayes—16.

SWING, Chairman.

Senate Bills Nos. 27 and 28 ordered on file for second reading.

Also:

MR. PRESIDENT: Your Committee on Finance, to which was referred Senate Bill No. 938—An act making an appropriation from the Contingent Fund of the State Board of Pharmacy to be used by the Regents of the University of California for the use and benefit of the College of Pharmacy of the University of California;

Also: Senate Bill No. 433—An act to make an appropriation to pay the claim of W. E. Martin against the State of California;

Also: Senate Bill No. 124—An act to amend sections 737*g* and 737*c* of the Political Code, relating to the salaries of judges of the superior courts;

Also: Senate Bill No. 301—An act to amend section 737*cc* of the Political Code, relating to salary of superior court judge;

Also: Senate Bill No. 693—An act to add a new section to the Code of Civil Procedure, to be numbered 66*b*, relating to the number of judges of the superior court in the county of Merced;

Also: Senate Bill No. 954—An act to amend section 737*l* of the Political Code, relating to salary of judges of the superior court in and for the county of Humboldt;

Also: Senate Bill No. 961—An act to amend section 737*h* of the Political Code, relating to the salaries of the judges of the superior court;

Has had the same under consideration, and respectfully reports the same back, and recommends that they do pass.

Committee membership—18; committee vote: Ayes—16.

SWING, Chairman.

Senate Bills Nos. 938, 433, 124, 301, 693, 954 and 961 ordered on file for second reading.

Also:

MR. PRESIDENT: Your Committee on Finance, to which was referred resolution by Senator Breed—Relative to sources of State's revenues and State's expenditures; Also: Resolution by Senator Jones—Relative to State tax on banks and oil companies;

Has had the same under consideration, and respectfully reports the same back, and recommends that they be adopted.

Committee membership—18; committee vote: Ayes—16.

SWING, Chairman.

ON GOVERNMENTAL EFFICIENCY.

SENATE CHAMBER, SACRAMENTO, May 5, 1931.

MR. PRESIDENT: Your Committee on Governmental Efficiency, to which was referred Senate Bill No. 15—An act to amend section 737 1/2 of the Political Code, relating to salary of the judge of the superior court in and for the county of Mono—has had the same under consideration, and respectfully reports the same back, and recommends that it be re-referred to the Committee on Finance.

Committee membership—11.

(Signed out)

CRITTENDEN, Chairman.

BAKER.

CHRISTIAN.

MCCORMACK.

McKINLEY.

MIXTER.

Senate Bill No. 15 ordered re-referred to Committee on Finance.

ON AGRICULTURE AND LIVE STOCK.

SENATE CHAMBER, SACRAMENTO, May 5, 1931.

MR. PRESIDENT: Your Committee on Agriculture and Live Stock, to which was referred Assembly Bill No. 152—An act to amend sections 2 and 3 of chapter 431, Statutes of 1921, entitled "An act to provide for the filing of names, marks or other devices used to indicate ownership, providing for certain benefits therefrom, and prescribing penalties for violating the provisions hereof; repealing an act (approved March 21, 1911) entitled "An act to protect the owners of bottles, boxes, siphons and kegs used in the sale of olives, olive oil, salad oil, soda waters, mineral or aerated water, porter, ale, cider, ginger ale, milk, cream, small beer, lager beer, weiss beer, white beer or other beverages, repealing "An act to protect the owners of bottles, boxes, siphons, and kegs used in the sale of soda waters, mineral or aerated waters, porter, ale, cider, ginger ale, milk, cream, small beer, lager beer, weiss beer, beer, white beer, or other beverages," approved March 31, 1891, also repealing an act to amend an act entitled "An act to protect the owners of bottles, boxes, siphons, and kegs, used in the sale of soda waters, mineral and aerated waters, porter, ale, cider, ginger ale, milk, cream, small beer, lager beer, weiss beer, beer, white beer or other beverages (approved March 31, 1891); by adding thereto a new section after section 4 thereof, relating to deposits, to be numbered as section 5 of said act, by renumbering section 5 of said act as section 6 thereof, and amending the same relating to assignments, and by renumbering section 6 of said act as section 7 thereof," approved March 5, 1903," approved May 26, 1921, relating to the unlawful use of containers—has had the same under consideration, and respectfully reports the same back with amendments, and recommends that the amendments be adopted, and that it do pass as amended.

Committee membership—13; committee vote: Ayes—9; absent—4.

DUVAL, Chairman.

Assembly Bill No. 152 ordered on file for second reading.

Also:

MR. PRESIDENT: Your Committee on Agriculture and Live Stock, to which was referred Assembly Bill No. 1949—An act to amend sections 2 and 8 of an act entitled "An act to define commercial feeding stuffs and to establish a standard therefor, providing for the branding and labeling of same, empowering the State Board of Health to enforce the provisions of the act and providing penalties for the violation of same," approved May 16, 1919, relating to commercial feeding stuffs—has had the same under consideration, and respectfully reports the same back, and recommends that it do pass.

Committee membership—13; committee vote: Ayes—9; absent—4.

DUVAL, Chairman.

Assembly Bill No. 1949 ordered on file for second reading.

Also:

MR. PRESIDENT: Your Committee on Agriculture and Live Stock, to which was referred Assembly Concurrent Resolution No. 20—Relative to the maintenance of joint

quarantine and motor vehicle examination or registration stations—has had the same under consideration, and respectfully reports the same back, and recommends that it be adopted.

Committee membership—13; committee vote: Ayes—9; absent—4.

DUVAL, Chairman.

Assembly Concurrent Resolution No. 20 ordered on file.

ON JUDICIARY.

SENATE CHAMBER, SACRAMENTO, May 5, 1931.

MR. PRESIDENT: Your Committee on Judiciary, to which was referred Senate Bill No. 178—An act to amend section 1445 of the Code of Civil Procedure, relating to the inventory and appraisal of the estate of a decedent—has had the same under consideration, and respectfully reports the same back with amendments, and recommends that the amendments be adopted, and that it do pass as amended.

Committee membership—17; committee vote: Ayes—12; absent—5.

CHRISTIAN, Chairman.

Senate Bill No. 178 ordered on file for second reading.

ON ENGROSSMENT, ENROLLMENT AND PRINTING.

SENATE CHAMBER, SACRAMENTO, May 5, 1931.

MR. PRESIDENT: Your Committee on Engrossment, Enrollment and Printing has examined Senate Bill No. 138—An act to add a new article to chapter 3 of title I of part III of the Political Code, to be numbered article 11a, embracing sections 360 to 360g, both inclusive, and to repeal sections 363k, 363l and 363m of the Political Code and section 30 of the California Vehicle Act, relating to a Department of Motor Vehicles—and reports that the same has been correctly re-engrossed.

RILEY, Chairman.

SPECIAL ORDER RESET.

On motion of Senator Carter, the consideration of Senate Bills Nos. 362 and 363, heretofore set as special orders for this time, were reset as special orders for two o'clock and thirty minutes p.m. May 5, 1931.

CONSIDERATION OF DAILY FILE.

THIRD READING OF SENATE BILLS—(RESUMED).

Senate Bill No. 931—An act to repeal chapter 399 of the Statutes of 1911, relating to certain defenses in actions at common law against employers.

Bill read third time.

MOTION TO REFER TO SPECIAL COMMITTEE OF ONE.

During third reading of the bill, Senator Moran moved to refer Senate Bill No. 931 to Senator Rich, as a Special Committee of One, to amend as follows:

AMENDMENT NUMBER ONE.

Amend the title of the printed bill, to read as follows:

"An act to amend chapter 399 of the statutes of 1911 by amending section 1 thereof and by adding thereto a new section, to be numbered 3, all relating to certain defenses in actions at common law against employers."

AMENDMENT NUMBER TWO.

On page 1, line 10, of the printed bill, after the comma insert the following: "in which recovery is sought upon the ground of want of ordinary or reasonable care of the employer, or of any officer, agent, or servant of the employer,".

AMENDMENT NUMBER THREE.

On page 1 of the printed bill, after line 15, indent and add the following:

"SEC. 2. A new section is hereby added to said act to be numbered 3 and to read as follows:

Sec. 3. Nothing in this act contained shall in any way affect any provision of the workmen's compensation, insurance and safety act of 1917."

Motion carried.

REPORT OF SPECIAL COMMITTEE OF ONE.

SENATE CHAMBER, SACRAMENTO, May 5, 1931.

MR. PRESIDENT: Your Special Committee of One, to which was referred Senate Bill No. 931, with instructions to amend, respectfully reports the same back, amended as per instructions.

RICH, Committee.

Report read, and on motion of Senator Moran adopted.

Bill ordered to print, and re-engrossment.

Senate Bill No. 457—An act to amend section 77 of chapter 266, Statutes of 1923, entitled the "California Vehicle Act," relating to the additional weight fee required on commercial vehicle other than those operating under a franchise granted by the State Railroad Commission.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Senate Bill No. 457 passed by the following vote:

AYES—Senators Allen, Baker, Breed, Bush, Carter, Cassidy, Christian, Clock, Crittenden, Deuel, Duval, Edwards, Evans, Fellom, Harper, Ingels, Inman, Jones, Maloney, McCormack, Mixer, Moran, Pedrotti, Rich, Riley, Sharkey, Slater, Treacy, Tubbs, and Waggy—30.

NOES—None.

Title read and approved.

Bill ordered transmitted to the Assembly.

Senate Bill No. 461—An act to provide for the investigation of the value of forest cover in the conservation of water in the prevention of erosion on watershed areas and to make an appropriation therefor.

Bill read third time.

MOTION TO REFER TO SPECIAL COMMITTEE OF ONE.

During third reading of the bill, Senator Ingels moved to refer Senate Bill No. 461 to Senator Moran, as a Special Committee of One, to amend as follows:

AMENDMENT NUMBER ONE.

Strike out the title of the printed bill, and insert in lieu thereof the following: "An act to provide for certain investigations relating to conservation of water and to make an appropriation therefor."

AMENDMENT NUMBER TWO.

On page 1 of the printed bill, strike out line 1, and in line 2, strike out "water resources", and insert in lieu thereof the following:

"SECTION 1. The department of natural resources, division of forestry".

AMENDMENT NUMBER THREE.

On page 1, lines 9 and 10, of the printed bill, strike out "public works, division of water resources", and insert in lieu thereof "natural resources, division of forestry; seventeen thousand dollars thereof".

AMENDMENT NUMBER FOUR.

On page 1, line 12, of the printed bill, strike out "; said money", and insert in lieu thereof a comma.

AMENDMENT NUMBER FIVE.

On page 1, line 15, of the printed bill, strike out the period, and insert in lieu thereof the following: "; and the balance for the purpose of an investigation of the effects of fire and brush cover on ground water supply, one-half to be expended during the eighty-third fiscal year and the remainder to be expended during the eighty-fourth fiscal year."

Motion carried.

REPORT OF SPECIAL COMMITTEE OF ONE.

SENATE CHAMBER, SACRAMENTO, May 5, 1931.

MR. PRESIDENT: Your Special Committee of One, to which was referred Senate Bill No. 461, with instructions to amend, respectfully reports the same back, amended as per instructions.

MORAN, Committee.

Report read, and on motion of Senator Ingels adopted.
Bill ordered to print, and re-engrossment.

Senate Bill No. 487—An act to amend section 602a of the Political Code, relating to liability reserves of insurance companies and to the powers and duties of the Insurance Commissioner.

On motion of Senator Maloney, Senate Bill No. 487 was ordered re-referred to Committee on Insurance.

Senate Bill No. 571—An act providing for investigation of and report upon certain matters relating to crime, criminals and penal laws, including particularly the cost of crime to the State, defining the powers and duties of the State Director of Finance and other public officers in relation thereto, and making an appropriation therefor.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Senate Bill No. 571 passed by the following vote:

AYES—Senators Allen, Baker, Breed, Bush, Cassidy, Christian, Crittenden, Deuel, Duval, Edwards, Evans, Fellom, Hays, Inman, Maloney, McCormack, Mister, Moran, Nelson, Rich, Riley, Schottky, Sharkey, Slater, Tieney, Tubbs, Wagy, and Williams—28.

NOES—Senators Harper and Rochester—2.

Title read and approved.

Bill ordered transmitted to the Assembly.

CONSIDERATION OF SPECIAL ORDERS.

The hour having arrived for the consideration of Senate bills Nos. 362 and 363, heretofore set as special orders for two o'clock and thirty minutes p.m., the same were taken up for consideration.

Senate Bill No. 362—An act to prohibit the production of crude petroleum oil so as to constitute waste; to define waste; to provide for a determination of waste and the allocation of production to the several sources of supply and the several properties therein and to provide penalties for a violation of said law.

Bill read third time.

POINT OF ORDER.

Senator Carter raised the point of order that Senate Bill No. 362 carried an appropriation and had not been referred to the Committee on Finance, as required in the Senate Rules concerning appropriation bills, and therefore should not be considered by the Senate before being re-referred to that committee.

DECISION ON POINT OF ORDER.

The President announced his decision and declared the point of order not well taken.

POINT OF ORDER.

Senator Carter raised the point of order that Senate Bill No. 362, before the Senate, did not contain the amendments as adopted by the Senate, and therefore could not be considered at this time by the Senate.

DECISION ON POINT OF ORDER.

The President announced his decision and declared the point of order not well taken, as Senate Bill No. 362 was printed, as amended.

The question being on the passage of the bill.

The roll was called, and Senate Bill No. 362 passed by the following vote:

AYES—Senators Baker, Breed, Bush, Carter, Cassidy, Clock, Crittenden, Deuel, Duval, Edwards, Evans, Fellom, Harper, Jones, Maloney, McKinley, Mixer, Nelson, Pedrotti, Rich, Sharkey, Slater, Treacy, Tubbs, Wagy, and Williams—26.

NOES—Senators Allen, Christian, Cleveland, Hays, Ingels, McCormack, Moran, Riley, Rochester, and Schottky—10.

NOTICE OF MOTION TO RECONSIDER.

Senator Carter gave notice that on the next legislative day he would move to reconsider the vote by which Senate Bill No. 362 was passed.

PRESENTATION OF PETITION—(OUT OF ORDER).

The following petition was presented, and ordered printed in the Journal:

By Senator Carter:

PETITION.

*To the President of the Senate and the Speaker of the Assembly,
State Capitol, Sacramento, California.*

GENTLEMEN: The undersigned do hereby protest and oppose the passage of Senate Bills Nos. 362 and 363, known as the Weil-Sharkey bills, for the reason that such legislation is diametrically opposed to the public interest and welfare; that it is in derogation of existing property rights; that it is an attempt to repeal and control the law of supply and demand; that said proposed legislation constitutes a price-fixing structure which would submit the public to price-fixing by private corporations; that it would legalize monopoly and make available the processes of our courts to that end; that it would be detrimental to the welfare of the oil industry as a whole and the people of the State of California.

We beg that you respectively bring this communication to the attention of the Senate and Assembly.

EDWIN W. SANDERSON,

And 105 others.

1110 W. Anaheim, Wilmington.

Senate Bill No. 363—An act to protect persons and property against danger from fire and explosion in oil wells by providing for the location of wells in relation to the outer boundary lines of the property, streets, roads and highways and other wells.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Senate Bill No. 363 passed by the following vote:

AYES—Senators Baker, Breed, Carter, Cassidy, Clock, Crittenden, Deuel, Duval, Edwards, Evans, Fellom, Harper, Hays, Inman, Jones, Maloney, McCormack, McKinley, Mixer, Moran, Nelson, Pedrotti, Rich, Schottky, Sharkey, Slater, Swing, Treacy, Wagy, and Williams—30.

NOES—Senators Allen, Christian, Cleveland, Riley, and Tubbs—5.

NOTICE OF MOTION TO RECONSIDER.

Senator Carter gave notice that on the next legislative day he would move to reconsider the vote by which Senate Bill No. 363 was passed.

Senate Bill No. 138—An act to add a new article to chapter 3 of title I of part III of the Political Code, to be numbered article 11a, embracing sections 360 to 360g, both inclusive, and repealing sections 363k, 363l,

and 363m of the Political Code, relating to a Department of Motor Vehicles.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Senate Bill No. 138 passed by the following vote:

AYES—Senators Allen, Baker, Bush, Cassidy, Clock, Crittenden, Evans, Fellom, Harper, Inman, Maloney, McCormack, McKinley, Mixter, Moran, Pedrotti, Rich, Riley, Schottky, Sharkey, Swing, Treney, Tubbs, Wagy, and Williams—25.

NOES—Senators Breed, Christian, Cleveland, Deuel, Duval, Edwards, Hays, Jones, Nelson, and Slater—10.

Title read and approved.

Bill ordered transmitted to the Assembly.

CONSIDERATION OF DAILY FILE.

SECOND READING OF ASSEMBLY BILLS—(OUT OF ORDER).

Assembly Bill No. 982—An act to amend section 4260 of the Political Code, relating to compensation of county and township officers in counties of the thirty-first class.

On motion of Senator Cassidy, Assembly Bill No. 982 was ordered re-referred to Committee on County Government.

OPINION OF ATTORNEY GENERAL.

The following opinion of the Attorney General was received, and ordered printed in the Journal:

By Senator Inman:

STATE OF CALIFORNIA, LEGAL DEPARTMENT.
SAN FRANCISCO, May 4, 1931.

*Hon. J. M. Inman and Hon. Herbert C. Jones,
State Capitol, Sacramento, California.*

GENTLEMEN: I have received your request for an opinion as to the constitutionality of section 9 (a) which is proposed to be submitted as an amendment to Senate Bill No. 362 relating to conservation of crude petroleum.

Section 9a provides in substance that whenever crude oil and/or gasoline shall have attained an "unreasonable wholesale price" complaint may be made to the Oil Conservation Commission, which commission shall at once order a hearing.

The section then provides:

"The commission shall determine whether or not in the interest of public policy, restrictions and proration then in effect on crude oil production in California shall, in full or in part, at once be suspended. If upon the hearing the commission finds that it would be beneficial in interest of public policy to suspend restrictions and proration, in full or in part, then said commission shall at once promulgate an order, such order to be made in the same manner and to have the same authority as is provided in the case of any other order of the commission, making effective its decision which order shall remain in full force and effect until such time as both crude and gasoline prices have respectively reached a reasonable price per barrel f.o.b. well and f.o.b. refinery, at which time prior restrictions and proration orders as affecting crude oil production shall be restored to full force and effect."

The particular question submitted for our opinion is whether in using the words "unreasonable wholesale price" the statute is so indefinite in its terms as to be void.

If this were a penal statute imposing a penalty upon those who sold crude petroleum at an "unreasonably" high price, it would clearly be unconstitutional.

Cline vs. Frick Dairy Co. 274 U. S. 445;

Small Co. vs. American Sugar Refining Co. 267 U. S. 233;

United States vs. Cohen Grocery Co. 255 U. S. 81.

While the bill does not in terms refer to an unreasonably high price, it is obvious that that is what is intended, as a reference to the later provisions thereof will disclose.

No penalty is provided in this section for selling at a higher price than is reasonable. The result of a determination by the commission that the price is unreasonable is the suspension, in whole or in part, of orders of the commission then in effect covering restrictions and proration. Nevertheless, it is apparent that before suspending such orders the commission must, in effect, at least, determine that an unreasonable

wholesale price of crude petroleum or gasoline prevails. The question therefore is whether the commission can be given the power to make such a determination and to act accordingly.

As already stated, if this were a penal act it would be invalid. But since it is not a penal act but a regulatory measure, apparently designed to prevent unreasonable prices of crude petroleum and gasoline from becoming effective by reason of conservation measures taken or orders issued by the commission, the answer to the question is not so clear.

It is not only penal acts which may be invalid on the ground of uncertainty as to the offense which may be charged. Acts relating to civil matters may also be invalid on the ground of uncertainty or indefiniteness, or because there is no definition therein of conditions or standards whereby the existence of a requisite fact may be determined, or because no factors are established in the law by which to measure or test an act.

It must be conceded that in this section there is nothing to guide the commission in determining what is an "unreasonable" price for crude petroleum or gasoline.

In the case of *Small Co. vs. American Sugar Refining Co.*, 267 U. S. 233, the court had under consideration sections 4, 5 and 6 of the Lever Act, 40 Stats. 276, as amended. The case was a suit for damages for breach of a contract to buy sugar. The defendant resisted the action on the ground that the plaintiff, in respect to the price of the sugar, had violated the provisions of the act. The plaintiff demurred to the answer and the demurrer was sustained on the ground that the act was in conflict with the fifth amendment to the constitution and void.

Section 4 of the act provided that it should be "unlawful for any person wilfully * * * to make any unjust or unreasonable * * * charge in * * * dealing in or with any necessities" or to agree with another "to exact excessive prices for any necessities."

The Supreme Court referred to its previous decisions in *United States vs. Cohen Grocery Co.*, 255 U. S. 51, and *Weeds, Inc. vs. United States*, 255 U. S. 109, wherein it was held that the words "unreasonable" and "excessive" as applied to prices had no commonly recognized or accepted meaning, and then quoted from the Cohen case as follows:

"Observe that the section forbids no specific or definite act. It confines the subject matter of the investigation which it authorizes (by court and jury after the act) to no element essentially inhering in the transaction as to which it provides. It leaves open, therefore, the widest conceivable inquiry, the scope of which no one can foresee and the result of which no one can foreshadow or adequately guard against. In fact, we see no reason to doubt the soundness of the observation of the court below, in its opinion, to the effect that, to attempt to enforce the section would be the exact equivalent of an effort to carry out a statute which in terms merely penalized and punished all acts detrimental to the public interest when unjust and unreasonable in the estimation of the court and jury." (p. 239.)

That the statute was also bad regardless of its penal provisions and considered merely as a civil regulation was further decided by the court:

"The defendant attempts to distinguish those cases because they were criminal prosecutions. But that is not an adequate distinction. The ground or principle of the decisions was not such as to be applicable only to criminal prosecutions. It was not the criminal penalty that was held invalid, but the exaction of obedience to a rule or standard which was so vague and indefinite as really to be no rule or standard at all. Any other means of exaction, such as declaring the transaction unlawful or stripping a participant of his rights under it, was equally within the principle of those cases. They have been so construed and applied by other courts in civil proceedings. *Standard Chemicals, etc., Corporation vs. Waugh Chemical Corporation*, 231 N. Y. 51, 54; *Dunman vs. South Texas Lumber Co.*, 252 S. W. 274, 275. In the first of these citations, the court of appeals of New York, referring to this court's ruling in the *Cohen Grocery Company* case, well said:

"The ground on which it placed its judgment applies, and with like consequences, to civil suits as well. The prohibition was declared a nullity because too vague to be intelligible. No standard of duty had been established. * * * The variant views of judges of the district courts were quoted as evidence of the absence of a standard. If this is the rationale of the decision, its consequences are not limited to criminal prosecutions. A prohibition so indefinite as to be unintelligible is not a prohibition by which conduct can be governed. It is not a rule at all; it is merely exhortation and entreaty." (pp. 239-240.)

"As section 4 was invalid, whether taken as a civil regulation or as a criminal statute, it follows that in so far as the special defenses were based on it the demurrers were rightly sustained." (p. 242.)

See also *Atlantic Refining Co. vs. Trumbull*, 43 Fed. (2nd) 154, and dissenting opinion in *Frischer & Co. vs. Bakelite Corporation*, 39 Fed. (2nd) 247.

In view of the decisions above referred to I am inclined to the opinion that the validity of the proposed section would be extremely doubtful. I believe, however,

that the desired object could be attained by incorporating in the act a section reading substantially as follows:

"Sec. 9a. The commission may at any time, upon complaint made in writing to it by any person, firm, company, corporation or syndicate, or upon its own motion, and after a hearing held in the same manner as is provided herein for hearings upon complaints that waste of crude petroleum is being committed in this State, modify, suspend in whole or in part, or rescind any order theretofore made by it pursuant to the provisions of this act."

In this suggested amendment no reference is made to prices and therefore it is unnecessary for the commission to make any determination as to the reasonableness or unreasonableness of prevailing prices.

In connection with this same bill I have read your telegram of May 1st, reading as follows:

"Referring request opinion Senate Bill 362 please refer word reasonably lines 18, 24, page 2 and line 15 page 7 as now printed."

Lines 18 and 24 on page 2 occur in section 2 of the bill, which reads as follows:

"The term 'waste' as used herein shall include underground waste or destruction without beneficial use, surface waste or destruction without beneficial use, waste by reduction of the total quantity of recoverable crude petroleum oil in any underground source of supply by the careless or improper drilling or operation of wells, and the waste incident to or resulting from the production of crude petroleum oil when the current production together with the amount of crude petroleum oil and/or its products in storage exceeds the current requirements for use within and for shipment to points without the State, and for the maintenance in storage of such reserves of crude petroleum oil and/or its products as are reasonably necessary to meet and insure the continuity of an adequate supply of crude petroleum oil and/or its products for such current requirements. The loss by evaporation or leakage and the increased hazard or loss from fire and other causes resulting from the storage of crude petroleum oil and/or its products in excess of the quantities which are reasonably necessary to insure continuity of an adequate supply for such current requirements is waste within the meaning of this act."

Here again we are confronted with the fact that no standards, factors or rules are provided whereby the commission may be guided in determining what reserve of crude petroleum or its products is necessary to meet and insure the continuity of an adequate supply for current requirements.

In the absence of such standards, factors or rules, or of some other provisions contained in the statute whereby such determination can be logically arrived at, I am afraid this section would be subject to the same objection as has already been noted with reference to section 9a. In other words, the word "reasonably", unqualified as it is, is too uncertain and too indefinite, and it could very well be decided that an improper delegation of power to the commission was the result.

Section 5 and 6, which provide, respectively, for a hearing and for findings based thereon, likewise fail to furnish any basis for a determination of the question of the reasonableness of reserves.

I suggest that section 2 be amended to include certain rules or provisions whereby the commission may be guided in determining what constitutes a reserve reasonably necessary to meet current requirements.

Possibly the objection could be avoided by inserting at the appropriate place some such words as "in view of general average experience for the preceding twelve months, and in view of the probable requirements for the future based upon existing conditions and the best available information concerning such future requirements."

Line 15, page 7, occurs in section 4 of the bill, in a sentence reading as follows:

"It shall be the duty of the Oil Conservation Commission from time to time to inquire into the production of crude petroleum oil in this State and the extent of the current requirements for use within and for shipment to points without the State and of requirements for the maintenance in storage of such reserves as are reasonably necessary to meet and insure the continuity of an adequate supply of crude petroleum oil and/or its products for such requirements, in order to enable it to determine whether or not waste as hereinbefore defined exists."

I think that if this section contained the only reference to a "reasonable reserve" it might be objectionable for the reasons already stated. However, if section 2 is so amended as to provide a basis for determining what is a reasonable reserve, section 4 would probably not need to be changed.

In what has been said herein I am not unmindful of the distinction which exists between a statute which, like the Lever Act, makes a certain thing unlawful but fails of operation because no standard is prescribed by which a person may determine whether he is violating the act or not, and a statute which creates a fact finding commission, authorized to determine by a hearing the existence of a certain situation or state of facts, and upon such determination to make and impose certain orders consistent with such findings, as authorized by the statute.

Statutes of the latter class have frequently been upheld on the ground that the law-making body may declare a governmental policy and use executive officers in the application and enforcement of that policy by regulations equivalent to law.

Hampton, Jr. & Co. vs. United States, 276 U. S. 394.

Federal Trade Comm. vs. Eastman Kodak Co., 274 U. S. 619.

Frischer & Co. vs. Bakelite Corp., 39 Fed. (2d) 247.

In the Federal Trade Commission Act (15 U. S. C. A. Sec. 45) the President of the United States is authorized, upon the recommendation of the commission, a fact-finding body, to forbid the entry of imports on the ground that such importation would constitute "unfair methods of competition and unfair acts in the importation of articles into the United States, or in their sale by the owner, consignee," etc.

The statute did not define what constituted "unfair methods" or "unfair acts."

In the *Frischer* case, *supra*, the court quoted from its decision in *Hampton Jr. & Co. vs. United States*, 14 Ct. Cust. App. 350, as follows (p. 253):

"Viewing said section 315 in the light of these authorities and its legislative history, it at once becomes evident that the Congress has endeavored to express therein a general legislative policy. This policy is to levy upon imported products sufficient duties to equanize the difference in cost of production in the United States and the principal competing countries from which such imports come. Under ordinary circumstances, the duties are those specifically named in the act; but, whenever these are insufficient to accomplish this expressed purpose, they shall be, within certain precautionary minima and maxima, increased or decreased accordingly. There is no uncertainty here as to the congressional intent and policy; no discretion is attempted to be given to the President to determine what the policy shall be; the law imposes upon him no duties and confers upon him no powers except to execute the law, if it be capable of execution. When the President proclaims a change of rate thereunder, the new rate of duty does not come into being as a result of the proclamation, but the proclamation and the rate of duty result from the law."

In *Hampton Jr. & Co. vs. United States*, 276 U. S. 394, the court said:

"It is conceded by counsel that Congress may use executive officers in the application and enforcement of a policy declared in law by Congress and authorize such officers in the application of the congressional declaration to enforce it by regulation equivalent to law. But it is said that this never has been permitted to be done where Congress has exercised the power to levy taxes and fix customs duties. The authorities make no such distinction. The same principle that permits Congress to exercise its rate-making power in interstate commerce by declaring the rule which shall prevail in the legislative fixing of rates, and enables it to remit to a rate-making body created in accordance with its provisions the fixing of such rates, justifies a similar provision for the fixing of customs duties on imported merchandise. If Congress shall lay down by legislative act an intelligible principle to which the person or body authorized to fix such rates is directed to conform, such legislative action is not a forbidden delegation of legislative power. If it is thought wise to vary the customs duties according to changing conditions of production at home and abroad, it may authorize the Chief Executive to carry out this purpose, with the advisory assistance of a tariff commission appointed under congressional authority."

But see strong dissenting opinion of Associate Judge Garrett of the Court of Customs and Patent Appeals, in the *Frischer* case (39 Fed. 2d at page 261), wherein he attempts to distinguish the *Hampton* case and quotes from *Federal Trade Commission vs. Gratz*, 253 U. S. 421, as follows:

"The words 'unfair method of competition' are not defined by the statute and their exact meaning is in dispute. It is for the courts, not the commission, ultimately to determine as matter of law what they include."

Judge Garrett also expressed the opinion that the *Cohen*, *Weeds*, and *Small Company* cases, *supra*, presented authority decidedly more applicable to the *Frischer* case than was the reasoning in the *Hampton* case.

Unquestionably many other cases having a bearing on this discussion could be found, but considering the very limited time allowed me in which to consider this matter, and in view of the conclusions arrived at, I deem it unnecessary to discuss further cases.

There is sufficient doubt in my mind as to the constitutionality of the bill as now framed to make it advisable, in my judgment, to incorporate in the bill some further amendments along the lines herein suggested. Such changes will not, in my opinion, endanger the act, but may have the effect of strengthening it and rendering it less subject to attack on the ground of unconstitutionality.

This discussion would not be complete without a reference to two very recent cases. Those cases, however, are not decisive of the point here involved owing to a difference in the language of the statute there considered and the one under consideration here.

In the case of *People vs. Associated Oil Co.*, 80 Cal. Dec. 607, decided December 3, 1930, our Supreme Court upheld the constitutionality of the Gas Conservation Act (Stats. 1915, p. 1404, as amended by Stats. 1929, p. 923).

Section 86 of that act, as amended in 1929, reads as follows:

"The unreasonable waste of natural gas by the act, omission, sufferance or insistence of the lessor, lessee or operator of any land containing oil or gas, or both, whether before or after the removal of gasoline from such natural gas, is hereby declared to be opposed to the public interest and is hereby prohibited and declared to be unlawful. The blowing, release or escape of natural gas into the air shall be prima facie evidence of unreasonable waste." (Stats. 1929, p. 927.)

One of the contentions in that case was that the act was unconstitutional because the provision declaring the "unreasonable waste" of gas to be unlawful was so vague, uncertain and indefinite as to be devoid of any guide or standard as to what constitutes reasonable or unreasonable waste of natural gas.

The court called attention to section 8d of the act which provides that

"if it shall appear that gas is being produced from any oil well or wells in quantities exceeding a reasonable proportion to the amount of oil produced from the same well or wells * * * the State Oil and Gas Supervisor shall hold that such excess production of gas is unreasonable waste thereof if such holding will not cause an unreasonable waste of gas in any other field",

and then said:

"It would seem, therefore, that the Legislature has plainly adopted the standard so expressed, viz: that gas may not be produced, under existing conditions where the production thereof so greatly exceeds the market demand therefore, in quantities exceeding a reasonable proportion to the amount of oil produced, as the standard to be applied and beyond which the production is prohibited as being an unreasonable waste of natural gas.

The standard so adopted by the Legislature is, we think, not objectionable as being too vague or uncertain of application."

The court further said:

"The adoption, therefore, of such a measure seems to us to be within the scope of cases upholding other legislative enactments which have employed the so-called 'rule of reason.' Citation of authority is not necessary to support the statement that the standard of reason has been applied in many cases where certainty is less capable of measurement than in the present case, for instance, in the statutes prohibiting unreasonable restraints of trade, the common law rule of a reasonable use of water by riparian owners, the rule of law regulating the duty of care, etc. Instances where a man's fate depends on his estimating rightly, that is, as the jury subsequently estimates it, some matter of degree, are common. (See *Nash vs. United States*, 229 U. S. 373, 377.)"

Cases involving "unjust" or "unreasonable prices" and similar cases were distinguished by the court and it was then said:

"The argument is made that the same conclusion must be reached in respect to the standard of reasonableness required by the present statute, for the reason that the standards applying the 'rule of reason' in cases said to be analogous have been gleaned from or formulated by previous legislation or by many prior decisions or are within the common experience of mankind. But this argument is not persuasive when it may be said that scientific knowledge and oil and gas operating experience have achieved a similar degree of certainty in the field in which the present standard will apply. Whether the evidence sustains the ratio applied by the court in this case under such standard is a question on the merits of the appeal and is not pertinent to a determination of the merits of this application."

The important thing to be noted here is that the Gas Conservation Act did establish a certain standard by which the question of an unreasonable wastage of natural gas could be determined. In the act which we are here considering no standard is fixed.

In the case of *Bandini Petroleum Company vs. Superior Court*, 63 Cal. App. Dec. 1175, the same statute was under consideration and the same objection was made to its validity. The District Court of Appeal ruled against the contention, saying:

"As we have heretofore observed, the Indiana statutes prohibited all waste, and the United States Supreme Court concluded it to be a proper exercise of the legislative authority despite the argument that the owners of the surface were entitled to make use of its force to raise the oil from beneath the ground. Undoubtedly the Legislature had in mind the Indiana statute and its construction, as well as others from other oil producing states. It would seem to logically follow that they made use of the word unreasonable for the very

purpose of providing that the operators of a well might utilize a reasonable proportion of gas for the purpose of lifting the oil to the surface. This thought coincides with that indicated by the language we have already quoted to the effect that it shall be held to be an unreasonable waste of gas for one to produce gas in excess of a reasonable proportion to the amount of oil produced,' when such gas is not conveniently necessary for other than lifting purposes. When viewed in this light we think the word unreasonable is not so uncertain as to render the enactment void and inoperative. In fact, our courts have frequently applied the rule of reasonable use between riparian owners where similar correlative rights are involved. We have already cited the case of *Eckel vs. Springfield Tunnel, Etc. Co.*, and *Ex Parte Elam*, and to these we may add the following: *Irrigation Dist. vs. Mt. Shasta P. Corp.*, 202 Cal. 56, 259 Pac. 444; *Turner vs. The James Canal Co.*, 155 Cal. 82, 99 Pac. 520."

This case is now on appeal to the Supreme Court of the United States.

Other cases involving statutes prohibiting the unlawful waste of natural products are:

Ohio Oil Co. vs. Indiana, 177 U. S. 190.

Commonwealth vs. Trent, 117 Ky. 23, 4 Ann. Cas. 209.

Walls vs. Midland Carbon Co. (Wyo.), 254 U. S. 300.

Quinton Relief, Etc. Co. vs. Corporation Commissioner, 101 Okla. 164; 224 Pac. 156.

State vs. Carson Carbon Co., 162 La. 781; 111 So. 162.

Oxford Oil Co. vs. Atlantic Oil P. Co., 22 Fed. (2d), 597.

State vs. Lebow (Kan.), 280 Pac. 773.

Ex Parte Elam, 6 Cal. App. 233.

Katz vs. Walkinshaw, 141 Cal. 134.

Very truly yours,

U. S. WEBB, Attorney General.

By H. H. LINNEY, Deputy.

CONSIDERATION OF DAILY FILE.

THIRD READING OF SENATE BILLS—(RESUMED).

SENATE CONCURRENT RESOLUTION No. 36.

Relative to investigation and report upon acquisition by the State of the toll bridge across Carquinez Straits.

WHEREAS, It is the policy of the State of California to acquire and own all toll bridges situated upon or along any part of the highways of the State with the end in view of ultimately eliminating all toll charges thereon; and

WHEREAS, The privately owned toll bridge extending across Carquinez Straits, near Crockett, California, constitutes in fact an important connecting link between highways of the State; and

WHEREAS, The acquisition of said toll bridge by the State at the earliest possible date is in conformity with said established policy; now, therefore, be it

Resolved by the Senate, the Assembly concurring. That the California Toll Bridge Authority is hereby authorized and requested to conduct a survey and investigation of said toll bridge with a view to the acquisition thereof by the State, which investigation and report shall comprehend the determination of the length of the present franchise in respect to said toll bridge; the appraisal of the value of the structure to the State in case of the acquisition by the latter; the amount of compensation to the owner which in the judgment of said authority the State should pay on the basis of the value of the structure and the length of time which the franchise has yet to run; the feasibility of providing funds for such acquisition by issuing and selling revenue bonds; the rate of tolls by it estimated as necessary for the State to collect pending the retirement of such revenue bonds; and the reduction, if any, in the rate of tolls which the State may be able to effect immediately upon acquisition of said toll bridge, and report thereon at the next session of the Legislature.

Resolution read.

The question being on the adoption of the resolution.

The roll was called, and Senate Concurrent Resolution No. 36 adopted by the following vote:

AYES—Senators Breed, Bush, Carter, Christian, Cleveland, Crittenden, Deuel, Duval, Evans, Fellom, Ingels, Jones, Maloney, Mixer, Moran, Nelson, Pedrotti, Rich, Rochester, Sharkey, Slater, Swing, Tubbs, and Wagy—24.

NOES—None.

Senate Concurrent Resolution No. 36 ordered transmitted to the Assembly.

Senate Bill No. 515—An act to add a new article to chapter 3 of title I of part III to be numbered article II, embracing sections 348 to 379z, inclusive, of the Political Code, relating to the administrative departments of the State.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Senate Bill No. 515 passed by the following vote:

AYES—Senators Breed, Bush, Carter, Christian, Cleveland, Crittenden, Deuel, Evans, Fellom, Harper, Hays, Ingels, Inman, Jones, Maloney, McKinley, Mixter, Moran, Nelson, Pedrotti, Rich, Riley, Rochester, Sharkey, Slater, Swing, Treacy, Tubbs, Wag, and Williams—30.

NOES—None.

Title read and approved.

Bill ordered transmitted to the Assembly.

Senate Bill No. 834—An act to amend section 4.290 of the School Code, relating to temporary transfers of moneys from the funds of a county or city to the funds of a school district within such county or city.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Senate Bill No. 834 passed by the following vote:

AYES—Senators Breed, Bush, Crittenden, Deuel, Evans, Fellom, Harper, Hays, Ingels, Inman, Jones, McKinley, Mixter, Moran, Nelson, Pedrotti, Rich, Riley, Rochester, Schottky, Sharkey, Slater, Swing, Treacy, Tubbs, Wag, and Williams—27.

NOES—Senator Cleveland—1.

Title read and approved.

Bill ordered transmitted to the Assembly.

Senate Bill No. 839—An act to amend section 2.1427 of the School Code, relating to the duties of the Superintendent of Public Instruction.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Senate Bill No. 839 passed by the following vote:

AYES—Senators Breed, Bush, Carter, Cleveland, Crittenden, Deuel, Duval, Fellom, Harper, Hays, Ingels, Inman, Jones, Maloney, McKinley, Mixter, Moran, Nelson, Pedrotti, Rich, Riley, Rochester, Schottky, Sharkey, Slater, Swing, Tubbs, and Williams—28.

NOES—None.

Title read and approved.

Bill ordered transmitted to the Assembly.

Senate Bill No. 372—An act to add a new section to the Political Code, to be numbered 4041.24a, relating to the withdrawal of county records.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Senate Bill No. 372 passed by the following vote:

AYES—Senators Breed, Bush, Carter, Cleveland, Crittenden, Denel, Duval, Fellam, Harper, Hays, Jones, Maloney, McKinley, Mixer, Morgan, Nelson, Polkett, Rich, Rich, Rochester, Sharkey, Slater, Swing, Tubbs, Wag, and Williams—27.
 NAYS—None.

Title read and approved.

Bill ordered transmitted to the Assembly.

Senate Bill No. 842—An act to add a new article to chapter VI of part III of division III of the School Code to be known as article VII, embracing sections 3415 and 3416, relating to the attendance of students upon junior colleges.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Senate Bill No. 842 passed by the following vote:

AYES—Senators Breed, Bush, Carter, Cleveland, Denel, Duval, Evans, Fellam, Harper, Hays, Jones, Maloney, McKinley, Mixer, Morgan, Nelson, Polkett, Rich, Rochester, Sharkey, Slater, Swing, Tubbs, Wag, and Williams—25.
 NAYS—None.

Title read and approved.

Bill ordered transmitted to the Assembly.

Senate Bill No. 516—An act in relation to the civil administration of the State government, and to repeal certain acts therein named.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Senate Bill No. 516 passed by the following vote:

AYES—Senators Breed, Bush, Christian, Cleveland, Crittenden, Denel, Duval, Evans, Fellam, Harper, Hays, Ingels, Inman, Jones, Maloney, McKinley, Mixer, Rich, Rochester, Sharkey, Slater, Swing, Tubbs, and Wag—24.
 NAYS—None.

Title read and approved.

Bill ordered transmitted to the Assembly.

MESSAGE FROM THE ASSEMBLY

The following message from the Assembly was received and read:

ASSEMBLY CHAMBER, SACRAMENTO, May 1, 1931.

MR. PRESIDENT: I am directed to inform your honorable body that the Assembly amended, and on this day passed as amended, Senate Bill No. 446—An act to prevent fraud and deception and to protect the general welfare by establishing standards and standard containers for certain fruits, nuts and vegetables; and to that and regulating the sale, offer for sale, shipment, transportation, loading, packing, marking and disposal of fruits, nuts and vegetables; and repealing "The California Fruit, Nut and Vegetable Standardization Act of 1927," chapter 865, Statutes of 1927, as amended, and respectfully requests your honorable body to concur in said amendments.

ARTHUR A. OHNIMUS, Chief Clerk.
 By A. W. ENGELKE, Assistant Clerk.

CONSIDERATION OF ASSEMBLY AMENDMENT.

The Senate took up for consideration Assembly amendment to Senate Bill No. 446—An act to prevent fraud and deception and to protect the general welfare by establishing standards and standard containers for certain fruits, nuts and vegetables; and to that end regulating the sale, offer for sale, shipment, transportation, loading, packing, marking and

disposal of fruits, nuts and vegetables; and repealing "The California Fruit, Nut and Vegetable Standardization Act of 1927," chapter 865, Statutes of 1927, as amended.

ASSEMBLY AMENDMENT TO SENATE BILL NUMBER FOUR HUNDRED FORTY-SIX.

AMENDMENT NUMBER ONE.

On page 10 of the printed bill, as amended in the Senate March 25, 1931, strike out all of lines 35 to 51, inclusive, and insert in lieu thereof the following: "Grapefruit shall not be deemed mature under the provisions of this act unless the juice contains soluble solids, as determined by a Brix scale hydrometer, equal to or in excess of five and one-half parts to every part of acid contained in the juice, the acidity of the juice to be calculated as citric acid without water or crystallization, and have attained at least twenty-five per cent of characteristic color before picking; *provided, however,* that grapefruit which are at least seventy per cent colored at the time of picking shall be deemed mature if the juice contains soluble solids, as determined by a Brix scale hydrometer, equal to or in excess of five parts to every part of acid contained in the juice; *provided, further,* that no grapefruit may be accelerated in color unless the juice contains soluble solids, as determined by a Brix scale hydrometer, equal to or in excess of five and one-half parts to every part of acid contained in the juice, the acidity of the juice to be calculated as citric acid without water of crystallization; *provided, further,* that in view of differences in climatic conditions prevailing south and east of San Geronio pass, which results in the grapefruit grown in that area having, at maturity, a higher percentage of soluble solids to acid than the mature grapefruit grown in the area north and west of said San Geronio pass; grapefruit produced in the area south and east of San Geronio pass shall not be deemed mature unless the juice contains soluble solids equal to or in excess of six parts to every part of acid contained in the juice, the acidity of the juice to be calculated as citric acid without water of crystallization and has attained at least twenty-five per cent of characteristic yellow color before picking; *provided, further,* that in the event that the maturity standard fixed for that area south and east of the San Geronio pass should be declared void it is the intent of the Legislature that the other maturity standards prescribed in this section shall prevail; *provided, further,* that grapefruit produced outside of this state under climatic conditions similar to those prevailing in the area south and east of San Geronio pass and offered for sale in this state shall meet the same maturity standards as those prescribed for grapefruit produced south and east of said San Geronio pass."

The question being: Shall the Senate concur in Assembly amendment to Senate Bill No. 446?

The roll was called, and Assembly amendment to Senate Bill No. 446 concurred in by the following vote:

AYES—Senators Allen, Baker, Breed, Bush, Cassidy, Christian, Crittenden, Deuel, Duval, Fellom, Harper, Hays, Ingels, Jones, Maloney, McCormack, McKinley, Mixer, Pedrotti, Rich, Rochester, Schottky, Slater, and Wagy—24.

NOES—None.

Senate Bill No. 446 ordered to print, and enrollment.

CONSIDERATION OF DAILY FILE.

THIRD READING OF ASSEMBLY BILLS.

Assembly Bill No. 1539—An act granting certain tidelands and submerged lands of the State of California to the county of Santa Barbara in said State upon certain trusts and conditions.

Bill read third time.

MOTION TO REFER TO SPECIAL COMMITTEE OF ONE.

During third reading of the bill, Senator Duval moved to refer Assembly Bill No. 1539 to Senator McCormack, as a Special Committee of One, to amend as follows:

AMENDMENT NUMBER ONE.

On page 2, line 21, of the printed bill, strike out the semicolon and insert in lieu thereof a period.

Motion carried.

REPORT OF SPECIAL COMMITTEE OF ONE.

SENATE CHAMBER, SACRAMENTO, May 5, 1931.

MR. PRESIDENT: Your Special Committee of One, to which was referred Assembly Bill No. 1539, with instructions to amend, respectfully reports the same back, amended as per instructions.

McCORMACK, Committee.

Report read, and on motion of Senator Duval adopted.
Bill ordered to print.

Assembly Bill No. 990—An act to amend section 4264 and to repeal section 4264a of the Political Code, relating to the salaries and fees of county and township officers in counties of the thirty-fifth class.

Bill read third time.

MOTION TO REFER TO SPECIAL COMMITTEE OF ONE.

During third reading of the bill, Senator Schottky moved to refer Assembly Bill No. 990 to Senator Wagy, as a Special Committee of One, to amend as follows:

AMENDMENT NUMBER ONE.

On page 4 of the printed bill, after line 16, insert as a new paragraph the following:

"SEC. 2. Section 4264a of the Political Code is hereby repealed."

Motion carried.

REPORT OF SPECIAL COMMITTEE OF ONE.

SENATE CHAMBER, SACRAMENTO, May 5, 1931.

MR. PRESIDENT: Your Special Committee of One, to which was referred Assembly Bill No. 990, with instructions to amend, respectfully reports the same back, amended as per instructions.

WAGY, Committee.

Report read, and on motion of Senator Schottky adopted.
Bill ordered to print.

Assembly Bill No. 1068—An act to amend the Political Code by adding thereto a new section to be numbered 4310, providing a special fund for the sheriff, for the manner of making disbursements thereunder, for the use of the fund, and for the manner of accounting therefor.

Bill read third time.

MOTION TO REFER TO SPECIAL COMMITTEE OF ONE.

During third reading of the bill, Senator Rochester moved to refer Assembly Bill No. 1068 to Senator Hays, as a Special Committee of One, to amend as follows:

AMENDMENT NUMBER ONE.

On page 1, line 8, of the printed bill, strike out the word "and", and insert in lieu thereof the word "to".

Motion carried.

REPORT OF SPECIAL COMMITTEE OF ONE.

SENATE CHAMBER, SACRAMENTO, May 5, 1931.

MR. PRESIDENT: Your Special Committee of One, to which was referred Assembly Bill No. 1068, with instructions to amend, respectfully reports the same back, amended as per instructions.

HAYS, Committee.

Report read, and on motion of Senator Rochester adopted.
Bill ordered to print.

Assembly Bill No. 1925—An act to amend section 1 of an act entitled "An act providing for the creation of revolving funds in the counties

of the State," approved May 9, 1923, as amended, relating to the persons for whom revolving funds may be established.

Bill read third time.

MOTION TO REFER TO SPECIAL COMMITTEE OF ONE.

During third reading of the bill, Senator Duval moved to refer Assembly Bill No. 1925 to Senator McCormack, as a Special Committee of One, to amend as follows:

AMENDMENT NUMBER ONE.

On page 1, line 20, of the printed bill, after "county", insert the following: ", except a deputy or assistant of a county officer".

Motion carried.

REPORT OF SPECIAL COMMITTEE OF ONE.

SENATE CHAMBER, SACRAMENTO, May 5, 1931.

MR. PRESIDENT: Your Special Committee of One, to which was referred Assembly Bill No. 1925, with instructions to amend, respectfully reports the same back, amended as per instructions.

MCCORMACK, Committee.

Report read, and on motion of Senator Duval adopted.

Bill ordered to print.

Assembly Bill No. 270—An act to amend sections 1, 4 and 6 of an act entitled "An act to permit the consolidation of elections and to provide a procedure therefor," approved June 11, 1913, as amended, relating to consolidation of elections.

Bill read third time.

MOTION TO REFER TO SPECIAL COMMITTEE OF ONE.

During third reading of the bill, Senator Rochester moved to refer Assembly Bill No. 270 to Senator Hays, as a Special Committee of One, to amend as follows:

AMENDMENT NUMBER ONE.

In line 1 of the title of the printed bill, strike out "6", and insert in lieu thereof "7".

AMENDMENT NUMBER TWO.

In line 1 of the title of the printed bill, after "of", insert the following: ", and to repeal section 6 of,".

Motion carried.

REPORT OF SPECIAL COMMITTEE OF ONE.

SENATE CHAMBER, SACRAMENTO, May 5, 1931.

MR. PRESIDENT: Your Special Committee of One, to which was referred Assembly Bill No. 270, with instructions to amend, respectfully reports the same back, amended as per instructions.

HAYS, Committee.

Report read, and on motion of Senator Rochester adopted.

Bill ordered to print.

Assembly Bill No. 1690—An act to add a new section to the Penal Code, to be numbered 648a, relating to circulating slugs of the same dimension as United States coins.

Bill read third time.

MOTION TO REFER TO SPECIAL COMMITTEE OF ONE.

During third reading of the bill, Senator Maloney moved to refer Assembly Bill No. 1690 to Senator Crittenden, as a Special Committee of One, to amend as follows:

AMENDMENT NUMBER ONE.

On page 1, line 4, of the printed bill, after the words "circulation or", insert the word "who."

AMENDMENT NUMBER TWO.

On page 1, line 4, of the printed bill, after the word "possession", insert the words "for any illegal purpose."

Motion carried.

REPORT OF SPECIAL COMMITTEE OF ONE.

SENATE CHAMBER, SACRAMENTO, May 5, 1931.

MR. PRESIDENT: Your Special Committee of One, to which was referred Assembly Bill No. 1690, with instructions to amend, respectfully reports the same back, amended as per instructions.

CRITTENDEN, Committee.

Report read, and on motion of Senator Maloney adopted.

Bill ordered to print.

Assembly Bill No. 242—An act to amend sections 2187, 2240 and 2255 of the Political Code, relating to county settlements with the State for maintenance of inmates in institutions and of pupils at the California School for the Deaf and the California School for the Blind.

Bill read third time.

MOTION TO REFER TO SPECIAL COMMITTEE OF ONE.

During third reading of the bill, Senator Rochester moved to refer Assembly Bill No. 242 to Senator Hays, as a Special Committee of One, to amend as follows:

AMENDMENT NUMBER ONE.

In line 2 of the title of the printed bill, strike out "county settlements with the state for".

AMENDMENT NUMBER TWO.

On page 2, line 34, of the printed bill, strike out the word "surgical".

AMENDMENT NUMBER THREE.

On page 3, line 1, of the printed bill, strike out the word "surgical".

Motion carried.

REPORT OF SPECIAL COMMITTEE OF ONE.

SENATE CHAMBER, SACRAMENTO, May 5, 1931.

MR. PRESIDENT: Your Special Committee of One, to which was referred Assembly Bill No. 242, with instructions to amend, respectfully reports the same back, amended as per instructions.

HAYS, Committee.

Report read, and on motion of Senator Rochester adopted.

Bill ordered to print.

CONSIDERATION OF DAILY FILE.

THIRD READING OF SENATE BILLS—(OUT OF ORDER).

Senate Bill No. 901—An act to amend section 45½ of the California Vehicle Act, relating to chattel mortgages on motor vehicles or any other vehicle defined by said act, providing for the filing of a certified copy thereof with the Division of Motor Vehicles, registration of the holder as legal owner and the same being constructive notice of said

mortgage and contents, excepting chattel mortgages from the provisions of sections 2957, 2959 and 2965 of the Civil Code.

Bill read third time.

MOTION TO REFER TO SPECIAL COMMITTEE OF ONE.

During third reading of the bill, Senator Sharkey moved to refer Senate Bill No. 901 to Senator Rich, as a Special Committee of One, to amend as follows:

AMENDMENT NUMBER ONE.

On page 1 of the printed bill, strike out line 11, and insert in lieu thereof the following: "visions of sections 2959 and 2965 of the Civil Code and those provisions of section 2957 of the Civil Code which relate to the recording of mortgages on personal property".

AMENDMENT NUMBER TWO.

On page 1, line 20, of the printed bill, strike out the period, and insert in lieu thereof the following: ", except that such mortgage shall be subject to a lien of not to exceed one hundred dollars in accordance with the provisions of section 3051a of the Civil Code."

Motion carried.

REPORT OF SPECIAL COMMITTEE OF ONE.

SENATE CHAMBER, SACRAMENTO, May 5, 1931.

MR. PRESIDENT: Your Special Committee of One, to which was referred Senate Bill No. 901, with instructions to amend, respectfully reports the same back, amended as per instructions.

RICH, Committee.

Report read, and on motion of Senator Sharkey adopted.

Bill ordered to print, and re-engrossment.

CONSIDERATION OF DAILY FILE.

THIRD READING OF ASSEMBLY BILLS—(RESUMED).

Assembly Bill No. 942—An act authorizing suits against the State to quiet title against it to real property purchased under the provisions of an act entitled "An act to survey and dispose of certain marsh and tide-lands belonging to the State of California," approved March 30, 1868, or any of the acts supplementary to and amendatory of an act supplementary thereto, and amendatory thereof, and regulating the procedure therein.

Bill read third time.

MOTION TO REFER TO SPECIAL COMMITTEE OF ONE.

During third reading of the bill, Senator McKinley moved to refer Assembly Bill No. 942 to Senator Edwards, as a Special Committee of One, to amend as follows:

AMENDMENT NUMBER ONE.

On page 2, line 18, of the printed bill, strike out "surveyor general", and insert in lieu thereof the following: "director of finance".

Motion carried.

REPORT OF SPECIAL COMMITTEE OF ONE.

SENATE CHAMBER, SACRAMENTO, May 4, 1931.

MR. PRESIDENT: Your Special Committee of One, to which was referred Assembly Bill No. 942, with instructions to amend, respectfully reports the same back, amended as per instructions.

EDWARDS, Committee.

Report read, and on motion of Senator McKinley adopted.

Bill ordered to print.

CONSIDERATION OF DAILY FILE.

THIRD READING OF SENATE BILLS—(RESUMED).

Senate Concurrent Resolution No. 30—Providing for the creation of a joint committee of the Senate and Assembly to study street improvement laws of the State of California; to continue the work of preparing and making recommendations concerning changes in existing laws and to make an appropriation to meet the expenses of said committee necessarily incurred in said work.

AMENDMENTS FROM THE FLOOR.

During reading of the resolution, the following amendments were offered, and their adoption moved by Senator Fellom:

AMENDMENT NUMBER ONE.

On page 2, line 39, of the printed bill, strike out the words "seven thousand" and insert in lieu thereof the word "twenty".

Amendment adopted.

AMENDMENT NUMBER TWO.

On page 2, line 40, of the printed bill, strike out the word "seven", and in line 41, the word "thousand", and insert in lieu thereof the word "twenty".

Amendment adopted.

AMENDMENT NUMBER THREE.

On page 2, line 43, of the printed bill, strike out the words "seven thousand" and insert in lieu thereof the word "twenty".

Amendment adopted.

AMENDMENT NUMBER FOUR.

On page 2, line 45, of the printed bill, strike out the words "seven thousand" and insert in lieu thereof the word "twenty".

Amendment adopted.

Senate Concurrent Resolution No. 30 read, ordered to print, engrossment, and on file.

LEAVE OF ABSENCE.

Senator Inman was, on motion of Senator Cassidy, granted leave of absence for the remainder of this legislative day.

CONSIDERATION OF DAILY FILE.

THIRD READING OF ASSEMBLY BILLS—(RESUMED).

Assembly Bill No. 587—An act to add a new section to the Civil Code to be numbered 3342, relating to liability of the State to persons aggrieved by reason of acts of officers under unconstitutional statutes, authorizing the bringing of suits and making judgments recovered legal debts of the State.

Bill read third time.

MOTION TO REFER TO SPECIAL COMMITTEE OF ONE.

During third reading of the bill, Senator Rochester moved to refer Assembly Bill No. 587 to Senator Hays, as a Special Committee of One, to amend as follows:

AMENDMENT NUMBER ONE.

On page 1, line 7, of the printed bill, as amended April 7, following the word "any", the first time said word occurs in said line, insert the words "law of this state containing any".

AMENDMENT NUMBER TWO.

On page 1, line 7, of the printed bill, as amended April 7, strike out the word "of", the second time said word occurs in said line.

AMENDMENT NUMBER THREE.

On page 1, lines 8 and 9, of the printed bill, as amended April 7, strike out the comma, and the words "of any law of this state".

AMENDMENT NUMBER FOUR.

On page 1, line 9, of the printed bill, as amended April 7, after the word "whether", insert the words "said law be".

AMENDMENT NUMBER FIVE.

On page 1, line 17, of the printed bill, as amended April 7, strike out the part of a word "brough", and insert in lieu thereof the word "brought".

Motion carried.

REPORT OF SPECIAL COMMITTEE OF ONE.

SENATE CHAMBER, SACRAMENTO, May 5, 1931.

MR. PRESIDENT: Your Special Committee of One, to which was referred Assembly Bill No. 587, with instructions to amend, respectfully reports the same back, amended as per instructions.

HAYS, Committee.

Report read, and on motion of Senator Rochester adopted.

Bill ordered to print.

Assembly Bill No. 278—An act to amend section 103 of the Code of Civil Procedure, relating to justices of the peace, justices' courts and to salaries of certain justices of the peace.

Bill read third time.

MOTION TO REFER TO SPECIAL COMMITTEE OF ONE.

During third reading of the bill, Senator Christian moved to refer Assembly Bill No. 278 to Senator Cleveland, as a Special Committee of One, to amend as follows:

AMENDMENT NUMBER ONE.

On page 2, line 13, of the printed bill, following the word "annum", strike out the "period", and insert a semicolon in lieu thereof, and the following: "*providing, however, that no city justice of the peace in any city of the second class, receiving a salary of six thousand dollars, or more per annum, shall practice law in any court of this state, nor act as attorney, agent or solicitor in the prosecution of any claim or application for lands, pensions, patent rights, or other proceedings, before any department of the state or general government, or courts of the United States during his continuance in office; provided, further, that any incumbent city justice of the peace effected by the inhibition against practicing law as herein provided, shall not be prohibited from such practice of law for a period of ninety days next succeeding the date he shall receive such salary.*"

Motion carried.

REPORT OF SPECIAL COMMITTEE OF ONE.

SENATE CHAMBER, SACRAMENTO, May 5, 1931.

MR. PRESIDENT: Your Special Committee of One, to which was referred Assembly Bill No. 278, with instructions to amend, respectfully reports the same back, amended as per instructions.

CLEVELAND, Committee.

Report read, and on motion of Senator Christian adopted.

Bill ordered to print.

REPORTS OF STANDING COMMITTEES—(RESUMED).

The following reports of standing committees were received and read:

ON JUDICIARY.

SENATE CHAMBER, SACRAMENTO, May 5, 1931.

MR. PRESIDENT: Your Committee on Judiciary, to which was referred Assembly Bill No. 1358—An act to amend section 542 of the Code of Civil Procedure, relating to the method of levying an attachment upon real or personal property—has had the

same under consideration, and respectfully reports the same back with amendments, and recommends that the amendments be adopted, and that it do pass as amended.

Committee membership—17; committee vote: Ayes—12; absent—5.

CHRISTIAN, Chairman.

Assembly Bill No. 1358 ordered on file for second reading.

Also:

MR. PRESIDENT: Your Committee on Judiciary, to which was referred Senate Bill No. 214—An act to amend section 605 of the Probate Code, relating to the appointment of appraisers;

Also: Senate Bill No. 390—An act to amend section 1203 of the Penal Code, relating to probation of persons arrested for crime, after plea or verdict of guilty and the suspending of the imposition or execution of sentence during the term of probation or the imposition of jail sentence or fine or both or other conditions to fit the crime in connection with probation, and the disposition of such accusation after full compliance with the terms of probation and providing for the creation of offices of adult probation officer, assistant adult probation officer and deputy adult probation boards in said counties and cities and counties;

Has had the same under consideration, and respectfully reports the same back with amendments, and recommends that the amendments be adopted, and that they do pass as amended.

Committee membership—17; committee vote: Ayes—12; absent—5.

CHRISTIAN, Chairman.

Senate Bills Nos. 214 and 390 ordered on file for second reading.

ON FINANCE.

SENATE CHAMBER, SACRAMENTO, May 5, 1931.

MR. PRESIDENT: Your Committee on Finance, to which was referred Senate Bill No. 15—An act to amend section 737 of the Political Code, relating to salary of the judge of the superior court in and for the county of Mono—has had the same under consideration, and respectfully reports the same back with amendments, and recommends that the amendments be adopted, and that it do pass as amended.

Committee membership—18; committee vote: Ayes—16; absent—2.

SWING, Chairman.

Senate Bill No. 15 ordered on file for second reading.

Also:

MR. PRESIDENT: Your Committee on Finance, to which was referred Senate Bill No. 2—An act to amend section 737aa of the Political Code, relating to the salary of the superior judge in and for the county of Monterey;

Also: Senate Bill No. 955—An act to amend section 736b and repeal section 736c of the Political Code, relating to salaries of judges of the superior court and to make an appropriation to cover increases in the payments by the State therefor;

Also: Senate Bill No. 163—An act to amend section 737j of the Political Code, fixing the salaries of judges of the superior court of San Bernardino County;

Has had the same under consideration, and respectfully reports the same back with amendments, and recommends that the amendments be adopted, and that they do pass as amended.

Committee membership—18; committee vote: Ayes—16; absent—2.

SWING, Chairman.

Senate Bills Nos. 2, 955 and 163 ordered on file for second reading.

ON PUBLIC HEALTH AND QUARANTINE.

SENATE CHAMBER, SACRAMENTO, May 4, 1931.

MR. PRESIDENT: Your Committee on Public Health and Quarantine, to which was referred Assembly Bill No. 1020—An act to amend sections 1 to 7, inclusive, of "An act to provide for the filing of names, marks or other devices used to indicate ownership, providing for certain benefits therefrom, and prescribing penalties for violating the provisions hereof; repealing an act (approved March 21, 1911) entitled 'An act to protect the owners of bottles, boxes, siphons and kegs used in the sale of olives, olive oil, salad oil, soda waters, mineral or aerated water, porter, ale, cider, ginger ale, milk, cream, small beer, lager beer, weiss beer, white beer or other beverages, repealing 'An act to protect the owners of bottles, boxes, siphons, and kegs used in the sale of soda waters, mineral or aerated waters, porter, ale, cider, ginger ale, milk, cream, small beer, lager beer, weiss beer, beer, white beer, or other beverages,' approved March 31, 1891, also repealing an act to amend an act entitled 'An act to protect the

owners of bottles, boxes, siphons, and kegs, used in the sale of soda waters, mineral and aerated waters, porter, ale, cider, ginger ale, milk, cream, small beer, lager beer, weiss beer, beer, white beer or other beverages (approved March 31, 1891) by adding thereto a new section after section 4 thereof, relating to deposits, to be numbered as section 5 of said act, by renumbering section 5 of said act as section 6 thereof, and amending the same relating to assignments, and by renumbering section 6 of said act as section 7 thereof," approved March 5, 1903," approved May 26, 1921," relating to containers—has had the same under consideration, and respectfully reports the same back with amendments, and recommends that it do pass as amended.

Committee membership—7; committee vote: Ayes—5; absent—2.

WILLIAMS, Chairman.

Assembly Bill No. 1020 ordered on file for second reading.

ADJOURNMENT.

At five o'clock and thirteen minutes p.m., on motion of Senator Breed, the President declared the Senate adjourned until ten o'clock a.m., Wednesday, May 6, 1931.

HAROLD J. POWERS, Minute Clerk.

IN SENATE.

SENATE CHAMBER,
SACRAMENTO, Wednesday, May 6, 1931.

The Senate met at ten o'clock a.m.

Lieutenant Governor Frank F. Merriam, President of the Senate, in the chair.

Secretary Joseph A. Beek at the desk.

ROLL CALL.

The roll was called, and the following answered to their names:

Senators Allen, Baker, Breed, Bush, Carter, Cassidy, Christian, Cleveland, Clock, Crittenden, Deuel, Duval, Edwards, Evans, Fellom, Harper, Hays, Ingels, Inman, Jones, Maloney, McCormack, McKinley, Mixer, Moran, Nelson, Pedrotti, Rich, Riley, Rochester, Schottky, Sharkey, Slater, Swing, Treacy, Tabbs, Wagy, and Williams—38.

Quorum present.

PRAYER.

Prayer was offered by the Chaplain, Rev. Sherman L. Divine.

READING OF THE JOURNAL.

During the reading of Journal of Tuesday, May 5, 1931, the further reading was dispensed with, on motion of Senator Slater.

PRIVILEGE OF FLOOR OF SENATE EXTENDED.

On request of Senator Bush, the privilege of the floor of the Senate Chamber for this day was unanimously extended to Vernon F. Grant of Modesto.

On request of Senator Edwards, the privilege of the floor of the Senate Chamber for this day was unanimously extended to Miss Dorothy Geideman of Balboa, and Mrs. Sam Anderson of Santa Ana.

On request of Senator Maloney, the privilege of the floor of the Senate Chamber for this day was unanimously extended to Mr. George Lovejoy of San Francisco.

On request of Senator Wagy, the privilege of the floor of the Senate Chamber for this day was unanimously extended to Mr. Lawrence Chenoweth of Bakersfield.

On request of Senator Utterback, the privilege of the floor of the Senate Chamber for this day was unanimously extended to John R. Williams of Stockton.

On request of Senator Evans, the privilege of the floor of the Senate Chamber for this day was unanimously extended to Mr. and Mrs. Donald Watson of Clark and

MESSAGES FROM THE ASSEMBLY

The following messages from the Assembly were received and read:

ASSEMBLY CHAMBER, SACRAMENTO, May 5, 1931.

MR. PRESIDENT: I am directed to inform your honorable body that the Assembly on this day passed Assembly Bill No. 1207—An act to amend article II of chapter 11 of part III of division 111 of the School Code, containing section 8249, to repeal section 8241 therein, and to amend section 8249 in part, all relating to the establishment and housing of junior high schools.

Also, Assembly Bill No. 1191—An act to amend section 680 of the Code of Civil Procedure, relating to execution of judgment in real actions.

Also, Assembly Bill No. 1207—An act relating to amendments for the enforcement of the University of California act, relating to the University of California.

Also, Assembly Bill No. 1208—An act to amend sections 7, 8, 9, 10, 11, 12, 13, 22, and 23 of the Internal Revenue Law, relating to the time of holding primary elections.

ARTHUR A. GHINIMUS, Chief Clerk.

By A. W. ENGLISH, Assistant Clerk.

Assembly Bill No. 1207 read first time, and referred to Committee on Education.

Assembly Bill No. 1191 read first time, and referred to Committee on Judiciary.

Assembly Bill No. 1207 read first time, and referred to Committee on Public Utilities.

Assembly Bill No. 1208 read first time, and referred to Committee on Elections.

Also.

ASSEMBLY CHAMBER, SACRAMENTO, May 5, 1931.

MR. PRESIDENT: I am directed to inform your honorable body that the Assembly on this day passed Assembly Bill No. 1208—An act providing for the establishment of a Summer School of Music.

Also, Assembly Bill No. 1207—An act to amend section 1216 of the Penal Code, relating to execution of a judgment other than of death.

Also, Assembly Bill No. 1208—An act to provide for the investigation and study of problems and the creation of a new system of education, under the direction of the Regents of the University of California, and for the dissemination of the findings gained through such investigation and study, and making an appropriation therefor.

Also, Assembly Bill No. 1208—An act to amend an appropriation for the purposes of section 1208 of the Penal Code, as amended by the Legislature of 1927, authorizing the Bureau of the Department of Justice in connection with the construction of certain sentences, and to amend State laws.

Also, Assembly Bill No. 1208—An act to amend the Board of Pharmacy Fine Fund and the Pharmacy Board Public Law Fund, and to transfer the money in the State treasury to the fund of said funds to the Board of Pharmacy Contingent Fund in the State treasury.

Also, Assembly Bill No. 1208—An act to amend section 602 of the Code of Civil Procedure, relating to judgments of justice for money.

ARTHUR A. GHINIMUS, Chief Clerk.

By A. W. ENGLISH, Assistant Clerk.

Assembly Bill No. 1208 read first time, and referred to Committee on Universities and Teachers Colleges.

Assembly Bill No. 1207 read first time, and referred to Committee on Revision of Criminal Law and Procedure.

Assembly Bill No. 1208 read first time, and referred to Committee on Agriculture and Live Stock.

Assembly Bill No. 1885 read first time, and referred to Committee on Drainage, Swamp and Overflowed Lands.

Assembly Bill No. 1889 read first time, and referred to Committee on Governmental Efficiency.

Assembly Bill No. 350 read first time, and referred to Committee on Judiciary.

Also:

ASSEMBLY CHAMBER, SACRAMENTO, May 5, 1931.

MR. PRESIDENT: I am directed to inform your honorable body that the Assembly on May 4, 1931, passed Assembly Bill No. 476—An act to amend the Building and Loan Commission Act, approved April 5, 1911, as amended, relating to the Building and Loan Commission.

ARTHUR A. OHNIMUS, Chief Clerk.

By A. W. ENGELKE, Assistant Clerk.

Assembly Bill No. 476 read first time, and referred to Committee on Building and Loan Associations.

Also:

ASSEMBLY CHAMBER, SACRAMENTO, May 5, 1931.

MR. PRESIDENT: I am directed to inform your honorable body that the Assembly on this day passed Assembly Bill No. 1006—An act to amend section 560 and to repeal sections 565, 569 and 570 of the Penal Code, relating to directors and officers of corporations;

Also: Assembly Bill No. 1428—An act to add a new section to the Civil Code, to be numbered 712, relating to restrictions;

Also: Assembly Bill No. 30—An act making an appropriation to pay the claim of Edmund M. Moor against the State of California;

Also: Assembly Bill No. 477—An act to create a State Medical Library under the direction of the Regents of the University of California, providing for the establishment of branches of said library and for the administration, maintenance, and support of the same, and making an appropriation therefor;

Also: Assembly Bill No. 543—An act making an appropriation to pay the claim of Wm. H. Devlin and Ethel Faris Adams against the State of California;

Also: Assembly Bill No. 544—An act making an appropriation to pay the claim of Ethel Faris Adams against the State of California;

Also: Assembly Bill No. 335—An act to amend section 2 of the Building and Loan Commission Act, approved April 5, 1911, as amended, relating to the Building and Loan Commissioner.

ARTHUR A. OHNIMUS, Chief Clerk.

By A. W. ENGELKE, Assistant Clerk.

Assembly Bills Nos. 1006 and 1428 read first time, and referred to Committee on Judiciary.

Assembly Bill No. 30 read first time, and referred to Committee on Finance.

Assembly Bill No. 477 read first time, and referred to Committee on Universities and Teachers Colleges.

Assembly Bills Nos. 543 and 544 read first time, and referred to Committee on Finance.

Assembly Bill No. 335 read first time, and referred to Committee on Building and Loan Associations.

REPORTS OF STANDING COMMITTEES.

The following reports of standing committee were received and read:

ON ENGROSSMENT, ENROLLMENT AND PRINTING.

SENATE CHAMBER, SACRAMENTO, May 6, 1931.

MR. PRESIDENT: Your Committee on Engrossment, Enrollment and Printing has examined Senate Bill No. 389—An act to amend section 2.878 of the School Code, relating to electors at school district elections;

Also: Senate Bill No. 665—An act to amend sections 4.365 and 4.366 of article VII, chapter 1, part III of division IV of the School Code of the State of California, relating to district budgets;

And reports that the same have been correctly engrossed.

RILEY, Chairman.

Also:

MR. PRESIDENT: Your Committee on Engrossment, Enrollment and Printing has examined Senate Bill No. 260—An act to add a new part to division V of the School Code to be known as part VI, embracing sections 5,1200 to 5,1470, both inclusive, providing for the establishment and creation of the California State Teachers' Retirement System, the creation and establishment of a board to manage and operate said system, for contributions from teachers and the State of California for the operation and maintenance of said system; and to repeal part IV of division V of the School Code, embracing sections 5,800 to 5,1083, both inclusive; chapter 62 of the Statutes of 1929 entitled "An act relating to the retirement of teachers in schools for the blind, schools for the deaf and in special classes maintained for the deaf, the hard of hearing, the blind, or the semisighted," approved April 6, 1929; and chapter 887 of the Statutes of 1929 entitled "An act relating to retirement salaries of teachers and other employees employed in the public schools of this State and educational institutions supported in whole or in part by the State," approved June 19, 1929—and reports that the same has been correctly re-engrossed.

RILEY, Chairman.

Also:

MR. PRESIDENT: Your Committee on Engrossment, Enrollment and Printing has examined Senate Bill No. 460—An act to amend sections 3, 6, 9, 12, and 17 of, and to add a new section numbered 25 to an act entitled "An act declaring the policy of the State of California relative to toll bridges and creating a board to be known as California Toll Bridge Authority and providing for membership thereof and specifying its duties and powers; also authorizing California Toll Bridge Authority to authorize and direct the Department of Public Works of the State of California to build, purchase, condemn or otherwise acquire for and in the name of the State of California toll bridges and other toll highway crossings and approaches thereto across waters, bays, arms of bays, straits, rivers and streams in California, both navigable and unnavigable or across any stream that is a boundary line between California and any other state, and to acquire franchises, rights, privileges, easements or other property either real or personal, used or to be used in conjunction with any such bridges; also authorizing the Department of Public Works to make recommendations to the California Toll Bridge Authority relative to the acquisition or construction of any toll bridge or toll highway crossing and to submit preliminary estimates of the cost of such acquisition or construction and the amount of revenue bonds required to be issued for such purpose; also authorizing California Toll Bridge Authority to issue and sell revenue bonds to provide funds for the acquisition or construction of toll bridges or other toll highway crossings secured as to the redemption thereof and the interest thereon only by the tolls or other revenues received from such bridge or bridges or other highway crossings and to prescribe the terms and conditions of such bonds; also authorizing the issuance and sale of such revenue bonds for the payment of interest during the period of actual construction of such bridge or other highway crossing and for a period of six months thereafter; also providing for the manner in which such bonds shall be issued and signed and the manner of sale and redemption thereof and the payment of interest thereon; also authorizing said California Toll Bridge Authority to charge and fix the rates of toll on such bridges or other highway crossings and regulating the amount thereof; also authorizing the Department of Public Works of the State of California to operate and maintain all such toll bridges or other toll highway crossings and to collect tolls thereon; also authorizing the Department of Public Works to acquire by eminent domain any toll bridge or bridges or other toll highway crossing or approaches thereto, real estate, personal property, franchises, rights, privileges or easements appurtenant thereto or appropriated to a public use by any person, firm or private corporation or otherwise and defining the procedure therefor; also providing that bonds issued and sold by California Toll Bridge Authority shall not constitute or be a debt or general obligation of the State and shall be secured only by the tolls or other revenues collected from the operation of such bridges or other highway crossings and shall be paid from such tolls or revenues made available by this act; also authorizing any city, county, city and county, incorporated city or town, or joint highway district to advance or contribute money, rights of way, labor, materials or other property in aid of the acquisition, construction, operation or maintenance of any such bridge or highway crossing and to issue and sell general obligation bonds for such purpose; also authorizing the California Toll Bridge Authority to enter into agreements with any such political subdivisions for the repayment of contributions or advances; and providing the time and manner of making such repayments; also providing for the eliminations of toll charges on bridges or other highway crossings acquired and constructed under this act; also defining the limits within which other competitive bridges or other highway crossings or free ferries may be constructed or operated; and also authorizing the recital of the terms of such limitations in bonds issued hereunder; also creating and establishing certain funds and regulating the manner in which moneys may be withdrawn therefrom; also prescribing the manner in which any city, county, city and county, incorporated

bridge and highway district or joint highway district may acquire or construct toll bridges or other toll highway crossings; also authorizing California Toll Bridge Authority to make agreements with steam and electric or other railroad or transportation companies for the use of portions of toll bridges or other highway crossings acquired or constructed under this act; also providing for the manner in which contracts shall be let for the building of bridges or other highway crossings; also empowering the Department of Public Works to designate certain county roads as State highways; also authorizing the acquisition or construction of tubes or tunnels in connection with such bridges or other highway crossings; also authorizing casualty insurance, indemnity bonds or accident insurance on bridges and other highway crossings constructed under this act; also giving, dedicating and setting apart rights of way through, over, on and across State property for the construction of such toll bridges or other toll highway crossings; also appropriating \$50,000 for the purpose of establishing a revolving fund and providing for the use thereof and the manner of reimbursements thereto," approved June 10, 1929, relating to employees, bonds and bridges—and reports that the same has been correctly re-engrossed.

RILEY, Chairman.

CONSIDERATION OF DAILY FILE.

SECOND READING OF SENATE BILLS.

Senate Bill No. 234—An act providing for the submission to the people of the State of California the question as to retaining, repealing or modifying the eighteenth amendment as a part of the constitution of the United States.

Bill read second time, ordered engrossed, and on file for third reading.

Senate Bill No. 27—An act to amend section 736*b* of the Political Code, prescribing the payment of compensation of judges of the superior court.

Bill read second time, ordered engrossed, and on file for third reading.

Senate Bill No. 28—An act to amend section 736*c* of the Political Code, prescribing the payment of salaries of judges of the superior court.

Bill read second time, ordered engrossed, and on file for third reading.

Senate Bill No. 938—An act making an appropriation from the contingent fund of the State Board of Pharmacy to be used by the Regents of the University of California for the use and benefit of the College of Pharmacy of the University of California.

Bill read second time, ordered engrossed, and on file for third reading.

Senate Bill No. 433—An act to make an appropriation to pay the claim of W. E. Martin against the State of California.

Bill read second time, ordered engrossed, and on file for third reading.

Senate Bill No. 124—An act to amend sections 737*q* and 737*w* of the Political Code, relating to the salaries of judges of the superior courts.

Bill read second time, ordered engrossed, and on file for third reading.

Senate Bill No. 301—An act to amend section 737*ee* of the Political Code, relating to salary of superior court judge.

Bill read second time, ordered engrossed, and on file for third reading.

Senate Bill No. 693—An act to add a new section to the Code of Civil Procedure, to be numbered 66*b*, relating to the number of judges of the superior court in the county of Merced.

Bill read second time, ordered engrossed, and on file for third reading.

Senate Bill No. 954—An act to amend section 737*l* of the Political Code, relating to salary of judges of the superior court in and for the county of Humboldt.

Bill read second time, ordered engrossed, and on file for third reading.

Senate Bill No. 961—An act to amend section 737*h* of the Political Code, relating to the salaries of the judges of the superior court.

Bill read second time, ordered engrossed, and on file for third reading.

Senate Bill No. 178—An act to amend section 1445 of the Code of Civil Procedure, relating to the inventory and appraisement of the estate of a decedent.

COMMITTEE AMENDMENTS.

During the second reading of the bill, the following committee amendments were offered:

AMENDMENT NUMBER ONE.

In line 1 of the title of the printed bill, strike out "section 1445 of the Code of Civil Procedure", and insert in lieu thereof the following: "sections 600 and 608 of the Probate Code".

Amendment adopted.

AMENDMENT NUMBER TWO.

On page 1 of the printed bill, strike out lines 1 to 25, inclusive, and insert in lieu thereof the following:

"SECTION 1. Section 600 of the Probate Code is hereby amended to read as follows:

600. Within three months after his appointment, or within such further time as the court or judge for reasonable cause may allow, the executor or administrator must file with the clerk of the court an inventory and appraisement of the estate of the decedent which has come to his possession or knowledge. The inventory must include the homestead, if any, and all the estate of the decedent, real and personal, particularly specifying all debts, bonds, mortgages, deeds of trust, notes and other securities for the payment of money belonging to the decedent, with the name of each debtor, the date, the sum originally payable, the indorsements thereon, if any, with their dates, and a statement of the interest of the decedent in any partnership of which he was a member, to be appraised as a single item. It must include an account of all moneys belonging to the decedent. If the whole estate consists of money in the hands of the executor or administrator, there need not be an appraisement, but an inventory must be made and returned as in other cases.

SEC. 2. Section 608 of the Probate Code is hereby amended to read as follows:

608. Before proceeding to the execution of their duty, the appraisers must take and subscribe an oath, to be attached to the inventory, that they will truly, honestly and impartially appraise the property exhibited to them, according to the best of their knowledge and ability. They must appraise the property by setting down each item separately, with the value thereof at the time of the death of the decedent in dollars and cents in figures opposite the respective items, specifying the sum which they believe may be collected on each debt or security.

SEC. 3. This act shall take effect at the same time as and shall be construed as an amendment of, the Probate Code, enacted by the Legislature at its forty-ninth session."

Amendment adopted.

Bill read second time, ordered to print, engrossment, and on file for third reading.

Senate Bill No. 15—An act to amend section 737*z* of the Political Code, relating to salary of the judge of the superior court in and for the county of Mono.

COMMITTEE AMENDMENTS.

During the second reading of the bill, the following committee amendments were offered:

AMENDMENT NUMBER ONE.

In line 1 of the title of the printed bill, strike out "section 737*z*", and insert in lieu thereof the following: "sections 737*z* and 737*n*".

Amendment adopted.

AMENDMENT NUMBER TWO.

In line 3 of the title of the printed bill, strike out "county of Mono.", and insert in lieu thereof the following: "counties of Mono and Inyo."

Amendment adopted.

AMENDMENT NUMBER THREE.

On page 1, line 4, of the printed bill, strike out "five hundred".

Amendment adopted.

AMENDMENT NUMBER FOUR.

On page 1 of the printed bill, after line 5, insert as a new paragraph the following: SEC. 2. Section 737*n* of the Political Code is hereby amended to read as follows: 737*n*. The annual salary of the judge of the superior court in and for the county of Inyo is five thousand dollars."

Amendment adopted.

Bill read second time, ordered to print, engrossment, and on file for third reading.

Senate Bill No. 214—An act to amend section 605 of the Probate Code, relating to the appointment of appraisers.

COMMITTEE AMENDMENT.

During the second reading of the bill, the following committee amendment was offered:

AMENDMENT NUMBER ONE.

On page 1, line 9, of the printed bill, after the word "may", insert the following: "in its discretion".

Amendment adopted.

Bill read second time, ordered to print, engrossment, and on file for third reading.

Senate Bill No. 390—An act to amend section 1203 of the Penal Code, relating to probation of persons arrested for crime, after plea or verdict of guilty and the suspending of the imposition or execution of sentence during the term of probation or the imposition of jail sentence or fine or both or other conditions to fit the crime in connection with probation, and the disposition of such accusation after full compliance with the terms of probation and providing for the creation of offices of adult probation officer, assistant adult probation officer and deputy adult probation officer and fixing their compensation and duties and providing for adult probation boards in said counties and cities and counties.

COMMITTEE AMENDMENTS.

During the second reading of the bill, the following committee amendments were offered:

AMENDMENT NUMBER ONE.

On page 2, line 21, of the printed bill, after the word "who", insert the following: "shall have been convicted of robbery, burglary, burglary with explosives, rape with force or violence, arson, murder, assault with intent to commit murder, attempt to commit murder, grand theft, train wrecking, feloniously receiving stolen goods, felonious assault with a deadly weapon, kidnaping, mayhem, escape from a state prison, conspiracy to commit any one or more of the aforementioned felonies, or any of the aforementioned felonies, and who at the time of the perpetration of said crime or any of them or at the time of his arrest was armed with a deadly weapon (unless at the time he had a lawful right to carry the same), nor to a defendant who used or attempted to use a deadly weapon in connection with the perpetration of the crime of which he was convicted, nor to one who in the perpetration of the crime of which he was convicted inflicted great bodily injury or torture, nor to any defendant unless the court shall be satisfied that he has never in any place been previously convicted of a felony, nor to any public official or peace officer of the

state, county, city, city and county, or other political subdivision who, in the discharge of the duties of his public office or employment, accepted or gave or offered to accept or give any bribe or embezzled public money or was guilty of extortion."

Amendment adopted.

AMENDMENT NUMBER TWO.

On page 4, line 48, of the printed bill, after the word "*provided*," insert the following: "that in any subsequent prosecution of such defendant for any other offense such prior conviction may be pleaded and proved and shall have the same effect as if probation had not been granted or the accusation or information dismissed."

Amendment adopted.

Bill read second time, ordered to print, engrossment, and on file for third reading.

Senate Bill No. 2—An act to amend section 737*aa* of the Political Code, relating to the salary of the superior judge in and for the county of Monterey.

COMMITTEE AMENDMENT.

During the second reading of the bill, the following committee amendment was offered:

AMENDMENT NUMBER ONE.

On page 1, line 4, of the printed bill, strike out the words "ten thousand", and insert in lieu thereof the words "seven thousand five hundred".

Amendment adopted.

Bill read second time, ordered to print, engrossment, and on file for third reading.

Senate Bill No. 955—An act to amend section 736*b* and repeal section 736*c* of the Political Code, relating to salaries of judges of the superior court and to make an appropriation to cover increases in the payments by the State therefor.

COMMITTEE AMENDMENTS.

During the second reading of the bill, the following committee amendments were offered:

AMENDMENT NUMBER ONE.

On page 1, line 4, of the printed bill, strike out "paid in part by", and strike out lines 5 to 10, inclusive, and insert in lieu thereof the following: "such as has been or may be fixed by the Legislature, of which amount the state shall pay the sum of four thousand dollars and the remainder thereof shall be paid by the county or city and county in and for which the judge is elected or appointed. In no county shall the salary of a judge of the superior court be less than four thousand dollars."

Amendment adopted.

AMENDMENT NUMBER TWO.

On page 2, line 15, of the printed bill, after "courts", insert the word "during".

Amendment adopted.

AMENDMENT NUMBER THREE.

On page 2, line 24, of the printed bill, strike out "general fund", and insert in lieu thereof the words "state treasury".

Amendment adopted.

AMENDMENT NUMBER FOUR.

On page 2, after line 27, of the printed bill, insert the following: "SEC. 4. All act and parts of acts in conflict herewith are hereby repealed."

Amendment adopted.

Bill read second time, ordered to print, engrossment, and on file for third reading.

Senate Bill No. 163—An act to amend section 737jj of the Political Code, fixing the salaries of judges of the superior court of San Bernardino County.

COMMITTEE AMENDMENTS.

During the second reading of the bill, the following committee amendments were offered:

AMENDMENT NUMBER ONE.

In line 1 of the title of the printed amended bill, strike out the words "section 737jj", and insert in lieu thereof the words "section 737jj and section 737hh".

Amendment adopted.

AMENDMENT NUMBER TWO.

In line 2 of the title of the printed amended bill, strike out the word "court", and insert in lieu thereof the word "courts".

Amendment adopted.

AMENDMENT NUMBER THREE.

In line 3 of the title of the printed amended bill, strike out the word "county", and insert the words "and Sacramento counties."

Amendment adopted.

AMENDMENT NUMBER FOUR.

After line 5 of the printed amended bill, add the following:

"SEC. 2. Section 737hh of the Political Code is hereby amended to read as follows: 737hh. The annual salary of each of the judges of the superior court in and for the county of Sacramento shall be seven thousand five hundred dollars."

Amendment adopted.

Bill read second time, ordered to print, engrossment, and on file for third reading.

CONSIDERATION OF DAILY FILE.

SECOND READING OF ASSEMBLY BILLS.

Assembly Bill No. 639—An act to amend section 2980 of the Civil Code, relating to conditional sales contracts.

COMMITTEE AMENDMENT.

During the second reading of the bill, the following committee amendment was offered:

AMENDMENT NUMBER ONE.

On page 1, line 6, of the printed bill, strike out "approved", and insert in lieu thereof "proved".

Amendment adopted.

Bill read second time, ordered to print, and on file for third reading.

Assembly Bill No. 397—An act to add two new sections to be numbered 865 and 1532½ to the Probate Code, relating to dedication of real property for street or highway purposes by executors, administrators and guardians.

COMMITTEE AMENDMENTS.

During the second reading of the bill, the following committee amendments were offered:

AMENDMENT NUMBER ONE.

On page 1, line 6, of the printed bill, as amended, following the word "street", insert: " , storm drain, sewer,".

Amendment adopted.

AMENDMENT NUMBER TWO.

On page 1, line 10, of the printed bill, as amended, following the word "court", insert: "based upon the petition of the executor or administrator or of any person interested in the estate, and after notice of the hearing given for the period and in the manner required by section 1200 of this code".

Amendment adopted.

AMENDMENT NUMBER THREE.

On page 1, line 16, of the printed bill, as amended, following the word "street", insert: " , storm drain, sewer."

Amendment adopted.

AMENDMENT NUMBER FOUR.

On page 1, line 20, of the printed bill, as amended, following the word "court", insert: "based upon the petition of the guardian or of any person interested in the estate, and after notice of the hearing given for the period and in the manner required by section 1200 of this code".

Amendment adopted.

Bill read second time, ordered to print, and on file for third reading.

Assembly Bill No. 628—An act relating to the extermination of rats by mosquito abatement districts.

Bill read second time, and ordered on file for third reading.

Assembly Bill No. 629—An act to amend section 7b of chapter 584, Statutes of 1915, entitled "An act to provide for the formation, government, operation and dissolution of mosquito abatement districts in any part of the State, to facilitate the extermination of mosquitoes, flies and other insects; and to provide for the assessment, levy, collection and disbursement of taxes therein," approved May 29, 1915, as amended, relating to mosquito abatement district tax levies.

Bill read second time, and ordered on file for third reading.

Assembly Bill No. 562—An act to amend section 710 of the Code of Civil Procedure, relating to the collection of moneys due from a judgment debtor.

Bill read second time, and ordered on file for third reading.

Assembly Bill No. 1437—An act to amend section 683 of the Code of Civil Procedure, relating to executions.

Bill read second time, and ordered on file for third reading.

Assembly Bill No. 729—An act to amend section 4191 of the Political Code, relating to purposes for which Law Library Fund may be used.

Bill read second time, and ordered on file for third reading.

Assembly Bill No. 1014—An act to amend section 1980 of the Civil Code, relating to contracts for personal service.

Bill read second time, and ordered on file for third reading.

Assembly Bill No. 1307—An act to add a new section to the Penal Code, to be numbered 367b, relating to the printing, publishing or sale of copyrighted musical compositions.

Bill read second time, and ordered on file for third reading.

Assembly Bill No. 214—An act to add a new section to the Political Code, to be numbered 4177, relating to the sheriff's duty in caring for money and property of prisoners.

Bill read second time, and ordered on file for third reading.

Assembly Bill No. 1917—An act to add a new section to the Penal Code to be numbered 1381, providing for the time within which a defendant must be brought to trial upon a pending indictment or information after such defendant's conviction on another charge.

Bill read second time, and ordered on file for third reading.

Assembly Bill No. 425—An act to add a new section to the Political Code to be numbered 690.10 authorizing the construction, alteration and maintenance of certain structures upon the swamp, overflowed, marsh, tide or submerged lands of this State, defining the powers and duties of the Department of Finance and of certain municipalities, districts, or other political subdivisions, in connection therewith; and prohibiting the construction or maintenance of fences or structures other than as herein authorized upon any accretions occasioned by such structures as are authorized hereunder.

Bill read second time, and ordered on file for third reading.

Assembly Bill No. 426—An act to add section 7½ to chapter 763, Statutes of 1927, entitled "An act to provide that the Department of Natural Resources, through the State Park Commission, shall have control of the State park system; to establish and define the State park system; to define certain powers and duties of the State Park Commissioner; to make an appropriation for carrying out the purposes of this act; and to establish a contingent fund and a revolving fund," approved May 25, 1927, relating to the Seashore Parks Fund, creating the same and providing for its use.

Bill read second time, and ordered on file for third reading.

Assembly Bill No. 427—An act to amend section 19 of chapter 303, Statutes of 1921, entitled "An act to reserve all minerals in State lands; to provide for examination, classification and report on the mineral and other character of State lands; to provide for the granting of permits and leases to prospect for and take any such minerals; to provide for the rents and royalties to be paid, and granting certain preference rights; to provide for the making of rules, regulations and contracts necessary to carry out the purposes of this act; and repealing acts or parts of acts in conflict herewith; providing for an appropriation to defray the cost of administering this act," approved May 25, 1921, as amended, directing that certain moneys be paid into the Seashore Parks Fund.

Bill read second time, and ordered on file for third reading.

Assembly Bill No. 1550—An act to add a new section to the Political Code to be numbered 2906a and relating to the granting of authority to a city, city and county, person or corporation to construct recreational wharves on certain State lands.

Bill read second time, and ordered on file for third reading.

Assembly Bill No. 1125—An act to amend sections 1, 2, 3, and 4 of and to add sections 5, 6, 7, 8, 9, 10, 11 and 12 to, chapter 389, Statutes of 1915, entitled "An act providing for the sale of certain State lands," as approved May 19, 1915, relating to State lands.

COMMITTEE AMENDMENT.

During the second reading of the bill, the following committee amendment was offered:

AMENDMENT NUMBER ONE.

On page 2, line 31, of the printed bill, strike out the word "schools", and insert the word "school".

Amendment adopted.

Bill read second time, ordered to print, and on file for third reading.

Assembly Bill No. 152—An act to amend sections 2 and 3 of chapter 431, Statutes of 1921, entitled "An act to provide for the filing of names, marks or other devices used to indicate ownership, providing for certain benefits therefrom, and prescribing penalties for violating the provisions hereof; repealing an act (approved March 21, 1911) entitled "An act to protect the owners of bottles, boxes, siphons and kegs used in the sale of olives, olive oil, salad oil, soda waters, mineral or aerated water, porter, ale, cider, ginger ale, milk, cream, small beer, lager beer, weiss beer, white beer or other beverages, repealing 'An act to protect the owners of bottles, boxes, siphons, and kegs used in the sale of soda waters, mineral or aerated waters, porter, ale, cider, ginger ale, milk, cream, small beer, lager beer, weiss beer, beer, white beer, or other beverages,' approved March 31, 1891, also repealing an act to amend an act entitled 'An act to protect the owners of bottles, boxes, siphons, and kegs, used in the sale of soda waters, mineral and aerated waters, porter, ale, cider, ginger ale, milk, cream, small beer, lager beer, weiss beer, beer, white beer or other beverages (approved March 31, 1891) by adding thereto a new section after section 4 thereof, relating to deposits, to be numbered as section 5 of said act, by renumbering section 5 of said act as section 6 thereof, and amending the same relating to assignments, and by renumbering section 6 of said act as section 7 thereof,' approved March 5, 1903," approved May 26, 1921, relating to the unlawful use of containers.

COMMITTEE AMENDMENTS.

During the second reading of the bill, the following committee amendments were offered:

AMENDMENT NUMBER ONE.

In line 1 of the title of the printed bill, strike out "2 and 3 of", and insert in lieu thereof the following: "1 to 7, inclusive, of, and to add sections 10 and 11 to".

Amendment adopted.

AMENDMENT NUMBER TWO.

On page 1 of the printed bill, strike out lines 1 to 5, inclusive, and all of page 2, and insert in lieu thereof the following:

"SECTION 1. Section 1 of the act cited in the title hereof is hereby amended to read as follows:

Section 1. Any and all persons, firms, corporations or associations engaged in the manufacture, packing, canning, bottling or selling of any substance in containers with his, her or its name or names, or other marks or devices impressed or produced thereon; or whose equipment or supplies, owned by and used in his, her or its business, bears a name or other mark or device impressed or produced thereon, and any and all corporations and associations whose members are so engaged and use such containers or have such equipment or supplies, may file in the office of the county clerk of the county in which his, her or its principal place of business, or the principal place of business of its members, is situate, or if such place of business is situate out of the state, then in the office of the county clerk of any county of the state, and also in the office of the secretary of state, a description of the name or names, marks or devices so used, as a brand; and also cause such description to be printed once a week for three successive weeks in a newspaper published in the

county in which said description may have been filed as aforesaid. There shall be included as a part of each brand the words, "Registered in California," or the abbreviation, "Reg. Cal."

SEC. 2. Section 2 of said act is hereby amended to read as follows:

Sec. 2. It is hereby declared unlawful for any person, firm, corporation or association, except the owner of the brand, the registrant thereof and the members of any corporation or association which is the registrant, to use or fill with any substance, any container so marked or distinguished as aforesaid, with or by any name, mark or device, of which a description shall have been filed and published, as provided in section 1 of this act, or to erase, obliterate or otherwise cover up or conceal such name, mark or device on any such container or on any such equipment or supplies or any article thereof, or to sell, buy, give, take or otherwise traffic in the same without the written consent of the registrant of such brand to use the same on the containers or the articles of equipment or supply described in such consent, unless the same shall have been purchased from the person, firm, corporation or association whose mark shall be or shall have been thereon.

SEC. 3. Section 3 of said act is hereby amended to read as follows:

Sec. 3. The use by any person other than the person, firm, corporation or association whose name, mark or device shall be upon same, and other than the members of any corporation or association registering the same, of any such container, supplies or equipment, without the written consent provided for in section 2 of this act, or the having by any junk dealer, or dealer in second-hand articles, possession of any such containers, supplies or equipment, the description of the name, mark, or device having been so filed and published as aforesaid, shall be and is hereby declared to be presumptive evidence of unlawful use of or traffic in such containers, supplies, or equipment.

SEC. 4. Section 4 of said act is hereby amended to read as follows:

Sec. 4. Whenever the owner or owners of said containers so marked or branded or of said equipment or supplies used in said business or businesses aforesaid, so marked or otherwise impressed, or others lawfully entitled to use the same, shall require taking or accepting of any sum of money as a deposit for security for the safekeeping and return of such article or articles, it shall not constitute a sale of such property, either optional or otherwise, in any proceeding under this act.

SEC. 5. Section 5 of said act is hereby amended to read as follows:

Sec. 5. Whenever any of said persons, firms, corporations or associations mentioned in section 1 of this act, or the agent or agents of said persons, firms, corporations, or associations, or the member or members of such corporations or associations, shall make oath before any magistrate that he has reason to believe, and does believe, that any of the containers, supplies or equipment mentioned in section 1 of this act, are being unlawfully sold, filled or used, or are secreted in any place, the said magistrate shall issue a search warrant to discover and obtain the same, and may also cause to be brought before him, the person in whose possession such articles may be found, and if said magistrate finds that such person has been guilty of a violation of this act, he must impose the punishment herein prescribed, and also award the possession of the property taken upon such search warrant to the owner thereof, or to the corporation or association of which the owner is a member.

SEC. 6. Section 6 of said act is hereby amended to read as follows:

Sec. 6. Any person, firm, corporation or association, or any member of such corporation or association acquiring containers, supplies or equipment so marked, by purchase or other lawful means, and having the written consent provided for in section 2 of this act, shall not be required to again file and publish said description, but shall, as to the containers, supplies and equipment, described in such written consent acquire as a part of said purchase all such benefit as the vendor has under this act.

SEC. 7. Section 7 of said act is hereby amended to read as follows:

Sec. 7. Each brand heretofore registered and published pursuant to this act, and the owner of such brand, the registrant thereof and every person, firm, corporation and association lawfully entitled to use such brand and all containers and articles of supply and equipment bearing such brand shall hereafter be entitled to all of the protection and benefits of this act as amended, to the same extent as if such brand were hereafter registered and published, and it shall not be necessary for any such brand to be changed, reregistered and/or republished on account of any amendment or amendments to this act hereby made.

SEC. 8. A new section 10 is hereby added to read as follows:

Sec. 10. It shall be the duty of every person, firm, corporation or association who finds or receives in the regular course of business or in any other manner, any such property mentioned in section 1 of this act marked with a brand registered under the provisions of this act, to make diligent effort to find the owner thereof and restore or return said property.

SEC. 9. A new section 11 is hereby added to read as follows:

Sec. 11. If any section, subsection, sentence, clause or phrase of this act is for any reason held to be unconstitutional, such decision shall not affect the validity

of the remaining portions of this act. The Legislature hereby declares that it would have passed this act, each section, subsection, sentence, clause or phrase thereof, irrespective of the fact that any one or more of the sections, subsections, sentences, clauses or phrases be declared unconstitutional."

Amendment adopted.

Bill read second time, ordered to print, and on file for third reading.

Assembly Bill No. 1949—An act to amend sections 2 and 8 of an act entitled "An act to define commercial feeding stuffs and to establish a standard therefor, providing for the branding and labeling of same, empowering the State Board of Health to enforce the provisions of the act and providing penalties for the violation of same," approved May 16, 1919, relating to commercial feeding stuffs.

Bill read second time, and ordered on file for third reading.

Assembly Bill No. 1358—An act to amend section 542 of the Code of Civil Procedure, relating to the method of levying an attachment upon real or personal property.

COMMITTEE AMENDMENTS.

During the second reading of the bill, the following committee amendments were offered:

AMENDMENT NUMBER ONE.

On page 3, line 7, of the printed bill, strike out the following: ", savings and loan corporation,".

Amendment adopted.

AMENDMENT NUMBER TWO.

On page 3, line 7, of the printed bill, following the word "or", insert the word "title".

Amendment adopted.

AMENDMENT NUMBER THREE.

On page 3, line 12, of the printed bill, strike out the following: ", savings and loan corporation,".

Amendment adopted.

AMENDMENT NUMBER FOUR.

On page 3, line 12, of the printed bill, following the word "or", insert the word "title".

Amendment adopted.

AMENDMENT NUMBER FIVE.

On page 3, line 16, of the printed bill, strike out the following: ", savings and loan,".

Amendment adopted.

AMENDMENT NUMBER SIX.

On page 3, line 16, of the printed bill, following the word "or", insert the word "title".

Amendment adopted.

AMENDMENT NUMBER SEVEN.

On page 3, line 20, of the printed bill, strike out the following: ", savings and loan corporation,".

Amendment adopted.

AMENDMENT NUMBER EIGHT.

On page 3, line 20, of the printed bill, following the word "or", insert the word "title".

Amendment adopted.

AMENDMENT NUMBER NINE.

On page 3, line 24, of the printed bill, strike out the following: ". savings and loan corporation,".

Amendment adopted.

AMENDMENT NUMBER TEN.

On page 3, line 25, of the printed bill, following the word "or", insert the word "title".

Amendment adopted.

Bill read second time, ordered to print, and on file for third reading.

Assembly Bill No. 1020—An act to amend sections 1 to 7, inclusive, of "An act to provide for the filing of names, marks or other devices used to indicate ownership, providing for certain benefits therefrom, and prescribing penalties for violating the provisions hereof; repealing an act (approved March 21, 1911) entitled 'An act to protect the owners of bottles, boxes, siphons and kegs used in the sale of olives, olive oil, salad oil, soda waters, mineral or aerated water, porter, ale, cider, ginger ale, milk, cream, small beer, lager beer, weiss beer, white beer or other beverages, repealing 'An act to protect the owners of bottles, boxes, siphons, and kegs used in the sale of soda water, mineral or aerated waters, porter, ale, cider, ginger ale, milk, cream, small beer, lager beer, weiss beer, beer, white beer, or other beverages.'" approved March 31, 1891, also repealing an act to amend an act entitled "An act to protect the owners of bottles, boxes, siphons, and kegs, used in the sale of soda waters, mineral and aerated waters, porter, ale, cider, ginger ale, milk, cream, small beer, lager beer, weiss beer, beer, white beer or other beverages (approved March 31, 1891) by adding thereto a new section after section 4 thereof, relating to deposits, to be numbered as section 5 of said act, by renumbering section 5 of said act as section 6 thereof, and amending the same relating to assignments, and by renumbering section 6 of said act as section 7 thereof," approved March 5, 1903,' approved May 26, 1921," relating to containers.

COMMITTEE AMENDMENT.

During the second reading of the bill, the following committee amendment was offered:

AMENDMENT NUMBER ONE.

On page 2, line 31, of the printed bill, as amended March 11, 1931, strike out the period at the end of said line, and insert in lieu thereof a comma, followed by the following: "unless the same shall have been purchased from the person, firm, corporation or association whose mark shall be or shall have been thereon."

Amendment adopted.

Bill read second time, ordered to print, and on file for third reading.

REPORTS OF STANDING COMMITTEES—(RESUMED).

The following reports of standing committee were received and read:

ON COMMERCE AND NAVIGATION.

SENATE CHAMBER, SACRAMENTO, May 6, 1931.

MR. PRESIDENT: Your Committee on Commerce and Navigation, to which was referred Assembly Bill No. 1879—An act to add a new section to the Political Code, to be numbered 2524c, relating to the authority of the board of State Harbor Com-

missioners or its successor has had the same under consideration, and respectfully reports the same back, and recommends that it do pass.

Committee membership—9; committee vote: Ayes—5; absent—4.

CLEVELAND, Chairman.

Assembly Bill No. 1879 ordered on file for second reading.

Also:

MR. PRESIDENT: Your Committee on Commerce and Navigation, to which was referred Assembly Bill No. 1880—An act to amend section 2524 of the Political Code, relating to the jurisdiction, powers and duties of the board of State Harbor Commissioners or its successor—has had the same under consideration, and respectfully reports the same back, and recommends that it do pass.

Committee membership—9; committee vote: Ayes—5.

CLEVELAND, Chairman.

Assembly Bill No. 1880 ordered on file for second reading.

Also:

MR. PRESIDENT: Your Committee on Commerce and Navigation, to which was referred Assembly Bill No. 1156—An act to amend section 2549 of the Political Code, relating to navigable streams and public waterways—has had the same under consideration, and respectfully reports the same back, and recommends that it do pass.

Committee membership—9; committee vote: Ayes—5; noes—4.

CLEVELAND, Chairman.

Assembly Bill No. 1156 ordered on file for second reading.

Also:

MR. PRESIDENT: Your Committee on Commerce and Navigation, to which was referred Assembly Bill No. 647—An act authorizing the survey, location, and establishment of the ordinary highwater mark, bordering upon tidewater of the Pacific ocean, between the westerly boundary line of the city of Santa Monica and the westerly boundary line of the city of Los Angeles—has had the same under consideration, and respectfully reports the same back, and recommends that it do pass.

Committee membership—9; committee vote: Ayes—5; absent—4.

CLEVELAND, Chairman.

Assembly Bill No. 647 ordered on file for second reading.

Also:

MR. PRESIDENT: Your Committee on Commerce and Navigation, to which was referred Senate Bill No. 306—An act granting to the city of Pacific Grove the title to the waterfront of said city, together with certain submerged lands in the bay of Monterey contiguous thereto—has had the same under consideration, and respectfully reports the same back, and recommends that it do pass.

Committee membership—9; committee vote: Ayes—5; absent—4.

CLEVELAND, Chairman.

Senate Bill No. 306 ordered on file for second reading.

CONSIDERATION OF DAILY FILE.

THIRD READING OF ASSEMBLY BILLS.

Assembly Bill No. 611—An act to repeal section 4270 of the Political Code, and to add sections 4270, 4270a, 4270b, 4270c, 4270d, 4270e, 4270f, 4270g, 4270h, 4270i, 4270j, 4270k, 4270l, 4270m, 4270n, 4270o, 4270p, 4270q, and 4270r, relating to the compensation of county and township officers in the county of the forty-first class.

Bill read third time.

The question being on the passage of the bill.

The roll was called.

CALL OF THE SENATE.

Pending the announcement of the vote, Senator Cleveland moved a call of the Senate.

Motion carried.

The Secretary was directed to call the roll.

The roll was called, and the following answered to their names:

Senators Allen, Christian, Cleveland, Deuel, Evans, Harper, Hays, McCormack, McKinley, Mixer, Schottky, Treacy, Williams, and Young—14.

The Secretary announced the absentees.

Time, ten o'clock and forty-seven minutes a.m.

The President directed the Sergeant-at-Arms to close the doors.

The Sergeant-at-Arms, having been furnished with the names of the absentees, was directed to bring them to the bar of the Senate.

PROCEEDINGS UNDER CALL OF THE SENATE.

MESSAGE FROM THE ASSEMBLY.

The following message from the Assembly was received and read.

ASSEMBLY CHAMBER, SACRAMENTO, May 6, 1931.

MR. PRESIDENT: I am directed to inform your honorable body that the Assembly on this day respectfully refused to recede from its amendments to Senate Bill No. 490—An act defining the civil liability for failure to control fire—and appointed Assemblymen McGuinness, Biggar and Crist, as a Committee on Free Conference, to meet a like Committee from the Senate.

ARTHUR A. OHNIMUS, Chief Clerk.

By C. W. BOOTH, Assistant Clerk.

APPOINTMENT OF COMMITTEE ON FREE CONFERENCE.

The President announced the appointment of Senators Williams, Evans and Pedrotti, as a Committee on Free Conference, to meet with a like committee from the Assembly to consider amendments to Senate Bill No. 490.

REPORTS OF STANDING COMMITTEES—(RESUMED).

The following reports of standing committee were received and read:

ON FISH AND GAME.

SENATE CHAMBER, SACRAMENTO, May 5, 1931.

MR. PRESIDENT: Your Committee on Fish and Game, to which was referred Senate Bill No. 506—An act to amend section 632 of the Penal Code, relating to the protection of fish;

Also: Senate Bill No. 220—An act to amend section 6 of an act entitled "An act to regulate the sale and issuance of licenses to hunt, take, pursue, or kill wild birds or mammals, and/or to angle for, take, catch or kill game fishes for purposes other than sale or profit in order to provide revenue therefrom for fish and game preservation, protection and restoration; defining game fishes; providing a penalty for the violation of this act and repealing all acts and parts of acts inconsistent or in conflict with this act," approved May 27, 1927, as amended;

Has had the same under consideration, and respectfully reports the same back with amendments, and recommends that the amendments be adopted, and that they do pass as amended.

Committee membership—16; committee vote: Ayes—12; absent—4.

ALLEN, Chairman.

Senate Bills Nos. 506 and 220 ordered on file for second reading.

Also:

MR. PRESIDENT: Your Committee on Fish and Game, to which was referred Assembly Bill No. 5—An act relating to deer-tight fences and providing for State cooperation in the construction thereof;

Also: Assembly Bill No. 1081—An act to amend section 62 of an act entitled "An act to divide the State of California into fish and game districts and to repeal an act entitled 'An act to divide the State of California into fish and game districts and to repeal an act entitled 'An act to divide the State of California into six fish and game districts,' approved March 21, 1911, and all acts or parts of acts inconsistent herewith,' approved May 19, 1915," approved May 28, 1917, as amended and revised, and to add a new section thereto to be numbered section 62a;

Also: Assembly Bill No. 1082—An act to amend section 636 of the Penal Code, relating to the protection of fish and game; Has had the same under consideration, and respectfully reports the same back, and recommends that they do pass.

Committee membership—16; committee vote: Ayes—12; absent—4.

ALLEN, Chairman.

Assembly Bills Nos. 5, 1081 and 1082 ordered on file for second reading.

Also:

MR. PRESIDENT: Your Committee on Fish and Game, to which was referred Senate Bill No. 951—An act to provide for reimbursement of persons suffering loss by reason of the acts of tule elk during the closed season;

Also: Senate Bill No. 753—An act to amend section 632 of the Penal Code, relating to the protection of fish;

Has had the same under consideration, and respectfully reports the same back, and recommends that they do pass.

Committee membership—16; committee vote: Ayes—12; absent—4.

ALLEN, Chairman.

Senate Bills Nos. 951 and 753 ordered on file for second reading.

FURTHER PROCEEDINGS UNDER CALL OF THE SENATE DISPENSED WITH.

At ten o'clock and fifty-six minutes a.m., further proceedings under the call of the Senate were dispensed with, on motion of Senator Cleveland.

The Secretary was directed to call the roll on the passage of Assembly Bill No. 611.

The roll was called, and Assembly Bill No. 611 passed by the following vote:

AYES—Senators Allen, Baker, Breed, Bush, Carter, Christian, Cleveland, Clock, Crittenden, Deuel, Duval, Edwards, Evans, Fellom, Harper, Hays, Ingels, Inman, Jones, McCormack, McKinley, Mixer, Moran, Pedrotti, Rich, Schottky, Slater, Swing, Treacy, Tubbs, Waggy, and Williams—32.

NOES—None.

Title read and approved.

Bill ordered transmitted to the Assembly.

RESOLUTION.

The following resolution was offered:

By Senator Tubbs:

WHEREAS, There occurred on Tuesday, May 5, 1931, the death of Warren Enloe, the son of Mrs. Carter, our postmistress; and

WHEREAS, Mrs. Carter has served the Senate and the Senators faithfully for many years and in so doing she has endeared herself to the Senate; therefore, be it

Resolved, That the Senate of the State of California does hereby extend its sincere sympathy to Mrs. Carter in her bereavement.

Resolution read, and on motion of Senator Tubbs, unanimously adopted by a rising vote of the Senate.

CONSIDERATION OF DAILY FILE.

THIRD READING OF SENATE BILLS.

Senate Bill No. 460—An act to amend sections 3, 6, 9, 12, and 17 of, and to add two new sections numbered 6a and 25, respectively, to an act entitled "An act declaring the policy of the State of California relative to toll bridges and creating a board to be known as California Toll Bridge Authority and providing for membership thereof and specifying its duties and powers; also authorizing California Toll Bridge Authority to authorize and direct the Department of Public

Works of the State of California to build, purchase, condemn or otherwise acquire for and in the name of the State of California toll bridges and other toll highway crossings and approaches thereto across waters, bays, arms of bays, straits, rivers and streams in California, both navigable and unnavigable or across any stream that is a boundary line between California and any other state, and to acquire franchises, rights, privileges, easements or other property either real or personal, used or to be used in conjunction with any such bridges; also authorizing the Department of Public Works to make recommendations to the California Toll Bridge Authority relative to the acquisition or construction of any toll bridge or toll highway crossing and to submit preliminary estimates of the cost of such acquisition or construction and the amount of revenue bonds required to be issued for such purpose; also authorizing California Toll Bridge Authority to issue and sell revenue bonds to provide funds for the acquisition or construction of toll bridges or other toll highway crossings secured as to the redemption thereof and the interest thereon only by the tolls or other revenues received from such bridge or bridges or other highway crossings and to prescribe the terms and conditions of such bonds; also authorizing the issuance and sale of such revenue bonds for the payment of interest during the period of actual construction of such bridge or other highway crossing and for a period of six months thereafter; also providing for the manner in which such bonds shall be issued and signed and the manner of sale and redemption thereof and the payment of interest thereon; also authorizing said California Toll Bridge Authority to charge and fix the rates of toll on such bridges or other highway crossings and regulating the amount thereof; also authorizing the Department of Public Works of the State of California to operate and maintain all such toll bridges or other toll highway crossings and to collect tolls thereon; also authorizing the Department of Public Works to acquire by eminent domain any toll bridge or bridges or other toll highway crossing or approaches thereto, real estate, personal property, franchises, rights, privileges or easements appurtenant thereto or appropriated to a public use by any person, firm or private corporation or otherwise and defining the procedure therefor; also providing that bonds issued and sold by California Toll Bridge Authority shall not constitute or be a debt or general obligation of the State and shall be secured only by the tolls or other revenues collected from the operation of such bridges or other highway crossings and shall be paid from such tolls or revenues made available by this act; also authorizing any city, county, city and county, incorporated city or town, or joint highway district to advance or contribute money, rights of way, labor, materials or other property in aid of the acquisition, construction, operation or maintenance of any such bridge or highway crossing and to issue and sell general obligation bonds for such purpose; also authorizing the California Toll Bridge Authority to enter into agreements with any such political subdivisions for the repayment of contributions or advances; and providing the time and manner of making such repayments; also providing for the eliminations of toll charges on bridges or other highway crossings acquired and constructed under this act; also defining the limits within which other competitive bridges or other highway crossings or free ferries may be constructed or

operated; and also authorizing the recital of the terms of such limitations in bonds issued hereunder; also creating and establishing certain funds and regulating the manner in which moneys may be withdrawn therefrom; also prescribing the manner in which any city, county, city and county, incorporated bridge and highway district or joint highway district may acquire or construct toll bridges or other toll highway crossings; also authorizing California Toll Bridge Authority to make agreements with steam and electric or other railroad or transportation companies for the use of portions of toll bridges or other highway crossings acquired or constructed under this act; also providing for the manner in which contracts shall be let for the building of bridges or other highway crossings; also empowering the Department of Public Works to designate certain county roads as State highways; also authorizing the acquisition or construction of tubes or tunnels in connection with such bridges or other highway crossings; also authorizing casualty insurance, indemnity bonds or accident insurance on bridges and other highway crossings constructed under this act; also giving, dedicating and setting apart rights of way through, over, on and across State property for the construction of such toll bridges or other toll highway crossings; also appropriating \$50,000 for the purpose of establishing a revolving fund and providing for the use thereof and the manner of reimbursements thereto." approved June 10, 1929, relating to bonds.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Senate Bill No. 460 passed by the following vote:

AYES—Senators Allen, Baker, Breed, Bush, Christian, Cleveland, Crittenden, Deuel, Duval, Edwards, Evans, Fellom, Harper, Ingels, Jones, Maloney, McCormack, McKinley, Mixer, Moran, Nelson, Pedrotti, Rich, Riley, Schottky, Slater, Swing, Treacy, Tubbs, Wagy, and Williams—31.

NOES—None.

Title read and approved.

Bill ordered transmitted to the Assembly.

Senate Bill No. 276—An act to add a new article to chapter 3 of title I of part III of the Political Code, to be numbered article II*n*, embracing sections 377 to 377*n*, inclusive, relating to a Department of Professional and Vocational Standards.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Senate Bill No. 276 passed by the following vote:

AYES—Senators Allen, Baker, Breed, Bush, Carter, Christian, Deuel, Duval, Edwards, Evans, Fellom, Harper, Ingels, Jones, Maloney, McCormack, McKinley, Mixer, Nelson, Pedrotti, Riley, Schottky, Slater, Swing, Treacy, Tubbs, Wagy, and Williams—28.

NOES—Senators Cleveland and Hays—2.

Title read and approved.

Bill ordered transmitted to the Assembly.

Senate Bill No. 523—An act to require display of the flag of the United States and the State flag of California in all court rooms where

courts of record are held under the laws of California and providing for the purchase thereof.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Senate Bill No. 523 passed by the following vote:

AYES—Senators Allen, Baker, Breed, Bush, Carter, Christian, Cleveland, Clock, Deuel, Edwards, Evans, Fellom, Harper, Jones, Maloney, McCormack, McKinley, Mixer, Nelson, Pedrotti, Riley, Rochester, Schottky, Slater, Swing, Tubbs, Wagy, and Williams—28.

NOES—Senators Hays, and Rich—2.

Title read and approved.

Bill ordered transmitted to the Assembly.

Senate Bill No. 952—An act to amend section 1228 of the Penal Code, relating to capital punishment.

Bill read third time.

The question being on the passage of the bill.

The roll was called.

CALL OF THE SENATE.

Pending the announcement of the vote, Senator Deuel moved a call of the Senate.

Motion carried.

The Secretary was directed to call the roll.

The roll was called, and the following answered to their names:

Senators Allen, Baker, Breed, Bush, Carter, Cassidy, Christian, Cleveland, Clock, Crittenden, Deuel, Duval, Evans, Fellom, Harper, Hays, Ingels, Inman, Jones, Maloney, McCormack, McKinley, Moran, Nelson, Pedrotti, Rich, Riley, Rochester, Schottky, Sharkey, Slater, Swing, Treacy, Tubbs, Wagy, and Williams—36.

The Secretary announced the absentees.

Time, twelve o'clock and seven minutes p.m.

The President directed the Sergeant-at-Arms to close the doors.

The Sergeant-at-Arms, having been furnished with the names of the absentees, was directed to bring them to the bar of the Senate.

FURTHER PROCEEDINGS UNDER CALL OF THE SENATE DISPENSED WITH.

At twelve o'clock and nine minutes p.m., further proceedings under call of the Senate were dispensed with, on motion of Senator Fellom.

The Secretary was directed to call the roll.

The roll was called, and Senate Bill No. 952 passed by the following vote:

AYES—Senators Bush, Clock, Crittenden, Deuel, Evans, Harper, Hays, Ingels, Inman, Jones, Maloney, McKinley, Mixer, Moran, Pedrotti, Rich, Riley, Rochester, Treacy, Tubbs, and Williams—21.

NOES—Senators Allen, Baker, Breed, Carter, Cassidy, Christian, Cleveland, Duval, Fellom, McCormack, Nelson, Schottky, Sharkey, Slater, Swing, and Wagy—16.

Title read and approved.

Bill ordered transmitted to the Assembly.

Senate Bill No. 381—An act providing that any person, firm, association, or corporation, agent, superintendent or manager thereof, employing special agents, detectives or so-called spotters, before disciplining or discharging any employee upon a report by such special agent, detective or so-called spotters, give notice and accord a hearing to such employee upon his request therefor, and providing for the punishment

for the violation thereof, and repealing chapter 65, Statutes of 1915, entitled "An act providing that any public service corporation, agent, superintendent, or manager thereof, employing special agents, detectives, or so-called spotters shall, before disciplining or discharging any employee upon a report by such special agent, detective, or so-called spotters, give notice and accord a hearing to such employee upon his request therefor, and providing for the punishment for the violation thereof," approved April 14, 1915, as amended.

Bill read third time.

The question being on the passage of the bill.

The roll was called.

CALL OF THE SENATE.

Pending the announcement of the vote, Senator Sharkey moved a call of the Senate.

Motion carried.

The Secretary was directed to call the roll.

The roll was called, and the following answered to their names:

Senators Allen, Breed, Bush, Carter, Cassidy, Christian, Cleveland, Clock, Crittenden, Deuel, Evans, Fellom, Harper, Ingels, Inman, Jones, Maloney, McCormack, McKinley, Mixer, Moran, Nelson, Pedrotti, Rich, Riley, Schottky, Sharkey, Slater, Swing, Treacy, Tubbs, Waggy, and Williams—33.

The Secretary announced the absentees.

Time, twelve o'clock and twenty-two minutes p.m.

The President directed the Sergeant-at-Arms to close the doors.

The Sergeant-at-Arms, having been furnished with the names of the absentees, was directed to bring them to the bar of the Senate.

FURTHER PROCEEDINGS UNDER CALL OF THE SENATE DISPENSED WITH.

At twelve o'clock and forty minutes p.m., further proceedings under call of the Senate were dispensed with, on motion of Senator Sharkey.

The Secretary was directed to call the roll.

The roll was called, and Senate Bill No. 381 refused passage by the following vote:

AYES—Senators Allen, Cassidy, Crittenden, Fellom, Ingels, Inman, Jones, Maloney, McCormack, Pedrotti, Sharkey, Slater, Swing, Treacy, Tubbs, and Williams—16.

NOES—Senators Baker, Breed, Bush, Carter, Christian, Cleveland, Clock, Deuel, Duval, Edwards, Evans, Harper, Hays, McKinley, Mixer, Moran, Nelson, Rich, Riley, Rochester, Schottky, and Waggy—22.

RECESS.

On motion of Senator Breed, at twelve o'clock and forty-two minutes p.m., the President of the Senate declared recess until two o'clock p.m.

RECONVENED.

At two o'clock and ten minutes p.m., the Senate reconvened.

Lieutenant Governor Frank F. Merriam, President of the Senate, in the chair.

Minute Clerk Harold J. Powers at the desk.

MESSAGES FROM THE ASSEMBLY.

The following messages from the Assembly were received and read:

ASSEMBLY CHAMBER, SACRAMENTO, May 6, 1931.

MR. PRESIDENT: I am directed to inform your honorable body that the Assembly on May 5, 1931, passed Assembly Bill No. 1399—An act creating an additional District Court of Appeal, to be known as the District Court of Appeal for the Fifth Appellate District, redividing the State into appellate districts, providing

for the maintenance and operation of said court, and making an appropriation therefor.

ARTHUR A. OHNIMUS, Chief Clerk.
By FRED J. DESCH, Assistant Clerk.

Assembly Bill No. 1399 read first time, and referred to Committee on Governmental Efficiency.

Also:

ASSEMBLY CHAMBER, SACRAMENTO, May 4, 1931.

MR. PRESIDENT: I am directed to inform your honorable body that the Assembly on this day adopted Assembly Concurrent Resolution No. 36—Relative to leaves of absence of the State Controller and the Attorney General.

ARTHUR A. OHNIMUS, Chief Clerk.
By C. W. BOOTH, Assistant Clerk.

Assembly Concurrent Resolution No. 36 read, and referred to Committee on Rules.

REPORTS OF STANDING COMMITTEES—(RESUMED).

The following reports of standing committees were received and read:

ON ENGROSSMENT, ENROLLMENT AND PRINTING.

SENATE CHAMBER, SACRAMENTO, May 6, 1931.

MR. PRESIDENT: Your Committee on Engrossment, Enrollment and Printing has examined Senate Bill No. 356—An act to amend section 2653 of the Political Code, relating to a property tax for road purposes:

Also: Senate Bill No. 461—An act to provide for certain investigations relating to conservation of water and to make an appropriation therefor;

Also: Senate Bill No. 931—An act to amend chapter 399 of the Statutes of 1911 by amending section 1 thereof and by adding thereto a new section, to be numbered 3, all relating to certain defenses in actions at common law against employers: And reports that the same have been correctly re-engrossed.

RILEY, Chairman.

Also:

MR. PRESIDENT: Your Committee on Engrossment, Enrollment and Printing has examined Senate Bill No. 833—An act to amend the title of chapter II of part II of division IV of the School Code; to amend sections 4.161, 4.170, 4.172 and 4.173 thereof; to repeal chapters III, IV and V, embracing sections 4.180 to 4.242, both inclusive, of part II of division IV of the School Code; to repeal chapter VI, embracing sections 4.250 to 4.271, both inclusive, of part II of division II of the School Code; to repeal article V, embracing sections 4.630 to 4.639, both inclusive, of chapter VII of part III of division IV of the School Code; to repeal section 4.174 thereof and to add to chapter II of part II of division IV of the School Code four new articles to be known as article III, article IV, article V and article VI, respectively, embracing sections 4.180 to 4.210, both inclusive; to add a new chapter to part II of division IV of the School Code to be known as chapter III, embracing sections 4.220 to 4.261, both inclusive, and to add a new chapter to part II of division IV of the School Code to be known as chapter IV, embracing sections 4.270 to 4.278, both inclusive; to add two new sections to the School Code to be numbered 5.550 and 5.635; and to repeal chapter 583 of the Statutes of 1929, entitled "An act providing for the certifying to boards of supervisors and county auditors the total cost of educating junior college pupils residing in counties and not in any junior college district, approved May 31, 1929, all relating to county school funds and the use thereof"—and reports that the same has been correctly engrossed.

RILEY, Chairman.

ON JUDICIARY.

SENATE CHAMBER, SACRAMENTO, May 6, 1931.

MR. PRESIDENT: Your Committee on Judiciary, to which was referred Assembly Bill No. 466—An act making it unlawful for an attorney at law to employ any person to solicit law practice; prohibiting any person from soliciting law practice for hire and prescribing the penalty therefor; prohibiting the use of written statements taken from an injured person within 30 days after the injury; also making void certain settlements, compromises, releases and discharges, also certain contracts with attorneys at law, unless approved by the court—has had the same under consideration, and respectfully reports the same back with amendments, and recommends that the amendments be adopted, and that it do pass as amended.

Committee membership—17; committee vote: Ayes—15; absent—2.

CHRISTIAN, Chairman.

Assembly Bill No. 466 ordered on file for second reading.

ON REVISION OF CRIMINAL LAW AND PROCEDURE.

SENATE CHAMBER, SACRAMENTO, May 6, 1931.

MR. PRESIDENT: Your Committee on Revision of Criminal Law and Procedure, to which was referred Senate Bill No. 600—An act to add a new section to the Penal Code, to be numbered 969b, to provide for the admission in evidence in criminal cases of the official records, or the exemplification of copies of official records, of the penitentiaries or reformatories of sister states or of federal penitentiaries, and providing that such records and copies shall constitute prima facie evidence of a prior conviction—has had the same under consideration, and respectfully reports the same back, and recommends that it do pass.

Committee membership—9.

(Signed out)

ROCHESTER, Chairman.
CHRISTIAN.
CLEVELAND.
CLOCK.
MALONEY.

Senate Bill No. 600 ordered on file for second reading.

ON GOVERNMENTAL EFFICIENCY.

SENATE CHAMBER, SACRAMENTO, May 6, 1931.

MR. PRESIDENT: Your Committee on Governmental Efficiency, to which was referred Senate Bill No. 894—An act to amend section 653c of the Penal Code, relating to the hours of labor on public works—has had the same under consideration, and respectfully reports the same back, and recommends that it do pass.

Committee membership—11; committee vote: Ayes—6; absent—5.

CRITTENDEN, Chairman.

Senate Bill No. 894 ordered on file for second reading.

Also:

MR. PRESIDENT: Your Committee on Governmental Efficiency, to which was referred Assembly Bill No. 359—An act to amend section 737kk of the Political Code, relating to the salaries of the superior judges of the superior court in and for the county of San Diego;

Also: Assembly Bill No. 1534—An act to amend section 737ddd of the Political Code, relating to the salary of the judge of the superior court in and for the county of Ventura;

Also: Assembly Bill No. 1374—An act to amend section 737ww of the Political Code, relating to the salary of the superior judges in and for the county of Sonoma;

Also: Assembly Bill No. 412—An act to amend section 736b, and repeal section 736c of the Political Code, relating to the salaries of judges of the superior court and to make an appropriation to cover increases in the payments by the State therefor;

Also: Assembly Bill No. 249—An act to amend section 439 of the Political Code, relating to employees in Controller's office;

Has had the same under consideration, and respectfully reports the same back, and recommends that they be re-referred to the Committee on Finance.

Committee membership—11; committee vote: Ayes—6; absent—5.

CRITTENDEN, Chairman.

Assembly Bills Nos. 359, 1534, 1374, 412 and 249 ordered re-referred to Committee on Finance.

Also:

MR. PRESIDENT: Your Committee on Governmental Efficiency, to which was referred Assembly Bill No. 315—An act relating to the judges of the superior court in and for the county of Santa Barbara, increasing the number and prescribing the salaries thereof;

Also: Assembly Bill No. 153—An act to amend section 412 of the Political Code, relating to appointees of the Secretary of State;

Also: Assembly Bill No. 154—An act providing for the preparation and printing of a Cumulative Supplement to the Index of the Laws of California and a statutory record, and making an appropriation therefor;

Also: Assembly Bill No. 688—An act to amend section 737jj of the Political Code, relating to the annual salary of judges of the superior court in and for the county of San Bernardino;

Has had the same under consideration, and respectfully reports the same back, and recommends that they be re-referred to the Committee on Finance.

Committee membership—11; committee vote: Ayes—6; absent—5.

CRITTENDEN, Chairman.

Assembly Bills Nos. 315, 153, 154 and 688 ordered re-referred to Committee on Finance.

Also:

MR. PRESIDENT: Your Committee on Governmental Efficiency, to which was referred Assembly Bill No. 1021—An act to amend section 3700a of the Political Code, relating to the salary of the secretary of the State Board of Equalization;

Also: Assembly Bill No. 1938—An act relating to a Convalescent Colony and empowering the Department of Finance to accept land or contributions for the Convalescent Colony upon recommendation of the Convalescent Colony Board, creating a Convalescent Colony Board, and providing for the disposition and expenditure of moneys in connection with said Convalescent Colony;

Also: Assembly Bill No. 547—An act to add a new section, to be numbered 5, to chapter 93, Statutes of 1899, entitled "An act requiring the payment into the State treasury of all moneys belonging to the State, received by the various State institutions, commissions, and officers, and directing the disposition of the same," approved March 17, 1899, as amended, relating to the payment of certain State money into the General Fund in the State treasury, and abolishing certain special funds;

Has had the same under consideration, and respectfully reports the same back, and recommends that they do pass.

Committee membership—11; committee vote: Ayes—6; absent—5.

CRITTENDEN, Chairman.

Assembly Bills Nos. 1021, 1938 and 547 ordered on file for second reading.

Also:

MR. PRESIDENT: Your Committee on Governmental Efficiency, to which was referred Assembly Bill No. 1066—An act to amend sections 1, 2, 3, 4, 7, 8, 9, 10, 11 and 12 of an act entitled "An act to define the duties of and to license land surveyors, and to repeal an act entitled 'An act to define the duties of and to license land surveyors,' approved March 31, 1891," approved March 16, 1907, Statutes of 1907, page 310, relating to licensing of surveyors and the preparation and filing of maps—has had the same under consideration, and respectfully reports the same back with amendments, and recommends that the amendments be adopted, and that it do pass as amended.

Committee membership—11; committee vote: Ayes—6; absent—5.

CRITTENDEN, Chairman.

Assembly Bill No. 1066 ordered on file for second reading.

CONSIDERATION OF DAILY FILE.

THIRD READING OF ASSEMBLY BILLS—(RESUMED).

Assembly Bill No. 57—An act to amend section 4255, to repeal sections 4256a and 4256b, and to add section 4255a to the Political Code, relating to the salaries and fees of county officers in counties of the twenty-sixth class.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Assembly Bill No. 57 passed by the following vote:

AYES—Senators Baker, Breed, Bush, Cassidy, Christian, Deuel, Duval, Edwards, Evans, Hays, Ingels, McCormack, Mixter, Moran, Nelson, Rochester, Schottky, Slater, Treacy, Tubbs, Waggy, and Williams—22.

NOES—None.

Title read and approved.

Bill ordered transmitted to the Assembly.

Assembly Bill No. 1656—An act to amend section 4235 of the Political Code, relating to compensation of county and township officers in counties of the sixth class.

Bill read third time.

MOTION TO REFER TO SPECIAL COMMITTEE OF ONE.

During third reading of the bill, Senator Hays moved to refer Assembly Bill No. 1656 to Senator Evans, as a Special Committee of One, to amend as follows:

AMENDMENT NUMBER ONE.

On page 2, line 29, of the printed bill, strike out "four", and insert in lieu thereof "eight".

AMENDMENT NUMBER TWO.

On page 2 of the printed bill, strike out lines 35 and 36, and insert in lieu thereof "eight hundred dollars per annum".

AMENDMENT NUMBER THREE.

On page 3, line 16, of the printed bill, strike out "four hundred fifty", and insert in lieu thereof "eight hundred".

AMENDMENT NUMBER FOUR.

On page 3, line 30, of the printed bill, strike out "eighteen", and insert in lieu thereof "nineteen".

AMENDMENT NUMBER FIVE.

On page 3 of the printed bill, strike out lines 32 and 33, and insert in lieu thereof "per day each; and seven".

AMENDMENT NUMBER SIX.

On page 3, line 48, of the printed bill, strike out "twenty-nine", and insert in lieu thereof "thirty".

Motion carried.

REPORT OF SPECIAL COMMITTEE OF ONE.

SENATE CHAMBER, SACRAMENTO, May 6, 1931.

MR. PRESIDENT: Your Special Committee of One, to which was referred Assembly Bill No. 1656, with instructions to amend, respectfully reports the same back, amended as per instructions.

EVANS, Committee.

Report read, and on motion of Senator Hays adopted.

Bill ordered to print.

Assembly Bill No. 1648—An act to amend section 1917 of the "Juvenile Court Law," relating to probation officers in counties of the seventeenth class.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Assembly Bill No. 1648 passed by the following vote:

AYES—Senators Baker, Breed, Bush, Cassidy, Christian, Clock, Deuel, Duval, Edwards, Evans, Fellom, Hays, McCormack, McKinley, Mixter, Nelson, Rich, Slater, Treacy, Tubbs, Wagy, and Williams—22.

NOES—None.

Title read and approved.

Bill ordered transmitted to the Assembly.

Assembly Bill No. 1650—An act to amend section 1617 of the "Weights and Measures Act," relating to sealers of weights and measures in counties of the seventeenth class.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Assembly Bill No. 1650 passed by the following vote:

AYES—Senators Baker, Breed, Bush, Christian, Deuel, Duval, Edwards, Evans, Fellom, Harper, Hays, Ingels, McCormack, McKinley, Mixer, Moran, Nelson, Rich, Riley, Schottky, Slater, Treacy, Waggy, and Williams—24.

NOES—None.

Title read and approved.

Bill ordered transmitted to the Assembly.

Assembly Bill No. 1651—An act to amend section 2322¹⁷ of the Political Code, relating to the office of agricultural commissioner in counties of the seventeenth class.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Assembly Bill No. 1651 passed by the following vote:

AYES—Senators Baker, Breed, Bush, Christian, Deuel, Duval, Edwards, Evans, Fellom, Harper, Hays, Ingels, McKinley, Mixer, Moran, Nelson, Riley, Schottky, Slater, Treacy, Waggy, and Williams—22.

NOES—None.

Title read and approved.

Bill ordered transmitted to the Assembly.

CONSIDERATION OF DAILY FILE.

THIRD READING OF SENATE BILLS—(RESUMED).

Senate Bill No. 665—An act to amend sections 4.365 and 4.366 of article VII, chapter I, part III of division IV of the School Code of the State of California, relating to district budgets.

Bill read third time.

The question being on the passage of the bill.

The roll was called.

CALL OF THE SENATE.

Pending the announcement of the vote, Senator Bush moved a call of the Senate.

Motion carried.

The Secretary was directed to call the roll.

The roll was called, and the following answered to their names:

Senators Allen, Baker, Bush, Cassidy, Christian, Crittenden, Deuel, Duval, Edwards, Evans, Fellom, Harper, Hays, Ingels, Inman, Jones, McKinley, Mixer, Moran, Nelson, Pedrotti, Riley, Rochester, Schottky, Slater, Treacy, Tubbs, Waggy, and Williams—29.

The Secretary announced the absentees.

Time, two o'clock and thirty-five minutes p.m.

The President directed the Sergeant-at-Arms to close the doors.

The Sergeant-at-Arms, having been furnished with the names of the absentees, was directed to bring them to the bar of the Senate.

PROCEEDINGS UNDER CALL OF THE SENATE.

CONSIDERATION OF DAILY FILE.

THIRD READING OF ASSEMBLY BILLS—(RESUMED).

Assembly Bill No. 408—An act to amend section 1096 of the Political Code, relating to registration of electors.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Assembly Bill No. 408 passed by the following vote:

AYES—Senators Baker, Breed, Bush, Cassidy, Christian, Crittenden, Deuel, Edwards, Evans, Fellom, Harper, Hays, Ingels, Inman, Jones, Maloney, McCormack, McKinley, Mixter, Moran, Nelson, Pedrotti, Riley, Rochester, Schottky, Slater, Treacy, Wagy, and Williams—29.

NOES—None.

Title read and approved.

Bill ordered transmitted to the Assembly.

Assembly Bill No. 507—An act to amend the act known as "Palo Verde Irrigation District Act," approved June 21, 1923, as amended, by amending section 28 thereof, relating to levy of taxes.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Assembly Bill No. 507 passed by the following vote:

AYES—Senators Allen, Baker, Breed, Cassidy, Christian, Cleveland, Crittenden, Duval, Edwards, Evans, Fellom, Harper, Hays, Ingels, Inman, Jones, McKinley, Mixter, Moran, Nelson, Pedrotti, Riley, Rochester, Slater, Treacy, Wagy, and Williams—27.

NOES—None.

Title read and approved.

Bill ordered transmitted to the Assembly.

Assembly Bill No. 284—An act to amend section 1951 of the Juvenile Court Law, as amended, relating to probation officers in counties of the fifty-first class.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Assembly Bill No. 284 passed by the following vote:

AYES—Senators Allen, Baker, Breed, Bush, Carter, Cassidy, Christian, Cleveland, Clock, Crittenden, Duval, Edwards, Evans, Fellom, Hays, Ingels, Inman, Jones, Maloney, McCormack, McKinley, Mixter, Moran, Nelson, Pedrotti, Rich, Riley, Rochester, Slater, Treacy, Wagy, and Williams—32.

NOES—None.

Title read and approved.

Bill ordered transmitted to the Assembly.

CONSIDERATION OF DAILY FILE.

THIRD READING OF SENATE BILLS—(RESUMED).

Senate Bill No. 461—An act to provide for the investigation of the value of forest cover in the conservation of water in the prevention of erosion on watershed areas and to make an appropriation therefor.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Senate Bill No. 461 passed by the following vote:

AYES—Senators Allen, Baker, Breed, Bush, Carter, Cassidy, Christian, Cleveland, Clock, Crittenden, Deuel, Edwards, Evans, Fellom, Harper, Ingels, Inman, Maloney, McCormack, McKinley, Mixter, Moran, Nelson, Pedrotti, Rich, Riley, Rochester, Schottky, Slater, Swing, Treacy, and Williams—32.

NOES—None.

Title read and approved.

Bill ordered transmitted to the Assembly.

FURTHER PROCEEDINGS UNDER CALL OF THE SENATE DISPENSED WITH.

At two o'clock and fifty-five minutes p.m., further proceedings under the call of the Senate were dispensed with, on motion of Senator Bush.

The Secretary was directed to call the roll.

The roll was called, and Senate Bill No. 665 passed by the following vote:

AYES—Senators Allen, Breed, Bush, Carter, Cassidy, Christian, Cleveland, Clock, Duval, Edwards, Fellom, Hays, Ingels, Inman, Maloney, McCormack, McKinley, Moran, Nelson, Rich, Riley, Sharkey, Slater, Swing, Treacy, and Waggy—27.

NOES—Senators Baker, Crittenden, Evans, Harper, Mixter, Pedrotti, Rochester, Schottky, and Williams—9.

Title read and approved.

Bill ordered transmitted to the Assembly.

Senate Bill No. 666—An act to amend sections 4,370, 4,371, 4,372 and 4,373 of article VIII, chapter I, part III of division IV of the School Code of the State of California, relating to levy of school district taxes.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Senate Bill No. 666 passed by the following vote:

AYES—Senators Allen, Breed, Bush, Cassidy, Christian, Cleveland, Crittenden, Duval, Edwards, Evans, Fellom, Harper, Hays, Ingels, Inman, Jones, Maloney, McCormack, McKinley, Mixter, Moran, Nelson, Pedrotti, Riley, Schottky, Sharkey, Slater, Swing, Treacy, and Williams—30.

NOES—None.

Title read and approved.

Bill ordered transmitted to the Assembly.

RECONSIDERATION WAIVED.

Senator Carter waived his notice to reconsider the vote whereby Senate Bill No. 362 was passed.

Senate Bill No. 362 ordered transmitted to the Assembly.

PRESENTATION OF PETITION—(OUT OF ORDER).

The following petition was presented, and ordered printed in the Journal:

By Senator Clock:

Resolution Adopted Unanimously by the Federation of State Societies.

WHEREAS, Owing to greatly depressed business conditions causing millions of men and women to be out of employment thereby throwing a great financial burden upon the taxpayer; and

WHEREAS, Heavy taxes and special assessments and a depreciated income are working a terrible hardship on many small property owners, a large percentage of whom find the burden too much of a financial strain, and are being deprived of their homes and property under foreclosure; and

WHEREAS, A concentrated effort is being made by interested persons to induce the present Legislature to increase the salaries of various State, county and other officials in the face of the fact that there has been a steady decrease in the income of the average person, and the cost of living has been considerably reduced; now, therefore, be it

Resolved, That it is the sense of this organization that there should be no increase in any of the salaries to be paid by the taxpayers of this State, and that the present time is particularly inopportune for such increase to be made, and the Legislature is respectfully urged to defeat all acts providing for any such increase, as a matter of common justice to the taxpayers of the State.

I. C. H. PARSONS, Secretary of the Federation of State Societies, do hereby certify that the foregoing resolution was unanimously adopted at a largely attended meeting of the said society held on the fourth day of May, 1931.

WITNESS my hand and official seal this, the fifth day of May, 1931.

[SEAL]

C. H. PARSONS,
Secretary of the Federation of State Societies.

CONSIDERATION OF DAILY FILE.

THIRD READING OF SENATE BILLS—(RESUMED).

Senate Bill No. 260—An act to add a new part to division V of the School Code to be known as part VI, embracing sections 5.1200 to 5.1470, both inclusive, providing for the establishment and creation of the California State Teachers' Retirement System, the creation and establishment of a board to manage and operate said system, for contributions from teachers and the State of California for the operation and maintenance of said system; and to repeal part IV of division V of the School Code, embracing sections 5.800 to 5.1083, both inclusive; chapter 62 of the Statutes of 1929 entitled "An act relating to the retirement of teachers in schools for the blind, schools for the deaf and in special classes maintained for the deaf, the hard of hearing, the blind, or the semisighted," approved April 6, 1929; and chapter 887 of the Statutes of 1929 entitled "An act relating to retirement salaries of teachers and other employees employed in the public schools of this State and educational institutions supported in whole or in part by the State," approved June 19, 1929.

Bill read third time.

POINT OF ORDER.

Senator Swing raised the point of order that Senator Rochester was not speaking upon the merits of the bill before the Senate.

DECISION ON POINT OF ORDER.

The President announced his decision and declared the point of order not well taken.

COMMUNICATIONS.

The following communications were received, read, and on motion of Senator Swing, ordered printed in the Journal:

RIVERSIDE, CALIFORNIA, April 29, 1931.

Senator Ralph E. Swing.

DEAR SIR: Yes, it is a laudable plan to give our teachers a pension, but what I and hundreds of thousands just like me want to know is just where this pension business is going to end? Where it should end is by giving all of the aged a pension, but if we can not do that, why should one class of the people pay taxes to pension another class? They tell us we should have saved our money when we were young, and I say there is no reason why teachers could not have done just that as well as I. My work in the world has been just as important to the people at large and just as necessary as the teachers', and on the whole I have worked for less pay. I have raised seven children for the teachers to teach, and just why I should be taxed in my old age to give teachers a pension is the thing many of us are trying to find out. There are teachers' pensions, postal pensions and civil service pensions of various kinds. Then there is, greatest of all, the soldiers' pensions and bonuses, and a thousand and one more. Where, again in common fairness, is all of this pension going to end. I tell you it will not end as long as there is an axe to grind or until the people rebel, and when we do we are going to have something to say. The next pension we will be asked to pay will be a pension to the dried egg manufacturers of China who are swindling the American farmers and poultry men. We can get nothing to help us as we are fighting with our backs to the wall, trying to save ourselves on 15-cent eggs and then asked to pay more pension to someone that is making twice as much as we are. If I could have half of the money our teachers are getting I wouldn't need a pension, nor would I ask for it. The assessor was here today, and from the way he assessed me someone ought to have a pension.

Respectfully,

Care Moreno Stage, Riverside, California.

G. A. ENGLISH.

Also:

YUCAIPA, March 15, 1931.

*Hon. Ralph D. Swing,
Sacramento, California.*

DEAR SENATOR SWING: In view of the situation of excessive taxation and the unjust action of the California Teachers Association in an attempt to approximately double the teachers' pension or so-called teachers' retirement salary, a feeling of intense indignation is arising among the taxpayers, and especially among the farmers, that even an attempt should be made to pass the act at the present session of the State Legislature. Approximately over 60 per cent, so I am informed, of all the State taxes go to the public school fund, and most of such funds are used in payment of teachers' salaries. The assertion that the teachers pay for the retirement salary is not true, for in 30 years each pays in only \$360 and at the end of 30 years each receives \$500 per year. Now they want, practically, to double their pension!! As an ex-superintendent of city public schools and a burdened taxpayer, I file a vigorous protest against such action. If the act be passed our legislators will surely hear from the farmers at the next election.

Respectfully,

CYRUS N. ANDREWS.

Also:

LOS ANGELES, CALIFORNIA. April 8, 1931.

*Honorable Members of State Finance Committee,
State Senate, Sacramento, California.*

HONORABLE SIR: It seems to me, and many persons with whom I have talked, that it is unjust to place upon the taxpayers an added burden of \$3,844,000 a year to pay teachers' retirement salary. Teachers now are the best paid class in California. They begin at \$140 a month and advance to \$244 in Los Angeles city elementary schools, and high school teachers more.

Thousands of men work for \$120 to \$170, and are supporting a wife and babies and trying to pay out on a little home and are taxed to help pay the retirement salary of teachers who are better paid than they are.

This retirement bill should be defeated in the interest of burdened taxpayers.

Very truly,

A. H. JAMES.

The question being on the passage of the bill.

The roll was called; and Senate Bill No. 260 refused passage by the following vote:

AYES—Senators Allen, Christian, Cleveland, Evans, Harper, Inman, Jones, Maloney, Pedrotti, Rochester, Treacy, and Tubbs—12.

NOES—Senators Baker, Breed, Bush, Carter, Cassidy, Crittenden, Duval, Edwards, Fellom, Hays, Ingels, McCormack, McKinley, Mixer, Moran, Nelson, Rich, Riley, Schottky, Sharkey, Slater, Swing, Waggy, and Williams—25.

PRESENTATION OF PETITION—(OUT OF ORDER).

The following petition was presented, and ordered printed in the Journal:

By Senator Inman:

(COPY)

WHEREAS, At a meeting of the Pacific American Steamship Association held March 27, 1931, a resolution was adopted endorsing Senate Bill No. 580 and Assembly Bill No. 1233 in amended form, with recommendation for the passage of these bills by the California State Legislature, and that a copy of the resolution be filed with the Committees of Commerce and Navigation, as the most effective means of control and future development of the harbor of San Francisco; and

WHEREAS, The purpose of the association in endorsing said bills was to perpetuate the present satisfactory control and development of the harbor of San Francisco by the State of California; and

WHEREAS, There were certain features of the said bills which were objectionable to members of this association but which objections the members were willing to waive in view of the great urgency for retaining the control of the harbor in the State; and

WHEREAS, The association is now of the opinion that control of the harbor in the State will be preserved without the passage of these bills; and

WHEREAS, At the same meeting a further resolution was adopted opposing Assembly Bill No. 467, in that said bill would take the harbor away from the State control under which it has been developed and operated in a most efficient manner, be it

Resolved. That the Pacific American Steamship Association hereby withdraws its prior endorsement of Senate Bill No. 580 and Assembly Bill No. 1233 in amended form, and now proclaims its position as being unalterably opposed to any legislation which would remove control of the port from its present satisfactory administration by the State, and therefore strongly urges that the California State Legislature does not pass either of these bills; and be it further

Resolved. That a copy of this resolution be filed with the Senators, the Committee of Commerce and Navigation and the Governor, and that this association reaffirms its prior resolution opposing Assembly Bill No. 467.

The above resolution was unanimously adopted at a meeting of the Pacific American Steamship Association held May 5, 1931.

CONSIDERATION OF DAILY FILE.

THIRD READING OF SENATE BILLS—(RESUMED).

Senate Bill No. 563—An act to promote the development of the California dried fruit industry and to prevent deception in the packing and sale of dried fruit by providing for the establishment and definition of standards for dried fruit, by authorizing the Director of Agriculture to provide for the certification of dried fruits, establishing a Dried Fruit Certification Fund and Revolving Fund, and making an appropriation to carry out the provisions hereof.

On motion of Senator Jones, Senate Bill No. 563 was ordered re-referred to Committee on Finance.

LEAVE OF ABSENCE.

Senator McKinley was, on motion of Senator Breed, granted leave of absence for Thursday, May 7, 1931.

RECONSIDERATION WAIVED.

Senator Carter waived his notice to reconsider the vote whereby Senate Bill No. 363 was passed.

Senate Bill No. 363 ordered transmitted to the Assembly.

Senate Bill No. 389—An act to amend section 2.878 of the School Code, relating to electors at school district elections.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Senate Bill No. 389 passed by the following vote:

AYES—Senators Breed, Cassidy, Cleveland, Crittenden, Deuel, Duval, Edwards, Evans, Hays, Ingels, Inman, Jones, Maloney, McCormack, Moran, Nelson, Pedrotti, Rich, Riley, Schottky, Sharkey, Slater, Tubbs, and Williams—24.

NOES—None.

Title read and approved.

Bill ordered transmitted to the Assembly.

REPORTS OF STANDING COMMITTEES—(RESUMED).

The following reports of standing committees were received and read:

ON FINANCE.

SENATE CHAMBER, SACRAMENTO, May 6, 1931.

MR. PRESIDENT: Your Committee on Finance, to which was referred Senate Bill No. 191—An act creating the California Districts Securities Commission, providing for its appointment, and defining its duties and powers, relating to bonds of irrigation districts, providing under what circumstances such bonds shall be legal investment for funds of banks, insurance companies and trust companies, trust funds, State school funds and any money or funds which may now or hereafter be invested in bonds of cities, cities and counties, counties, school districts or municipalities, and providing under what circumstances the use of bonds of irrigation districts as security for the performance of any act may be authorized, providing that certain districts may be declared insolvent, and providing for the administration of insolvent districts, making an appropriation, to carry out the purposes

of the act, and repealing an act entitled "An act relating to bonds of irrigation districts, providing under what circumstances such bonds shall be legal investments for funds of banks, insurance companies and trust companies, trust funds, State school funds and any money or funds which may now or hereafter be invested in bonds of cities, cities and counties, counties, school districts or municipalities, and providing under what circumstances the use of bonds of irrigation districts as security for the performance of any act may be authorized," approved June 13, 1913, and as amended;

Also: Senate Bill No. 532—An act to provide for the compilation, printing, binding, publishing, and distribution of a legislative manual and State Blue Book, or roster and appendix thereto, repealing all conflicting acts and making an appropriation to carry out the provisions hereof;

Also: Senate Bill No. 822—An act to make an appropriation to pay the claim of Simon J. Lubin against the State of California;

Also: Senate Bill No. 205—An act providing for the building of a causeway across the Tisdale By-pass in Sutter County, State of California, and making an appropriation therefor;

Has had the same under consideration, and respectfully reports the same back with amendments, and recommends that the amendments be adopted, and that they do pass as amended.

Committee membership—18; committee vote: Ayes—16.

SWING, Chairman.

Senate Bills Nos. 191, 532, 822 and 205 ordered on file for second reading.

Also:

MR. PRESIDENT: Your Committee on Finance, to which was referred Assembly Bill No. 553—An act making an appropriation to pay the claim of Moore Mercantile Company against the State of California;

Also: Assembly Bill No. 578—An act making an appropriation to pay the claim of Sarah G. White against the State of California;

Also: Assembly Bill No. 705—An act to pay the claim of B. J. Humphreys against the State of California;

Also: Assembly Bill No. 835—An act making an appropriation to pay the claim of The Atchison, Topeka and Santa Fe Railway Company against the State of California;

Also: Assembly Bill No. 846—An act making an appropriation to pay the claim of Felix Cross Company against the State of California;

Also: Assembly Bill No. 847—An act making an appropriation to pay the claim of Gordon's Sea Food Grotto against the State of California;

Also: Assembly Bill No. 848—An act making an appropriation to pay the claim of Union Fish Company against the State of California;

Also: Assembly Bill No. 849—An act making an appropriation to pay the claim of J. D. Fabris against the State of California;

Also: Assembly Bill No. 850—An act making an appropriation to pay the claim of United Ship Repair Company against the State of California;

Also: Assembly Bill No. 851—An act making an appropriation to pay the claim of Associated Oil Company against the State of California;

Also: Assembly Bill No. 853—An act making an appropriation to pay the claim of Veterans' Bureau of United States government against the State of California;

Also: Assembly Bill No. 855—An act making an appropriation to pay the claim of Kimball-Upson Company against the State of California;

Also: Assembly Bill No. 864—An act making an appropriation to pay the claim of Harold E. Smith against the State of California;

Has had the same under consideration, and respectfully reports the same back with amendments, and recommends that the amendments be adopted, and that they do pass as amended.

Committee membership—18; committee vote: Ayes—16.

SWING, Chairman.

Assembly Bills Nos. 553, 578, 705, 835, 846, 847, 848, 849, 850, 851, 853, 855 and 864 ordered on file for second reading.

Also:

MR. PRESIDENT: Your Committee on Finance, to which was referred Assembly Bill No. 136—An act making an appropriation to pay the claim of J. H. Briney against the State of California;

Also: Assembly Bill No. 164—An act to appropriate money to pay the claim of J. M. Ocheltree against the State of California;

Also: Assembly Bill No. 173—An act appropriating money to pay the claim of Yoshio Matsui against the State of California;

Also: Assembly Bill No. 195—An act making an appropriation to pay the claim of Samuel F. Miles against the State of California;

Also: Assembly Bill No. 197—An act making an appropriation to pay the claim of W. R. Whyte against the State of California;

Also: Assembly Bill No. 321—An act making an appropriation to pay the claim of Hugo Michler against the State of California;

Also: Assembly Bill No. 407—An act making an appropriation to pay the claim of C. O. DeLand against the State of California;

Also: Assembly Bill No. 478—An act appropriating money to pay the claim of the disbursing officer of the Division of Highways, State Department of Public Works, against the State of California;

Also: Assembly Bill No. 594—An act appropriating money to pay the claim of the county of Ventura against the State of California;

Also: Assembly Bill No. 823—An act appropriating money to pay the claim of the city of Los Angeles against the State of California;

Also: Assembly Bill No. 836—An act making an appropriation to pay the claim of Minneapolis Steel and Machinery Company against the State of California;

Also: Assembly Bill No. 837—An act making an appropriation to pay the claim of Martha Alice McCarrea against the State of California;

Also: Assembly Bill No. 838—An act making an appropriation to pay the claim of Frank Rose against the State of California;

Also: Assembly Bill No. 839—An act making an appropriation to pay the claim of the Assistant Controller General of the United States against the State of California;

Also: Assembly Bill No. 840—An act making an appropriation to pay the claim of Charles Skelton against the State of California;

Also: Assembly Bill No. 841—An act making an appropriation to pay the claim of John F. Ottoboni against the State of California;

Also: Assembly Bill No. 842—An act making an appropriation to pay the claim of Superior Farms, Incorporated, against the State of California;

Also: Assembly Bill No. 843—An act making an appropriation to pay the claim of Tony Taix, Jr., against the State of California;

Also: Assembly Bill No. 844—An act making an appropriation to pay the claim of Redd and Holden against the State of California;

Also: Assembly Bill No. 845—An act making an appropriation to pay the claim of Mabel Campbell against the State of California;

Also: Assembly Bill No. 852—An act making an appropriation to pay the claim of P. F. Welsh against the State of California;

Also: Assembly Bill No. 857—An act making an appropriation to pay the claim of Bertha A. Wilkie against the State of California;

Also: Assembly Bill No. 858—An act making an appropriation to pay the claim of Frankie M. C. Joseph against the State of California;

Also: Assembly Bill No. 859—An act making an appropriation to pay the claim of Charles Evans Skidmore against the State of California;

Also: Assembly Bill No. 860—An act making an appropriation to pay the claim of San Rafael Freight and Transfer Company against the State of California;

Also: Assembly Bill No. 861—An act making an appropriation to pay the claim of B. Grant Taylor against the State of California;

Also: Assembly Bill No. 863—An act making an appropriation to pay the claim of M. H. Iverson against the State of California;

Also: Assembly Bill No. 865—An act making an appropriation to pay the claim of Joseph L. Willcox against the State of California;

Also: Assembly Bill No. 968—An act making an appropriation to pay the claim of the city auditor of the city of Stockton against the State of California;

Also: Assembly Bill No. 1033—An act appropriating money to pay the claim of J. Charles Jones against the State of California;

Also: Assembly Bill No. 1152—An act making appropriation to pay the claim of the Lassen Advocate against the State of California;

Also: Assembly Bill No. 1679—An act appropriating money to pay the claim of Harold E. Smith against the State of California;

Also: Assembly Bill No. 1739—An act to pay the claim of Vermont Marble Company against the State of California;

Also: Assembly Bill No. 1884—An act making an appropriation to pay the claim of Walter E. Evans and Miles H. Ledbetter against the State of California;

Has had the same under consideration, and respectfully reports the same back, and recommends that they do pass.

Committee membership—18; committee vote: Ayes—16.

SWING, Chairman.

Assembly Bills Nos. 136, 164, 173, 195, 197, 321, 407, 478, 594, 823, 836, 837, 838, 839, 840, 841, 842, 843, 844, 845, 852, 857, 858, 859, 860, 861, 863, 865, 968, 1033, 1152, 1679, 1739 and 1884, ordered on file for second reading.

ON DRAINAGE, SWAMP AND OVERFLOWED LANDS.

SENATE CHAMBER, SACRAMENTO, May 6, 1931.

MR. PRESIDENT: Your Committee on Drainage, Swamp and Overflowed Lands, to which was referred Assembly Bill No. 1885—An act making an appropriation for the purposes of section 690.10 of the Political Code, as added by the Legislature of 1931, defining the duties of the Department of Finance in connection with the construction of certain structures upon certain State lands—has had the same under consideration, and respectfully reports the same back, and recommends that the bill be re-referred to Committee on Finance.

Committee membership—5.

(Signed out)

McCORMACK, Chairman.

CRITTENDEN.

EVANS.

MORAN.

SWING.

Assembly Bill No. 1885 ordered re-referred to Committee on Finance.

ON IRRIGATION.

SENATE CHAMBER, SACRAMENTO, May 6, 1931.

MR. PRESIDENT: Your Committee on Irrigation, to which was referred Senate Bill No. 201—An act to amend section 30a of the California Irrigation District Act, relating to reports submitted to the California Bond Certification Commission—has had the same under consideration, and respectfully reports the same back, and recommends that it do pass.

Committee membership—7; committee vote: Ayes—5; absent—2.

MIXTER, Chairman.

Senate Bill No. 201 ordered on file for second reading.

ON PUBLIC MORALS.

SENATE CHAMBER, SACRAMENTO, May 6, 1931.

MR. PRESIDENT: Your Committee on Public Morals, to which was referred Senate Bill No. 958—An act to amend section 337a of the Penal Code, relating to gambling—has had the same under consideration, and respectfully reports the same back, and recommends that it do pass.

Committee membership—5; committee vote: Ayes—3; noes—2.

RICH, Chairman.

Senate Bill No. 958 ordered on file for second reading.

MESSAGE FROM THE ASSEMBLY.

The following message from the Assembly was received and read:

ASSEMBLY CHAMBER, SACRAMENTO, May 6, 1931.

MR. PRESIDENT: I am directed to inform your honorable body that the Assembly on this day passed Assembly Bill No. 1744—An act to amend sections 1, 2, 3, 7, 10, 12, and 14, and to repeal section 11 and to add a new section numbered 3a to chapter 140, Statutes of 1929, entitled "An act regulating the business of embalmers and funeral directors and the transportation of and traffic in dead human bodies, creating a State board therefor, providing penalties for violations thereof, and repealing the act entitled 'An act to establish a State Board of Embalmers, defining the duties thereof, providing for the better protection of life and health, preventing the spread of contagious disease, regulating the practice of embalming in connection with the care and disposition of the dead and providing penalties for the violation thereof'," approved April 16, 1915, as amended, approved April 20, 1929, relating to and regulating the business of funeral directors and embalmers;

Also: Assembly Bill No. 672—An act to amend section 628a of the Penal Code, relating to the protection of fish;

Also: Assembly Bill No. 418—An act to amend sections 27 and 34 of the Warehouse Receipts Act, approved March 19, 1909, as amended, relating to warehouse receipts;

Also: Assembly Bill No. 1882—An act to reserve the first and primary right to water from the Colorado River for use within the drainage area of said stream, and to limit the amount which may be taken therefrom.

ARTHUR A. OHNIMUS, Chief Clerk.

By FRED J. DESCH, Assistant Clerk.

Assembly Bill No. 1744 read first time, and referred to Committee on Judiciary.

Assembly Bill No. 672 read first time, and referred to Committee on Fish and Game.

Assembly Bills Nos. 418 and 1882 read first time, and referred to Committee on Judiciary.

ADJOURNMENT.

At four o'clock and fifty minutes p.m., on motion of Senator Breed, the President declared the Senate adjourned until ten o'clock a.m., Thursday, May 7, 1931.

HAROLD J. POWERS, Minute Clerk.

IN SENATE.

SENATE CHAMBER,
SACRAMENTO, Thursday, May 7, 1931.

The Senate met at ten o'clock a.m.

Lieutenant Governor Frank F. Merriam, President of the Senate, in the chair.

Secretary Joseph A. Beek at the desk.

ROLL CALL.

The roll was called, and the following answered to their names:

Senators Allen, Baker, Breed, Bush, Carter, Cassidy, Christian, Cleveland, Clock, Crittenden, Deuel, Duval, Edwards, Evans, Fellom, Harper, Hays, Ingels, Inman, Jones, Maloney, McCormack, Mixer, Moran, Nelson, Pedrotti, Rich, Riley, Rochester, Sharkey, Slater, Swing, Treacy, Tubbs, Waggy, and Williams—36.

Quorum present.

PRAYER.

Prayer was offered by the Chaplain, Rev. Sherman L. Divine.

READING OF THE JOURNAL.

During the reading of the Journal of Wednesday, May 6, 1931, the further reading was dispensed with, on motion of Senator Slater.

PRIVILEGE OF FLOOR OF SENATE EXTENDED.

On request of Senator Treacy, the privilege of the floor of the Senate Chamber for this day was unanimously extended to John De Vaney.

On request of Senator Swing, the privilege of the floor of the Senate Chamber for this day was unanimously extended to Miss Helen E. Brooks of San Bernardino.

On request of Senator Moran, the privilege of the floor of the Senate Chamber for this day was unanimously extended to Pierce Joint Union High School of College City, California, Miss Jennie M. Westerberg, teacher, and pupils as follows: Jessie D. Poundstone, Frances Wyer, Helen Cuquet, June Morris, Eileen de Bolt, Ruth Watkin, Sylvia Hahn, Celia Hill, Gladys Harris, Ida Lee McClain, Margaret Goodman, Lillian Howe, Dean Stetson, Buster Peart, Jane Gregory, Kenneth Hoernlein, Fred Smith, Donald Smith, Arthur Cuquet, Benjamin Zang, Harlan Clare, Eva Coffman, Gretchen Fisher, Addie World, Sarah Watkin, Arthur Androtti, Louise Miller, and Byron Meckfessel.

On request of Senator Sharkey, the privilege of the floor of the Senate Chamber for this day was unanimously extended to Mrs. R. R. Veale, Misses Beverly and Virginia Wright, Margaret Jones and Jean Morgan of Martinez, and Mrs. C. L. Drew of Sausalito.

MESSAGES FROM THE ASSEMBLY.

The following messages from the Assembly were received and read:

ASSEMBLY CHAMBER, SACRAMENTO, May 6, 1931.

MR. PRESIDENT: I am directed to inform your honorable body that the Assembly on this day passed Assembly Bill No. 588—An act making an appropriation to pay the claim of Phil Rohan against the State of California;

Also: Assembly Bill No. 1271—An act creating the California Polytechnic School Project Revolving Fund and making an appropriation therefor; providing for the expenditure and replenishment thereof.

ARTHUR A. OHNIMUS, Chief Clerk.

By FRED J. DESCH, Assistant Clerk.

Assembly Bills Nos. 588 and 1271 read first time, and referred to Committee on Finance.

Also:

ASSEMBLY CHAMBER, SACRAMENTO, May 6, 1931.

MR. PRESIDENT: I am directed to inform your honorable body that the Assembly on this day passed Assembly Bill No. 1094—An act to amend section 5.540 of the School Code, relating to the employment of teachers;

Also: Assembly Bill No. 1181—An act to amend section 3.24 of the School Code, relating to the maximum school day for pupils in the public schools;

Also: Assembly Bill No. 1947—An act to amend section 367d of the Penal Code, relating to the operation of automobiles, motorcycles or other motor vehicles;

Also: Assembly Bill No. 168—An act to amend section 5 of an act entitled "An act to establish a Legislative Counsel Bureau and making an appropriation therefor," approved May 23, 1913.

ARTHUR A. OHNIMUS, Chief Clerk.

By FRED J. DESCH, Assistant Clerk.

Assembly Bills Nos. 1094 and 1181 read first time, and referred to Committee on Education.

Assembly Bill No. 1947 read first time, and referred to Committee on Motor Vehicles.

Assembly Bill No. 168 read first time, and referred to Committee on Governmental Efficiency.

Also:

ASSEMBLY CHAMBER, SACRAMENTO, May 6, 1931.

MR. PRESIDENT: I am directed to inform your honorable body that the Assembly on this day passed Assembly Bill No. 582—An act making an appropriation to pay the claim of A. T. Wilson against the State of California;

Also: Assembly Bill No. 1685—An act making an appropriation to pay the claim of Quaker Oats Company against the State of California;

Also: Assembly Bill No. 1686—An act making an appropriation to pay the claim of California Securities Company against the State of California;

Also: Assembly Bill No. 1944—An act to amend 737ccc of the Political Code relating to the salary of the judge of the superior court in and for the county of Yolo.

ARTHUR A. OHNIMUS, Chief Clerk.

By FRED J. DESCH, Assistant Clerk.

Assembly Bills Nos. 582, 1685 and 1686 read first time, and referred to Committee on Finance.

Assembly Bill No. 1944 read first time, and referred to Committee on Governmental Efficiency.

Also:

ASSEMBLY CHAMBER, SACRAMENTO, May 6, 1931.

MR. PRESIDENT: I am directed to inform your honorable body that the Assembly on this day passed Assembly Bill No. 631—An act making an appropriation to pay the claim of Pacific Gas and Electric Company against the State of California;

Also: Assembly Bill No. 703—An act to provide for and regulate the payment to the several counties of this State of certain moneys received from the government of the United States;

Also: Assembly Bill No. 888—An act making an appropriation to provide an airplane for the use of the Governor of the State of California;

Also: Assembly Bill No. 1407—An act making an appropriation to pay the claim of Louis Zeh against the State of California.

ARTHUR A. OHNIMUS, Chief Clerk.
By FRED J. DESCH, Assistant Clerk.

Assembly Bill No. 631 read first time, and referred to Committee on Finance.

Assembly Bill No. 703 read first time, and referred to Committee on Governmental Efficiency.

Assembly Bills Nos. 888 and 1407 read first time, and referred to Committee on Finance.

Also:

ASSEMBLY CHAMBER, SACRAMENTO, May 6, 1931.

MR. PRESIDENT: I am directed to inform your honorable body that the Assembly on this day passed Assembly Bill No. 1857—An act appropriating money to pay the claim of Lehmaier, Schwartz & Company, Inc., against the State of California:

Also: Assembly Bill No. 288—An act to add a new section to the Code of Civil Procedure, to be known as 67b, relating to the superior court of San Diego County, and increasing the number of judges thereof:

Also: Assembly Bill No. 1137—An act to provide for the investigation and study of the control and suppression of blackbirds, coots, linnets, horned larks and other birds or animals in relation to damage to agricultural crops and making an appropriation therefor:

Also: Assembly Bill No. 530—An act to repeal article III, embracing section 1.90 of chapter III of part I of division I of the School Code, and to add to chapter III of part I of division I of the School Code a new article to be known as article III, embracing section 1.90, all relating to the transportation of pupils.

ARTHUR A. OHNIMUS, Chief Clerk.
By FRED J. DESCH, Assistant Clerk.

Assembly Bill No. 1857 read first time, and referred to Committee on Finance.

Assembly Bill No. 288 read first time, and referred to Committee on Judiciary.

Assembly Bill No. 1137 read first time, and referred to Committee on Agriculture and Live Stock.

Assembly Bill No. 530 read first time, and referred to Committee on Education.

Also:

ASSEMBLY CHAMBER, SACRAMENTO, May 6, 1931.

MR. PRESIDENT: I am directed to inform your honorable body that the Assembly on this day passed Assembly Bill No. 1943—An act granting certain tidelands and submerged lands of the State of California to the city of San Diego upon certain trusts and conditions:

Also: Assembly Bill No. 546—An act to repeal chapter 18, Statutes of 1929, entitled "An act making appropriation to meet the deficiency in the appropriation for contingent expenses of the Assembly for the seventy-ninth and eightieth fiscal years," approved March 7, 1929:

Also: Assembly Bill No. 431—An act making an appropriation for the purchase of land for the Santa Barbara State Teachers College:

Also: Assembly Bill No. 563—An act to amend section 7377r of the Political Code, relating to the salary of the judge of the superior court in and for the county of Solano.

ARTHUR A. OHNIMUS, Chief Clerk.
By FRED J. DESCH, Assistant Clerk.

Assembly Bill No. 1943 read first time, and referred to Committee on Commerce and Navigation.

Assembly Bill No. 546 read first time, and referred to Committee on Contingent Expenses.

Assembly Bill No. 431 read first time, and referred to Committee on Universities and Teachers Colleges.

Assembly Bill No. 563 read first time, and referred to Committee on Governmental Efficiency.

Also:

ASSEMBLY CHAMBER, SACRAMENTO, May 6, 1931.

MR. PRESIDENT: I am directed to inform your honorable body that the Assembly on this day passed Assembly Bill No. 1444—An act to amend section 1 of an act entitled "An act to protect the natural resources of petroleum and gas from waste and destruction; relating to the creation of a division in the Department of Natural Resources for the prevention of such waste and destruction; providing for the appointment of a State Oil and Gas Supervisor; prescribing his duties and powers; fixing his compensation; providing for the appointment of deputies and employees; providing for their duties and compensation; providing for the inspection of petroleum and gas wells; requiring all persons operating petroleum and gas wells to make certain reports; permitting and authorizing agreements in the interests of conservation; providing for suits by the Director of the Department of Natural Resources in the name of the people of the State of California; providing procedure for arbitration of departmental rulings; creating a fund for the purposes of the act; providing for assessment of charges to be paid by operators and providing for the collection thereof; and making an appropriation for the purposes of this act," approved June 10, 1915, as amended, relating to a Division of Oil and Gas;

Also: Assembly Bill No. 668—An act to amend section 3700 of the Political Code, relating to the salaries of the members and secretary of the State Board of Equalization;

Also: Assembly Bill No. 1197—An act to amend section 3.250 of the School Code, relating to the admission of minors to junior high schools.

ARTHUR A. OHNIMUS, Chief Clerk.
By FRED J. DESCH, Assistant Clerk.

Assembly Bills Nos. 1444 and 668 read first time, and referred to Committee on Governmental Efficiency.

Assembly Bill No. 1197 read first time, and referred to Committee on Education.

Also:

ASSEMBLY CHAMBER, SACRAMENTO, May 6, 1931.

MR. PRESIDENT: I am directed to inform your honorable body that the Assembly on this day passed Assembly Bill No. 828—An act to amend section 4 of an act entitled "An act to provide for the establishment and change of grade of public highways, streets, public ways and other public property and rights of way, in whole or in part, including property over which possession and right of use have been obtained under the provisions of section 14 of article I of the constitution of the State of California, whether the same are situated within the limits of a municipality or whether such public ways or property are in part within the limits of one or more municipalities, or extend from one municipality into another municipality, or from one or more municipalities into or through unincorporated territory, or in whole or in part form the boundary between adjoining municipalities or between a municipality and adjacent unincorporated territory; and providing for work in and upon the same together with any and all appurtenances and appurtenant work; and providing for assessing the whole or any portion of the costs and expenses thereof upon private property and for the issuance and payment of improvement bonds to represent certain assessments for the costs thereof, and providing for the effect of and the enforcement of such bonds," approved April 21, 1911, as amended, so as to provide for certain preliminary investigation and statement of results in connection with plans and specifications; providing that proceedings thereunder shall be exempted from the operation of any special assessment investigation and limitation act if the same be passed at this session of the Legislature, where a demand for the employment of said act is not made by owners of 15 per cent of the area of the district to be assessed, and regulating the procedure in the event that such request is made;

Also: Assembly Bill No. 1478—An act to amend section 3 of an act entitled "An act to provide for work upon streets, lanes, alleys, courts, places, and sidewalks, and for the construction of sewers within municipalities," approved March 18 1885 as amended, so as to provide for certain preliminary investigation and statement of results in connection with plans and specifications; providing that proceedings thereunder shall be exempted from the operation of any Special Assessment Investigation and Limitation Act of 1931 where a demand for the employment of said act is not made by owners of 15 per cent of the area of the district to be assessed, and regulating the procedure in the event that such request is made.

ARTHUR A. OHNIMUS, Chief Clerk.
By FRED J. DESCH, Assistant Clerk.

Assembly Bills Nos. 828 and 1478 read first time, and referred to Committee on Municipal Corporations.

Also:

ASSEMBLY CHAMBER, SACRAMENTO, May 6, 1931.

MR. PRESIDENT: I am directed to inform your honorable body that the Assembly on this day passed Assembly Bill No. 1266—An act to add a new section to the School Code to be numbered 6.5, relating to the providing of a water supply for schools:

Also: Assembly Bill No. 1230—An act to amend section 752 of chapter 99 of the Statutes of 1883, entitled "An act to provide for the organization, incorporation and government of municipal corporations," approved March 13, 1883, as amended, relating to the election and appointment of officers of municipalities of the fifth class:

Also: Assembly Bill No. 1495—An act to repeal articles VII and VIII, embracing sections 2,170 to 2,187, both inclusive, of chapter II of part I of division II of the School Code and to add to chapter II of part I of division II of the School Code a new article to be known as article VII, embracing sections 2,170 to 2,179, both inclusive, relating to the suspension and lapsation of school districts:

Also: Assembly Bill No. 1414—An act to amend section 2 of an act entitled "An act to provide for laying out, opening, extending, widening, straightening, or closing up in whole or in part any street, square, lane, alley, court or place within municipalities, and to condemn and acquire any and all land and property necessary or convenient for that purpose," approved March 6, 1889, as amended, so as to provide for certain preliminary investigation and statement of results in connection with the resolution of intention, providing that proceedings thereunder shall be exempted from the operation of any special assessment investigation and limitation act if any such act be passed at this session of the Legislature, where a demand for the employment of said act is not made by owners of 15 per cent of the area of the district to be assessed, and regulating the procedure in the event that such request is made.

ARTHUR A. OHNIMUS, Chief Clerk.
By FRED J. DESCH, Assistant Clerk.

Assembly Bill No. 1266 read first time, and referred to Committee on Education.

Assembly Bill No. 1230 read first time, and referred to Committee on Municipal Corporations.

Assembly Bill No. 1495 read first time, and referred to Committee on Education.

Assembly Bill No. 1414 read first time, and referred to Committee on Municipal Corporations.

Also:

ASSEMBLY CHAMBER, SACRAMENTO, May 6, 1931.

MR. PRESIDENT: I am directed to inform your honorable body that the Assembly on this day passed Assembly Bill No. 795—An act to repeal an act entitled "An act fixing the minimum rate of compensation for labor on public work," approved March 9, 1897:

Also: Assembly Bill No. 1052—An act to repeal chapter I embracing sections 6,740 to 6,743, both inclusive, of part III of division VI of the School Code and to add a new section thereto, to be numbered 6.752, relating to the use of school buildings and grounds:

Also: Assembly Bill No. 1491—An act to add a new section to the School Code, to be numbered 1.73, providing for the payment of the cost of food and lodging to secondary school pupils by governing boards of secondary school districts in lieu of the transportation of such pupils:

Also: Assembly Bill No. 663—An act to encourage the destruction of predatory wild animals; to provide bounties for the killing thereof; making an appropriation for the payment of such bounties; providing a penalty for making a false affidavit under the provisions of this act; and repealing acts inconsistent herewith.

ARTHUR A. OHNIMUS, Chief Clerk.
By FRED J. DESCH, Assistant Clerk.

Assembly Bill No. 795 read first time, and referred to Committee on Labor and Capital.

Assembly Bills Nos. 1052 and 1491 read first time, and referred to Committee on Education.

Assembly Bill No. 663 read first time, and referred to Committee on Fish and Game.

Also:

ASSEMBLY CHAMBER, SACRAMENTO, May 6, 1931.

MR. PRESIDENT: I am directed to inform your honorable body that the Assembly on this day passed Assembly Bill No. 535—An act to regulate the possession or transportation of any form of shell, cartridge or bomb containing or capable of emitting tear gas, and providing penalties for violation thereof;

Also: Assembly Bill No. 392—An act to amend section 634 of the Penal Code, relating to the protection of fish and game;

Also: Assembly Bill No. 1547—An act amending section 4021*a* of the Political Code and adding sections 4021*b*, 4021*c*, 4021*d*, 4021*e*, 4021*f*, 4021*g*, 4021*h*, 4021*i*, 4021*j*, 4021*k*, 4021*l*, 4021*m*, 4021*n*, 4021*o*, 4021*p*, 4021*q* and 4021*r*, relating to the recall of county officers;

Also: Assembly Bill No. 1120—An act to amend section 2 of an act entitled "An act creating a commission to prepare and submit a report on juvenile delinquency, embodying a plan for the prevention of juvenile delinquency and for the care and training of predelinquent, delinquent, psychopathic and maladjusted children, and providing for the payment of the expenses of the commission," approved May 6, 1927, and amendment thereto.

ARTHUR A. OHNIMUS, Chief Clerk.
By FRED J. DESCH, Assistant Clerk.

Assembly Bill No. 535 read first time, and referred to Committee on Judiciary.

Assembly Bill No. 392 read first time, and referred to Committee on Fish and Game.

Assembly Bill No. 1547 read first time and referred to Committee on Judiciary.

Assembly Bill No. 1120 read first time, and referred to Committee on Governmental Efficiency.

Also:

ASSEMBLY CHAMBER, SACRAMENTO, May 6, 1931.

MR. PRESIDENT: I am directed to inform your honorable body that the Assembly on this day adopted Assembly Joint Resolution No. 26—Relative to changing the official name of Goat Island to Yerba Buena Island.

ARTHUR A. OHNIMUS, Chief Clerk.
By FRED J. DESCH, Assistant Clerk.

Assembly Joint Resolution No. 26 read, and referred to Committee on Federal Relations.

Also:

ASSEMBLY CHAMBER, SACRAMENTO, May 6, 1931.

MR. PRESIDENT: I am directed to inform your honorable body that the Assembly on this day passed Assembly Bill No. 550—An act to amend section 385, and to repeal sections 370, 386, and 387 of the Political Code, relating to secretaries and assistants to and employees of the Governor;

Also: Assembly Bill No. 1924—An act to amend section 655 of the Political Code, relating to the Department of Finance.

ARTHUR A. OHNIMUS, Chief Clerk.
By FRED J. DESCH, Assistant Clerk.

Assembly Bills Nos. 550 and 1924 read first time, and referred to Committee on Governmental Efficiency.

REPORTS OF STANDING COMMITTEES.

The following reports of standing committees were received and read:

ON ENGROSSMENT, ENROLLMENT AND PRINTING.

SENATE CHAMBER, SACRAMENTO, May 7, 1931.

MR. PRESIDENT: Your Committee on Engrossment, Enrollment and Printing has examined Senate Bill No. 2—An act to amend section 737*aa* of the Political Code, relating to the salary of the superior judge in and for the county of Monterey;

Also: Senate Bill No. 27—An act to amend section 736*b* of the Political Code, prescribing the payment of compensation of judges of the superior court;

Also: Senate Bill No. 28—An act to amend section 736*c* of the Political Code, prescribing the payment of salaries of judges of the superior court;

Also: Senate Bill No. 124—An act to amend sections 737*q* and 737*u* of the Political Code, relating to the salaries of judges of the superior courts;

Also: Senate Bill No. 163—An act to amend section 737j and section 737h of the Political Code, fixing the salaries of judges of the superior courts of San Bernardino and Sacramento counties;

Also: Senate Bill No. 214—An act to amend section 605 of the Probate Code, relating to the appointment of appraisers;

Also: Senate Bill No. 234—An act providing for the submission to the people of the State of California the question as to retaining, repealing or modifying the eighteenth amendment as a part of the constitution of the United States;

Also: Senate Bill No. 301—An act to amend section 737e of the Political Code, relating to salary of superior court judge;

And reports that the same have been correctly engrossed.

RILEY, Chairman.

Also:

MR. PRESIDENT: Your Committee on Engrossment, Enrollment and Printing has examined Senate Bill No. 433—An act to make an appropriation to pay the claim of W. E. Martin against the State of California;

Also: Senate Bill No. 693—An act to add a new section to the Code of Civil Procedure, to be numbered 66b, relating to the number of judges of the superior court in the county of Merced;

Also: Senate Bill No. 938—An act making an appropriation from the Contingent Fund of the State Board of Pharmacy to be used by the Regents of the University of California for the use and benefit of the College of Pharmacy of the University of California;

Also: Senate Bill No. 954—An act to amend section 737l of the Political Code, relating to salary of judges of the superior court in and for the county of Humboldt;

Also: Senate Bill No. 961—An act to amend section 737h of the Political Code, relating to the salaries of the judges of the superior court;

And reports that the same have been correctly engrossed.

RILEY, Chairman.

Also:

MR. PRESIDENT: Your Committee on Engrossment, Enrollment and Printing examined Senate Bill No. 901—An act to amend section 451 of the California Vehicle Act, relating to chattel mortgages on motor vehicles or any other vehicle defined by said act, providing for the filing of a certified copy thereof with the Division of Motor Vehicles, registration of the holder as legal owner and the same being constructive notice of said mortgage and contents, excepting chattel mortgages from the provisions of sections 2957, 2959 and 2965 of the Civil Code—and reports that the same has been correctly re-engrossed.

RILEY, Chairman.

ON GOVERNMENTAL EFFICIENCY.

SENATE CHAMBER, SACRAMENTO, May 7, 1931.

MR. PRESIDENT: Your Committee on Governmental Efficiency, to which was referred Assembly Bill No. 1892—An act to amend section 737u of the Political Code, relating to the salary of the judge of the superior court in and for the county of Marin—has had the same under consideration, and respectfully reports the same back, and recommends that it be re-referred to Committee on Finance.

Committee membership—11.

(Signed out)

CRITTENDEN, Chairman.

DEUEL.

McCORMACK.

Assembly Bill No. 1892 ordered re-referred to Committee on Finance.

ON FEDERAL RELATIONS.

SENATE CHAMBER, SACRAMENTO, May 7, 1931.

MR. PRESIDENT: Your Committee on Federal Relations, to which was referred Assembly Joint Resolution No. 17—Relative to memorializing and petitioning Congress to enact legislation transferring certain oil lands in Kern County, California, from the jurisdiction of the Navy Department to the jurisdiction of the Department of the Interior—has had the same under consideration, and respectfully reports the same back, and recommends that it be adopted.

Committee membership—5; committee vote: Ayes—3; absent—2.

SCHOTTKY, Chairman.

Assembly Joint Resolution No. 17 ordered on file.

ASSISTANT SECRETARY FRANCIS E. DALIN AT THE DESK.

RESOLUTION.

The following resolution was offered:

By Senator Jones:

Resolved, That Senate Bill No. 391 be withdrawn from the Committee on Public Utilities, and placed upon the file of the Senate.

AYES AND NOES DEMANDED.

A roll call was demand by Senators Jones, Inman, and Swing, on Senator Jones' resolution to withdraw Senate Bill No. 391 from Committee on Public Utilities, and placed on file.

The roll was called, and Senator Jones' resolution refused adoption by the following vote:

AYES—Senators Allen, Bush, Fellom, Hays, Ingels, Inman, Jones, Maloney, Rich, Riley, Schottky, Slater, Swing, Treacy, and Tubbs—15.

NOES—Senators Baker, Breed, Carter, Cassidy, Christian, Clock, Crittenden, Denel, Duval, Edwards, Evans, Harper, McCormack, Mixer, Moran, Nelson, Pedrotti, Rochester, Sharkey, Wag, and Williams—21.

REPORT OF SPECIAL COMMITTEE.

The following report of Special Investigating Committee on the Water Situation in Inyo and Mono counties was received, and, on motion of Senator Allen, ordered printed in the Journal:

LETTER OF TRANSMITTAL.

Mr. President and Members of the Senate.

Your committee appointed by virtue of a resolution of the Senate adopted on March 19, 1931, do herewith respectfully submit a complete report of our investigation for your consideration.

JAMES M. ALLEN,
BERT A. CASSIDY,
N. T. EDWARDS,
THOMAS McCORMACK,
C. C. BAKER,
Committee.

Dated: May 6, 1931.

REPORT OF SENATE SPECIAL INVESTIGATING COMMITTEE ON WATER SITUATION IN INYO AND MONO COUNTIES.

Mr. President and Gentlemen of the Senate.

Your committee appointed by virtue of the following resolution, to wit:

"WHEREAS, The city of Los Angeles has diverted and appropriated certain waters of Inyo County and Mono County to the use and benefit of the city of Los Angeles and in the course of such diversion and appropriation has condemned certain lands; and

WHEREAS, It has been represented that the taking of said waters has resulted in the depreciation of the value of certain lands owned by individuals and a reduction of the revenues of the county derived from the taxation of such lands; and

WHEREAS, It may be necessary and advisable during the forty-ninth session of the Legislature to take some action relative to the conditions which have thus arisen; and

WHEREAS, It is advisable that a committee be appointed to study these matters, and to report back its findings, and to make such recommendations concerning legislation in connection therewith as it may deem desirable; now, therefore, be it

Resolved, That said committee may incur expenses necessary to its investigations in a sum not to exceed \$2,000 to be paid from the Contingent Fund of the Senate.

Resolved, further, That said committee shall proceed at once to organize by the election of one of its members as chairman and one as secretary, and proceed with said investigation in the manner to be determined by said committee.

Resolved, further, That said committee is hereby authorized and empowered to do any and all things necessary to make a full and complete investigation of the matters, objects, and conditions hereinabove referred to; to hold meetings and hearings anywhere in the State and shall hold meetings and hearings in Inyo and in Mono counties; to require the production of persons, books, documents, records and papers; to issue subpoenas; to compel the attendance of witnesses and procure the testimony thereof; and each of the members of said committee is hereby authorized to administer oaths; all of the provisions of article VIII of chapter 2, title I, part III of the Political Code relative to the attendance and examination of witnesses before the Legislature and committees thereof shall apply to the committee appointed under this resolution.

Resolved, further. That said committee is hereby given leave to sit during the session of the Legislature at the Capitol or at such other place as the committee, from time to time, may designate, beg leave to report as follows:

Your committee met pursuant to said resolution, organized, arranged for and made an inspection tour of Inyo and Mono counties, held hearings and took testimony and heard complaints from all interested parties.

Hearings were held at Lone Pine, Independence and Bishop, in Inyo County, at Leeving, in Mono County, and at Sacramento.

The committee made an inspection tour in Owens Valley, including the town of Big Pine and the agricultural section in both the vicinity of Big Pine and of Bishop; and it also made an inspection tour in the Mono Basin.

Testimony taken at such hearings is filed with this report, together with exhibits introduced by various complainants and by the city of Los Angeles, and is accessible to your honorable body.

From the testimony taken and the investigations made, the committee finds as follows:

Findings.

The situation existing in the Owens River Valley, Inyo County, is very different from that of the Mono Basin in Mono County, and, therefore, we deal with these two situations separately.

The Owens River Valley is situated east and almost in the shadow of the lofty Sierra Nevada mountains. The snows from these mountains furnish an abundant supply of clear, pure mountain water, which reaches the valley through various creeks and make up the supply for Owens River. This water formerly found its way into Owens Lake, which, at one time, was a large body of water in the southern end of the valley.

The soil of this valley is exceedingly fertile, when irrigated, and raises valuable crops of alfalfa, grain, fruits and vegetables, and it furnishes abundant pasturage for cattle, and has been cultivated since 1860, continuously. The land, without water, will become barren and worthless and revert to sand and sagebrush, its former state.

The evidence shows that about the year 1860, the settlers moved into this valley, endured the dangers and privations attendant to pioneer life, improving the land, taking the water from the high Sierra for irrigation. Soon Owens Valley blossomed forth as one of the richest agricultural sections of the State of California. Several hundred farms and farm houses dotted its green meadows.

Thousands of head of cattle grazed in its fields. Valuable crops of hay and grain were produced, and hundreds of acres were planted to productive orchards of peaches, pears, apples and other deciduous fruits. The climatic condition, the fertile land and the natural beauty of the scenery made of this valley a veritable paradise.

Towns sprang up in the valley, supported and sustained by the rich farming areas. Bishop became the principal business center, and had, at one time, a population of approximately 2500. Independence, the county seat, Big Pine, Lone Pine and Laws were flourishing communities, and, in addition to these, were other smaller trade centers. All these communities were surrounded by rich agricultural lands that produced a large revenue. Testimony shows that up to the year 1923 each one of these towns did an enormous business with the agricultural elements.

These towns grew and flourished because of the agricultural development of the valley, and this development was made possible by the ample supply of water from the mountains on the west side of the valley. Substantial business houses of a permanent character were erected in these towns. Beautiful residences, comparable to those in other towns of California were built and occupied. Business flourished. Public buildings that would be a credit to any town or to any county were erected in the various communities; in short, Owens Valley became one of the most prosperous and beautiful agricultural sections of the State of California.

Testimony shows that in about the year 1904, the growing city of Los Angeles, realizing that the future prosperity of that city depended upon an abundant supply of pure water for domestic, industrial and municipal uses, began the task of building of the vast aqueduct a distance of nearly three hundred miles, to carry these waters to the city of Los Angeles. Prior to the construction of the aqueduct, the city of Los Angeles sent its agents into Owens Valley and began purchasing lands in order to secure the water rights appurtenant to these lands. This process continued until, at the present time, the city of Los Angeles owns about 90 per cent of the lands in the valley. The city of Los Angeles buys the lands for the water only, and the water is taken into the aqueduct. The rich lands formerly irrigated by this water are dried up and allowed to return to desert conditions. Orchards are torn up, buildings are torn down or burned, and, in a short time, lands that were rich and productive have returned to their former condition.

In addition to taking the surface water, the city of Los Angeles has put down a series of wells in the valley, approximately 150 in number. These wells are pumping constantly, and the water from them augments the supply of the aqueduct. In this manner, the underground water table of the valley has been lowered to the point where Owens Valley is drying up. Owens Lake is already dry, and what was once the lake bed is now a shifting body of alkali, soda, sand and dust.

The damage wrought by the taking of these waters is apparent. The farming lands purchased by the city of Los Angeles are reverting to desert. The lands not yet purchased are suffering from the shortage of water due to the exhaustion of the subsurface water by the pumping and drainage carried on by the city of Los Angeles. The former occupants of these lands have migrated to other portions of the State and the west. The few remaining landowners find themselves confronted with a condition of isolation. Their neighbors are gone. Their local markets are gone, and most of their ranches are being surrounded by complete desolation.

The remaining landowners now realize that they can not hold their lands and farms, and that they can not prosper without cooperative neighbors.

Damage to business houses and property in the towns that were supported or were dependent upon the farm areas is very apparent. These towns are dwindling away. With the farming lands which caused the towns to prosper gone, the towns are gradually dying. Business is lost. Residences must be abandoned. Most of these people must leave everything they have and go elsewhere to earn a livelihood. The water which sustained and gave life to the valley has been and is being taken out of the valley.

Your committee also found a condition existing as to the town of Keeler entirely different from that of the other part of the valley. Keeler is situated on the eastern edge of what was formerly Owens Lake. The lake now being dry, a vast body of alkali, soda and sand is whirled about by the valley winds and into the former prosperous town of Keeler, clouding the air and filling the roads and streets with sands not unlike drifted snow. Dust and dirt sift through the crevices in doors and windows and cover floors and furniture, making life at Keeler practically unbearable. The body of water formerly in Owens Lake moderated the temperature, but, as it is now dry, the summer heat is almost intolerable.

We find that the people of the city of Los Angeles have fully realized the condition being brought about in Owens Valley, and have demonstrated their desire to be fair to the water and landowners there. They have, from time to time, voted bonds to carry on the construction and operation of the aqueduct, and in May, 1930, voted a further sum of \$38,000,000, by the majority of nine to one, for the purchase of all the water rights in the Mono Basin and in Owens Valley, and the construction of suitable transportation facilities with which to carry it to Los Angeles.

The committee found, from the testimony presented to it, that the most powerful argument to the voters of Los Angeles was the statement, on the part of the public service board of Los Angeles, that practically half of this sum of \$38,000,000 was for the purpose of "cleaning up the situation in Owens Valley."

The committee finds that the city of Los Angeles has entrusted the handling of negotiations with the water and landowners to its department known as the bureau of water works and supply. This bureau has carried on the purchase of the farm lands having valuable water rights. The process of purchase continued, and it soon became apparent that if the farm lands were allowed to return to desert, the towns could not survive. The testimony shows that the agents in charge of the bureau of waterworks and supply promised the towns of the valley that at least 50,000 acres of the irrigated land in the Bishop and Big Pine area would not be purchased, but would be allowed to remain in private ownership. It was soon found that this promise could not be kept. It was also found that the operation of pumps and drainage was lowering the water table to the extent that it has affected all of the lands in the valley.

Your committee finds that the city of Los Angeles, in purchasing farm lands, has, in most cases, paid a fair price for the property. As the city of Los Angeles bought the land in order to acquire the water only, this committee was unable to fix the value of the water and the water rights purchased.

When it appeared that all of the farms would have to be acquired, the bureau of waterworks and supply appointed a board of appraisers to make appraisals of all the farm lands of the valley. This board was made up of employees of the bureau of waterworks and supply. Testimony showed that their appraisals were based upon the prices paid by the city for other lands of similar character.

These appraisals in most cases seem fair to your committee, the prices paid for farm lands ranging from \$300 to \$1,000 per acre. In every case, the high price was for small acreage with expensive improvements. The appraisals thus made by this board were accepted by the city. In one instance, the city appointed one, the farmers one, and the two selected a third appraiser, which board, operating as a duly appointed board, arrived at a figure which was accepted by both parties.

In some instances, the farm-owners have not accepted the bureau of waterworks and supply appraisals. In many instances, testimony showed that no negotiations of any kind have been carried on with certain other owners.

The testimony showed that early in the controversy property owners began to consider the injuries to business in the declining towns, and presented this phase of the difficulty to the city, but without avail. The committee finds that the Reparations Act of 1925 was passed by the Legislature in order to set up the principle of damage to business as property and the rights of the business and property owners of the towns to their claims for damages. After the passage of this act, appraisal of property in the towns was begun.

Your committee finds that the appraisal of water-owned lands in the town has caused little or no trouble. We also find that the appraisals and offers made on residential property in the town, as a whole, are fair.

There seems to have been no uniform or equitable basis for these appraisals. Some property of one character in the town apparently was appraised on a cash price, and other property, similarly as good and in the same situation, was appraised on low bids. This has caused considerable trouble. Your committee finds that the appraisal of business property and the claims for business losses have been a constant source of trouble, and that much of the trouble that now exists has grown out of these appraisals.

Testimony showed that the turning of waterworks and supply of the city of Los Angeles has steadily refused to consider on any matter, the claims of the town of Kettle for damages.

Testimony shows that the turning of waterworks and supply of the city of Los Angeles has refused to consider the loss of goods, will or the business losses in fixing prices of business property; that they have refused to consider or meet every case, the purchase of equipment and fixtures used in the business; that they have delayed and put off negotiations with the water and landowners of the town, particularly the towns, thereby causing anxiety and dissension; that they have further extended the situation by refusing persons with whom even were dealing to sign a certain action form containing provisions that your committee believes would be objectionable to any business man. This action contains the following language:

"It is further understood and agreed that the applicant will execute and deliver in return a certain release and declaration, covering and discharging the city of Los Angeles, its municipal corporation, the department of water and power and board of water and power commissioners of said city, of and from each and every claim, demand, liability or cause of action which the applicant now has, or may have in the future against or against any of the members of the committee of the town having described, or of any part or parts thereof, or any member thereof, or of any water or water right or the right to the use of water thereon, owned, owned or possessed now or hereafter, or which may hereafter be owned, owned or possessed by the applicant by release of any property right or interest in the whole or any part of said lands; and also from and every claim, demand, liability or cause of action which said applicant now has, or may have in the future for damages for injury to, or decrease in the value of any business, business, trade, profession or occupation, resulting from and on lands or situated on the water; and any claim for damages for damages under or by virtue of the terms of Chapter 109, Statutes of California 1925, found as yet unenacted, known and presented as Reparatious Act and the contract with or with respect to release and satisfaction, in consideration that each and every of said claims, demands, liabilities or causes of action as herein mentioned, now have, and each one thereof has been fully and completely satisfied, paid and discharged, paid, paid, further, that in the event that any such claim or claims have been asserted to any person, firm, corporation or association, then, and in that event, the applicant will deliver and execute a certain release and declaration and satisfaction, as to each assigned claim or claims assigned to each person or persons. The applicant will also deliver in return an affidavit duly acknowledged before a notary public, stating that such releases have been executed by all persons in any manner whatsoever authorized by said water or demand; and will also waive any right which he now has or may hereafter acquire to claim in the waterworks and subsequent damages and transportation to or use in the city of Los Angeles or delivery of water from the lands heretofore described or from any part or parts thereof, or from other lands not herein described lying within the same watershed."

It is further understood and agreed that the applicant will cause to be delivered in return a declaration with provision of all persons and proceedings in law or in equity in which the applicant is seeking to enforce any claim or right or cause of action against the city and or department and or board."

Mono Basin.

Your committee held a hearing at Livermore, and finds as follows:

Mono Basin is of good high altitude, about 10,000 feet, and the lands are devoted more to cattle raising. These lands are irrigated by a limited supply of water coming from the Sierra Nevada mountains. Without this water, the basin is worthless. The present owner of the basin is Livermore, and there are many large and smaller resorts. The city of Los Angeles is just beginning to extend its system into Mono Basin, and its residents will undoubtedly turn to the water from this basin, as it did in Owens Valley. The committee learned that when the city of Los Angeles determined to extend its system into Mono Basin, the nature of the city and other officials informed the water and landowners and the residents of the value of the water to "save their farms." Testimony shows that these representatives they intended to "save their farms." Testimony shows that these representatives of the city stated that it would not be necessary for the property owners and residents of Mono Basin to employ engineers, but that all should be settled, or would be settled peacefully and amicably. Testimony shows that, notwithstanding these promises, the

without opening any negotiations with any of the water and landowners of the Mono Basin for the purchase of their lands and the settlement of their claims for damages, the city of Los Angeles filed condemnation suits against all the property owners in the Mono Basin and also filed, at the same time, notices of *lis pendens*, which created a cloud on the title of all property covered thereby.

Your committee finds that these suits have made it necessary for the property owners to employ attorneys and engineers; that the prosecution of these suits has been delayed and postponed, greatly impairing the credit of the property owners and making it difficult for them to either sell their property or to borrow money on their lands.

Your committee heard testimony to show that the long-continued delay has resulted in very greatly increased expense to the city of Los Angeles, and that speedy adjustment would thereby effect a great saving to the city of Los Angeles, not only in prices to be paid for property and business losses, but in pay rolls, legal expenses and other miscellaneous expenses almost or quite sufficient to cover the increases asked, to say nothing of the determinate loss in good will.

Recommendations.

From the foregoing facts and findings, your committee makes the following recommendations:

1. Your committee recommends that the city of Los Angeles proceed at once to complete the purchase of all the water and lands in Owens Valley.

2. Your committee believes that the owners of business property are entitled to just compensation and should be reimbursed for the loss of good will, for their business losses, and for the loss of their fixtures and equipment used in their business.

3. Your committee recommends that the city of Los Angeles proceed at once to ascertain the difference, if any, in the prices offered and in those that are acceptable, and your committee believes that the difference, in most cases, is so small that a quick settlement can be reached, if an honest effort is made to effect such an adjustment. Testimony showed that if an honest effort is made towards settlement in the town of Bishop, and such were effected within approximately sixty days, a sum less than \$500,000 would cover the entire difference between the price offered and the price asked, not only in the town of Bishop, but in all the towns of Owens Valley. This is not a great deal more than has been offered.

4. Your committee believes that the form of option that the city of Los Angeles has required property owners to sign is objectionable in its terms, unreasonable, and has been and will continue to be a constant source of trouble and delay, and that it should be abandoned; that an agreement should be made with each individual, covering each individual case, without attempt to apply a stereotyped form of option agreement to a situation which has so many different angles.

5. Your committee finds that the city of Los Angeles because of its wealth and power and because it is a municipal corporation having the power of eminent domain as contrasted with that of the farmers and other property owners of Mono Basin, who are, in the majority of cases, people of small means and influence, by resorting to a proposed forcible taking of said lands and waters through condemnation proceedings rather than by the ordinary practice of negotiation and agreements. In order to avoid a situation in Mono Basin such as exists in Owens Valley, your committee recommends that negotiations for the purchase of said lands and water rights be expedited, and that, in case of failure of said negotiations to bring about an amicable settlement, the condemnation suits be diligently prosecuted to a finish, and that the lien on said property created by said condemnation proceedings shall be removed at the earliest possible date.

6. Your committee recommends that the State of California enact legislation similar to that of the state of New York, which was confronted with this identical situation in the extension of the water systems of New York City, and by the city of Rochester. To take care of a similar situation that existed in that city, in order to be fair to the rural communities, New York state enacted a law which requires any municipality proposing to extend its water system to any watershed outside of the municipality, for the purpose of supplying the inhabitants of such municipality with domestic water, to first submit its plans and specifications to a duly authorized water commission; all persons damaged directly or indirectly by the extension of said water system, including those inhabitants of towns sustaining business losses, to file their claims with the commission; if any of said claims are disputed, to provide for a determination and adjudication of said claims before the municipality is given any right to extend its system.

Your committee believes that if a similar statute were enacted in California, a situation such as now exists in the Owens Valley and Mono Basin would be avoided.

7. Your committee also recommends that the law as it now exists giving the plaintiff the right to have a condemnation suit removed from the county in which the land and water sought to be condemned is situated, compelling the defendant land owner to take his witnesses and defend his case in some distant county, at great inconvenience and expense to him, should be amended so that the plaintiff would not have the right to insist on a change of venue, unless the plaintiff could show that it was impossible for it to secure a fair trial in the county in which the land is situated, and, in such case, the plaintiff should be required to advance all

costs and expenses of the defendant, to the end that the defendant would not suffer any loss by reason of it.

Respectfully submitted.

JAMES M. ALLEN.
BERT A. CASSIDY.
N. T. EDWARDS.
THOMAS McCORMACK.
C. C. BAKER.

REPORTS OF STANDING COMMITTEES—(RESUMED).

The following reports of standing committees were received and read:

ON FINANCE.

SENATE CHAMBER, SACRAMENTO, May 7, 1931.

MR. PRESIDENT: Your Committee on Finance, to which was referred Senate Bill No. 339—An act making an appropriation for the construction and completion of the San Francisco Agricultural Exposition Building—has had the same under consideration, and respectfully reports the same back with amendments, and recommends that the amendments be adopted, and that it do pass as amended.

Committee membership—18; committee vote: Ayes—12; noes 4; absent—2.

SWING, Chairman.

Senate Bill No. 339 ordered on file for second reading.

Also:

MR. PRESIDENT: Your Committee on Finance, to which was referred Senate Bill No. 427—An act making an appropriation for the support of the Forty-second District Agricultural Association—has had the same under consideration, and respectfully reports the same back, and recommends that it do pass.

Committee membership—18; committee vote: Ayes—12; noes—3.

SWING, Chairman.

Senate Bill No. 427 ordered on file for second reading.

Also:

MR. PRESIDENT: Your Committee on Finance, to which was referred Senate Bill No. 531—An act appropriating money to pay the claim of W. P. Britton against the State of California—has had the same under consideration, and respectfully reports the same back, and recommends that it do pass.

Committee membership—18; committee vote: Ayes—16.

SWING, Chairman.

Senate Bill No. 531 ordered on file for second reading.

Also:

MR. PRESIDENT: Your Committee on Finance, to which was referred Senate Bill No. 479—An act providing for study of rainfall penetration and establishment and maintenance of gauging stations, providing for the cooperation by interested counties and districts, and directing the Division of Engineering and Irrigation, Department of Public Works, to provide for the carrying on of said work under its own direction or under the direction of the Department of Agriculture of the United States, and relating thereto—has had the same under consideration, and respectfully reports the same back with amendments, and recommends that the amendments be adopted, and that it do pass as amended.

Committee membership—18; committee vote: Ayes—16; absent—2.

SWING, Chairman.

Senate Bill No. 479 ordered on file for second reading.

ON COUNTY GOVERNMENT.

SENATE CHAMBER, SACRAMENTO, May 7, 1931.

MR. PRESIDENT: Your Committee on County Government, to which was referred Senate Bill No. 861—An act to amend section 4265 of the Political Code, relating to compensation of county and township officers in counties of the thirty-sixth class—has had the same under consideration, and respectfully reports the same back with

amendments, and recommends that the amendments be adopted, and that it do pass as amended.

Committee membership—9.

(Signed out)

WAGY, Chairman.
CASSIDY.
McCORMACK.
RICH.
SCHOTTKY.
SLATER.
SWING.

Senate Bill No. 861 ordered on file for second reading.

ON JUDICIARY.

SENATE CHAMBER, SACRAMENTO, May 7, 1931.

MR. PRESIDENT: Your Committee on Judiciary, to which was referred Senate Bill No. 319—An act to amend section 873 of the Code of Civil Procedure, relating to the time of trial in justices' courts—has had the same under consideration, and respectfully reports the same back, and recommends that it do pass.

Committee membership—17; committee vote: Ayes—14; absent—3.

CHRISTIAN, Chairman.

Senate Bill No. 319 ordered on file for second reading.

ON MUNICIPAL CORPORATIONS.

SENATE CHAMBER, SACRAMENTO, May 7, 1931.

MR. PRESIDENT: Your Committee on Municipal Corporations, to which was referred Senate Bill No. 922—An act to amend section 1 of an act entitled "An act to provide for the payment by the State or counties, or school districts, or other special districts, or cities, or cities and counties, of the premium or charge on official bonds when given by surety companies," approved March 25, 1903, as amended—has had the same under consideration, and respectfully reports the same back, and recommends that it do pass.

Committee membership—10; committee vote: Ayes—10.

HARPER, Chairman.

Senate Bill No. 922 ordered on file for second reading.

CONSIDERATION OF DAILY FILE.

SECOND READING OF SENATE BILLS.

Senate Bill No. 339—An act making an appropriation for the construction and completion of the San Francisco Agricultural Exposition building.

COMMITTEE AMENDMENTS.

During the second reading of the bill, the following committee amendments were offered:

AMENDMENT NUMBER ONE.

Strike out the title of the printed bill, and insert in lieu thereof the following: "An act making an appropriation for the construction and completion of an exposition building for the use of number one A agricultural district association."

Amendment adopted.

AMENDMENT NUMBER TWO.

On page 1 of the printed bill, strike out lines 1 to 8, inclusive, and insert in lieu thereof the following:

"SECTION 1. The sum of two hundred fifty thousand dollars is hereby appropriated out of any money in the state treasury not otherwise appropriated for use in the construction and completion of an agricultural exposition building for the use of number one A agricultural district association.

SEC. 2. The money hereby appropriated shall not become available for expenditure until the sum of two hundred fifty thousand dollars shall have been paid to and deposited with number one A agricultural district association, by the city and county of San Francisco or other public or private corporation or agency other than the state, for expenditure for the same purpose as that for which this appropriation is made."

Amendment adopted.

Bill read second time, ordered to print, engrossment, and on file for third reading.

Senate Bill No. 427—An act making an appropriation for the support of the forty-second district agricultural association.

Bill read second time, ordered engrossed, and on file for third reading.

Senate Bill No. 531—An act appropriating money to pay the claim of W. P. Britton against the State of California.

Bill read second time, ordered engrossed, and on file for third reading.

Senate Bill No. 479—An act providing for study of rainfall penetration and establishment and maintenance of gauging stations, providing for the cooperation by interested counties and districts, and directing the Division of Engineering and Irrigation, Department of Public Works, to provide for the carrying on of said work under its own direction or under the direction of the Department of Agriculture of the United States, and relating thereto.

COMMITTEE AMENDMENTS.

During the second reading of the bill, the following committee amendments were offered:

AMENDMENT NUMBER ONE.

In line 1 of the title of the printed bill, insert after the word "of", the following: "water conservation and flood problems of the Mohave river and".

Amendment adopted.

AMENDMENT NUMBER TWO.

In lines 7 and 8 of the title of the printed bill, strike out "engineering and irrigation", and insert in lieu thereof the following: "water resources".

Amendment adopted.

Bill read second time, ordered to print, engrossment, and on file for third reading.

Senate Bill No. 861—An act to amend section 4269 of the Political Code, relating to compensation of county and township officers in counties of the fortieth class.

COMMITTEE AMENDMENTS.

During the second reading of the bill, the following committee amendments were offered:

AMENDMENT NUMBER ONE.

Strike out the title of the printed bill, and insert in lieu thereof the following:

"An act to amend section 4265 of the Political Code, relating to compensation of county and township officers in counties of the thirty-sixth class."

Amendment adopted.

AMENDMENT NUMBER TWO.

On page 1 of the printed bill, strike out lines 1 to 7, inclusive, and insert in lieu thereof the following:

"SECTION 1. Section 4265 of the Political Code is hereby amended to read as follows:

4265. In counties of the thirty-sixth class the county officers shall receive as compensation for the services required of them by law, or by virtue of their office, the following salaries, to wit:

1. County clerk, three thousand dollars per annum; and in counties of this class there shall be one deputy clerk who shall be appointed by the county clerk, and who shall receive a salary of one thousand eight hundred dollars per annum, payable out of the treasury of the county at the same time and in the same manner as the salaries of county officers are paid.

2. Sheriff, three thousand dollars per annum and actual traveling expenses in pursuit or arrest of criminals, either in or out of his county, and in counties of this class there shall be one chief deputy sheriff who shall be appointed by the sheriff, who shall receive a salary of one thousand eight hundred dollars per annum, and one deputy

sheriff who shall be appointed by the sheriff to act as night jailer, and to perform such other functions as may be required of him, and who shall receive a salary of one thousand five hundred dollars per annum, and that the salaries of said deputies shall be paid out of the treasury of the county at the same time and in the same manner as the salaries of county officers are paid.

3. Recorder, three thousand dollars per annum, and in counties of this class, there shall be one deputy recorder who shall be appointed by the recorder and who shall receive a salary of one thousand eight hundred dollars per annum, payable out of the county treasury at the same time and in the same manner as the salaries of county officers are paid; and one deputy recorder who shall be appointed by the recorder and who shall receive a salary of one thousand two hundred dollars per annum, payable out of the county treasury at the same time and in the same manner as the salaries of county officers are paid.

4. Auditor, three thousand dollars per annum; and in counties of this class there shall be one deputy auditor who shall be appointed by the auditor and who shall receive a salary of one thousand eight hundred dollars per annum, payable out of the county treasury at the same time and in the same manner as the salaries of county officers are paid. It shall be the duty of the deputy auditor, in addition to acting as deputy auditor, to prepare for the board of supervisors, a statistical report as provided by section 4049a of the Political Code as adopted in 1907.

5. Treasurer, two thousand two hundred dollars per annum; and in counties of this class the treasurer shall appoint such assistants, as may be necessary for the transaction of the business of this office, whose salaries shall not in any one calendar year exceed the sum of three thousand dollars. Said salaries to be paid upon verified claims filed with and allowed by the board of supervisors.

6. Tax collector, eight hundred dollars per annum; and in counties of this class there shall be one deputy tax collector, who shall be appointed by the tax collector, and who shall receive a salary of one thousand eight hundred dollars per annum, said salary to be paid at the same time and in the same manner as the salaries of county officers are paid.

7. Assessor, three thousand dollars per annum; and in counties of this class there shall be one chief deputy assessor, who shall be appointed by the assessor, and who shall receive a salary of one thousand eight hundred dollars per annum, and the assessor may appoint such other deputies, as may be necessary for the proper discharge of the duties of his office, whose compensation shall not for any one calendar year exceed the sum of one thousand five hundred dollars. The salary of said chief deputy assessor shall be paid at the same time and in the same manner as the salaries of county officers are paid, and the salaries of other deputies shall be paid upon verified claims filed and allowed by the board of supervisors.

8. District attorney, two thousand four hundred dollars per annum; and in counties of this class the district attorney shall appoint a clerk or stenographer who shall receive a salary of one thousand two hundred dollars per annum, said salary to be paid at the same time and in the same manner as the salaries of county officers are paid.

9. Coroner, five hundred dollars per annum and the actual traveling and other expenses that he incurs while discharging the duties of his office.

10. Public administrator, such fees as are now or may be hereafter allowed by law.

11. Surveyor, two thousand one hundred dollars per annum, and his actual traveling and other expenses while engaged in the performance of the duties of his office and while on the business of the county by order of the board of supervisors; and provided, that whenever the board of supervisors shall direct the surveyor to perform engineering or surveying work for the county he shall have the power to employ such office and field assistants as shall be necessary for the performance of such work, such office and field assistants to be paid upon verified claims filed with and allowed by the board of supervisors. The surveyor shall also be allowed his actual and necessary expenses incurred while traveling to and from and while attending the annual convention of the association of county surveyors; provided, that in no event shall such expense exceed the sum of fifty dollars in any one calendar year.

12. Superintendent of schools, two thousand four hundred dollars per annum and his actual traveling expenses in visiting the schools of his county; and in counties of this class there shall be one deputy superintendent of schools who shall be appointed by the superintendent of schools, and who shall receive a salary of one thousand five hundred dollars per annum, payable at the same time and in the same manner as the salaries of county officers are paid. The salary hereby fixed for the superintendent of schools includes compensation for his services as secretary of the board of education as provided in section 1770 of the Political Code and is in lieu of the compensation provided for his services as such secretary of the board of education.

13. Supervisor. Each supervisor shall receive one hundred dollars per month and his actual expenses when attending to the business of the county by the order of the board of supervisors and mileage at the rate of twenty cents per mile, one way, for traveling from his residence to the county seat to attend regular, special and adjourned sessions of the board of supervisors, and mileage at the rate of twenty cents per mile, one way, for all actual distances traveled by him in the performance of his duties as road commissioner.

14. In counties of this class township officers shall receive the following compensation: For the purpose of fixing their compensation according to their duties, townships in counties of this class are hereby classified according to population as follows: Townships having a population of four thousand or more shall belong to and be known as townships of the first class; townships having a population of less than four thousand shall belong to and be known as townships of the second class. For the purpose of determining the population of townships, the population shall be determined by the United States census taken in the year 1930.

15. Justices of the peace shall receive the following salaries: In townships of the first class, one hundred twenty-five dollars per month; in townships of the second class twenty dollars per month. Such salaries shall be paid at the same time and in the same manner as the salaries of county officers are paid. All fees received by justices of the peace shall be paid into the county treasury each month.

16. Constables shall receive the following salaries: In townships of the first class one hundred dollars per month; in townships of the second class twenty dollars per month; and constables shall also receive their actual traveling and other necessary expenses incurred in the performance of the duties of their offices and in pursuit and arrest of criminals and in the investigation of criminal offenses; and *provided*, that said constables, for their services in civil cases, shall be entitled to retain for their own use the mileage fee in civil cases, and all other fees received by them shall be paid into the county treasury each month.

17. Grand jurors and jurors in the superior court shall receive for each day's attendance three dollars for each mile actually traveled in attending court as a juror, one way, twenty-five cents. Mileage shall be paid for each time a regular empaneled jury or grand jury shall be called in separate session.

18. Librarian, two thousand dollars; and *provided*, said librarian may appoint such assistants as shall be necessary for the expeditious transaction of the duties of his office, and the compensation of such assistants shall be paid out of the county library fund and upon verified claims filed with and allowed by the board of supervisors, and shall not exceed in any one calendar year the sum of five thousand dollars.

19. Compensation in full. Disposition of fees. The compensation provided in this section shall be in full compensation, exclusive of expenses, for all services of every kind and nature, rendered by the assessor, clerk, treasurer, tax collector, superintendent of schools, auditor, and recorder, their deputies and assistants, either as officers or ex officio officers, unless in this section otherwise expressly provided, and all fees provided by section 4290 of the Political Code, all fees paid to the county clerk for the issuance of fishing or hunting licenses, all naturalization fees provided to be retained by the county clerk, all inheritance tax fees provided to be retained by the treasurer, all fees for the registration of birth or death certificates, and any and all other compensation or fees provided to be retained for their own use by any of the officers in this subdivision named, shall not be so retained, but shall be received by them, and then paid into the county treasury to the credit of the salary fund; *provided, however*, that any compensation or fee paid to any of said officers by any reclamation or drainage district, and any salary, compensation or fee provided by law to be paid to any county officer or officers or ex officio officers of levee district number one in counties of this class, shall be retained by such officer for his own use and not be paid into the county treasury."

Amendment adopted.

Bill read second time, ordered to print, engrossment, and on file for third reading.

Senate Bill No. 319—An act to amend section 873 of the Code of Civil Procedure, relating to the time of trial in justices' courts.

Bill read second time, ordered engrossed, and on file for third reading.

Senate Bill No. 922—An act to amend section 1 of an act entitled "An act to provide for the payment by the State or counties, or school districts, or other special districts, or cities, or cities and counties, of the premium or charge on official bonds when given by surety companies," approved March 25, 1903, as amended.

Bill read second time, ordered engrossed, and on file for third reading.

REPORTS OF STANDING COMMITTEES—(RESUMED).

The following report of standing committee was received and read:

ON FINANCE.

SENATE CHAMBER, SACRAMENTO, May 7, 1931.

MR. PRESIDENT: Your Committee on Finance, to which was referred Assembly Bill No. 412—An act to amend section 736b and repeal section 736c of the Political

Code, relating to the salaries of judges of the superior court and to make an appropriation to cover increases in the payments by the State therefor—has had the same under consideration, and respectfully reports the same back, and recommends that it do pass.

Committee membership—18; committee vote: Ayes—16; absent—2.

SWING, Chairman.

CONSIDERATION OF ASSEMBLY BILL NUMBER FOUR HUNDRED TWELVE.

Senator Swing moved that Assembly Bill No. 412 be considered by the Senate at this time.

Motion carried.

CASE OF URGENCY.

The following resolution was offered:

By Senator Swing:

Resolved, That Assembly Bill No. 412 presents a case of urgency, as that term is used in section 15 of article IV of the constitution, and the provision of that section requiring that the bill shall be read on three several days in each house is hereby dispensed with, and it is ordered that said bill be read the second and third times, and placed upon its passage.

Resolution read.

The question being on the adoption of the resolution.

The roll was called, and the resolution adopted by the following vote:

AYES—Senators Allen, Baker, Breed, Bush, Carter, Cassidy, Christian, Crittenden, Duval, Duval, Edwards, Evans, Fellom, Harper, Hays, Ingels, Jones, Maloney, McCormack, Mixter, Moran, Nelson, Rich, Riley, Schottky, Sharkey, Slater, Swing, Treacy, Tubbs, and Waggy—31.

NOES—Senators Clock, and Rochester—2.

Whereupon, the President declared the provisions of section 15 of article IV of the constitution suspended for the purpose of considering, at this time, Assembly Bill No. 412.

SECOND READING OF ASSEMBLY BILL NUMBER FOUR HUNDRED TWELVE.

Assembly Bill No. 412—An act to amend section 736*b* and repeal section 736*c* of the Political Code, relating to the salaries of judges of the superior court and to make an appropriation to cover increases in the payments by the State therefor.

Bill read second time, and ordered on file for third reading.

THIRD READING OF ASSEMBLY BILL NUMBER FOUR HUNDRED TWELVE.

Assembly Bill No. 412—An act to amend section 736*b* and repeal section 736*c* of the Political Code, relating to the salaries of judges of the superior court and to make an appropriation to cover increases in the payments by the State therefor.

Bill read third time.

The question being on the passage of the bill.

The roll was called.

CALL OF THE SENATE.

Pending the announcement of the vote, Senator Sharkey moved a call of the Senate.

Motion carried.

The Secretary was directed to call the roll.

The roll was called, and the following answered to their names:

Senators Allen, Baker, Breed, Bush, Carter, Cassidy, Christian, Cleveland, Clock, Crittenden, Duval, Edwards, Evans, Fellom, Harper, Hays, Ingels, Inman, Jones, McCormack, Mixter, Moran, Nelson, Rich, Riley, Rochester, Schottky, Sharkey, Slater, Swing, Treacy, Tubbs, and Waggy—33.

The Secretary announced the absentees.

Time, eleven o'clock and fifty-eight minutes a.m.

The President directed the Sergeant-at-Arms to close the doors.

The Sergeant-at-Arms, having been furnished with the names of the absentees, was directed to bring them to the bar of the Senate.

PROCEEDINGS UNDER CALL OF THE SENATE.

CONSIDERATION OF DAILY FILE.

SECOND READING OF SENATE BILLS—(RESUMED).

Senate Bill No. 306—An act granting to the city of Pacific Grove the title to the waterfront of said city, together with certain submerged lands in the bay of Monterey contiguous thereto.

Bill read second time, ordered engrossed, and on file for third reading.

Senate Bill No. 506—An act to amend section 632 of the Penal Code, relating to the protection of fish.

COMMITTEE AMENDMENTS.

During the second reading of the bill, the following committee amendments were offered:

AMENDMENT NUMBER ONE.

On page 1, line 14, of the printed bill, after "whitefish," insert the following: "except golden trout,".

Amendment adopted.

AMENDMENT NUMBER TWO.

On page 1, line 24, of the printed bill, after "whitefish", insert the following: "except golden trout".

Amendment adopted.

AMENDMENT NUMBER THREE.

On page 1, line 27, of the printed bill, after "(c)", insert the following: "The open season on golden trout in all fish and game districts shall be from July first to September thirtieth. Bag limit not more than twenty trout, or more than ten pounds of trout and one trout in any one calendar day. Size limit not less than five inches in length."

Amendment adopted.

AMENDMENT NUMBER FOUR.

On page 2, line 6, of the printed bill, strike out "fourteenth", and insert in lieu thereof the following: "twenty-eighth".

Amendment adopted.

AMENDMENT NUMBER FIVE.

On page 2, line 9, of the printed bill, before "Eel" insert the following: "the Navarro river and the".

Amendment adopted.

Bill read second time, ordered to print, engrossment, and on file for third reading.

Senate Bill No. 220—An act to amend section 6 of an act entitled "An act to regulate the sale and issuance of licenses to hunt, take, pursue, or kill wild birds or mammals, and, or to angle for, take, catch or kill game fishes for purposes other than sale or profit in order to provide revenue therefrom for fish and game preservation, protection and restoration; defining game fishes; providing a penalty for the violation of this act and repealing all acts and parts of acts inconsistent or in conflict with this act," approved May 27, 1927, as amended.

COMMITTEE AMENDMENTS.

During the second reading of the bill, the following committee amendments were offered:

AMENDMENT NUMBER ONE.

Strike out the title of the printed bill, and insert in lieu thereof the following:

"An act to amend section 2 of chapter 767, statutes of 1927, entitled "An act to regulate the hunting of deer and to provide for the tagging of the carcass of any deer killed, and to provide for the transportation of lawfully killed deer from an open district into a closed district, and to provide revenue therefrom for fish and game preservation, propagation and protection, and providing a penalty for violation," approved May 26, 1927, relating to deer tag licenses."

Amendment adopted.

AMENDMENT NUMBER TWO.

On page 1 of the printed bill, strike out lines 1 to 14, inclusive, and insert in lieu thereof the following:

"SECTION 1. Section 2 of chapter 767, statutes of 1927, is hereby amended to read as follows:

Sec. 2. Duplicate license tags granting the privilege to hunt, pursue and kill deer shall be issued and delivered to any person holding a hunting license, for the current license year, upon application by such person in the form herein provided, by the county clerk of any of the counties of this state or by the fish and game commission, or by any person duly appointed and authorized by any such county clerk or the fish and game commission, and upon the payment of one dollar by such applicant. Said license shall be prepared by the fish and game commission of suitable size in the form of a duplicate tag and have printed or stamped thereon the words "Deer hunting license Tag No. ---, State of California. Expires December 31, 19 --, to accompany hunting license No. ---" with said tag number and appropriate year written or printed thereon together with the other matters and things provided in section 3 hereof. Said deer tag licenses shall be prepared and furnished to the county clerks or other persons for their own disposition by the fish and game commission, which shall take receipt therefor by numbers and quantity from the several county clerks and other persons and the county clerks and other persons shall be responsible therefor, and it shall be the official duty of county clerks and the duty of other persons to account for the same to the fish and game commission on the first day of each month.

(a) For each deer tag license sold, registered and accounted for by any person except a fish and game commissioner or a deputy fish and game commissioner, he shall be allowed as compensation, for his own use, out of the fish and game preservation fund, five per cent (5%) of the amount accounted for; *provided, however*, that said fish and game commission may at its discretion, issue and deliver deer tag licenses as aforesaid to any person except a fish and game commissioner or deputy fish and game commissioner, without receiving full payment therefor, upon application of said person and upon the giving of bond as provided in paragraph (b) of this section, in which event said person shall be allowed as compensation, for his own use, out of the fish and game preservation fund, two and one-half per cent (2½%) of the amount accounted for.

(b) Every person authorized to issue and sell deer tag licenses under the provisions of this act shall, when required by said fish and game commission, execute to the fish and game commission, a good and sufficient bond in a sum equal to the value of such licenses so delivered to such person to be sold as herein provided, to secure the faithful accounting and payment to the fish and game commission of the funds collected from the sale of such deer tag licenses and the faithful performance of duties imposed upon him by this act, and said fish and game commission is hereby authorized and empowered to pay the premium on such bond out of the fish and game preservation fund."

Amendment adopted.

Bill read second time, ordered to print, engrossment, and on file for third reading.

Senate Bill No. 951—An act to provide for reimbursement of persons suffering loss by reason of the acts of tule elk during the closed season.

Bill read second time, ordered engrossed, and on file for third reading.

Senate Bill No. 753—An act to amend section 632 of the Penal Code, relating to the protection of fish.

Bill read second time, ordered engrossed, and on file for third reading.

Senate Bill No. 600—An act to add a new section to the Penal Code, to be numbered 969b, to provide for the admission in evidence in criminal cases of the official records, or the exemplification of copies of official records, of the penitentiaries or reformatories of sister states or of federal penitentiaries, and providing that such records and copies shall constitute prima facie evidence of a prior conviction.

Bill read second time, ordered engrossed, and on file for third reading.

Senate Bill No. 894—An act to amend section 653c of the Penal Code, relating to the hours of labor on public works.

Bill read second time, ordered engrossed, and on file for third reading.

Senate Bill No. 191—An act creating the California Districts Securities Commission, providing for its appointment, and defining its duties and powers, relating to bonds of irrigation districts, providing under what circumstances such bonds shall be legal investments for funds of banks, insurance companies and trust companies, trust funds, State school funds and any money or funds which may now or hereafter be invested in bonds of cities, cities and counties, counties, school districts or municipalities, and providing under what circumstances the use of bonds of irrigation districts as security for the performance of any act may be authorized, providing that certain districts may be declared insolvent, and providing for the administration of insolvent districts, making an appropriation to carry out the purposes of the act, and repealing an act entitled "An act relating to bonds of irrigation districts, providing under what circumstances such bonds shall be legal investments for funds of banks, insurance companies and trust companies, trust funds, State school funds and any money or funds which may now or hereafter be invested in bonds of cities, cities and counties, counties, school districts or municipalities, and providing under what circumstances the use of bonds of irrigation districts as security for the performance of any act may be authorized," approved June 13, 1913, and as amended.

COMMITTEE AMENDMENTS.

During the second reading of the bill, the following committee amendments were offered:

AMENDMENT NUMBER ONE.

On page 1, line 4, of the printed bill, as amended, strike out "and three", and insert in lieu thereof the following: "the superintendent of banks, and two".

Amendment adopted.

AMENDMENT NUMBER TWO.

On page 1, line 5, of the printed bill, as amended, strike out "as follows: one".

Amendment adopted.

AMENDMENT NUMBER THREE.

On page 2 of the printed bill, as amended, strike out line 1, and in line 2 strike out "within this state, and two".

Amendment adopted.

AMENDMENT NUMBER FOUR.

On page 2, line 5, of the printed bill, as amended, strike out "three", and insert in lieu thereof "two".

Amendment adopted.

AMENDMENT NUMBER FIVE.

On page 2, line 9, of the printed bill, as amended, strike out "and the state engineer", and insert in lieu thereof a comma and the following: "the state engineer and the superintendent of banks".

Amendment adopted.

AMENDMENT NUMBER SIX.

On page 7 of the printed bill, as amended, strike out all of lines 37 to 40, inclusive, and insert in lieu thereof the following:

"Sec. 15. All necessary expenses incurred in making the investigation and report in this act provided for shall be paid as the commission may require by the irrigation district whose property has been investigated and reported on by the said commission; *provided*, that the benefit of any services that may have been performed and any data that may have been obtained by any member of said commission or any other public official in pursuance of the requirements of any law other than this act, shall be available for the use of the commission herein provided for without charge to the district whose affairs are under investigation".

AMENDMENT NUMBER SEVEN.

On page 8 of the printed bill, after line 13, insert the following:

"Sec. 19. Out of any money in the state treasury not otherwise appropriated, the sum of forty thousand dollars is hereby appropriated to be expended in accordance with law to carry out the purposes of this act".

Amendment adopted.

Bill read second time, ordered to print, engrossment, and on file for third reading.

Senate Bill No. 532—An act to provide for the compilation, printing, binding, publishing, and distribution of a legislative manual and State Blue Book, or roster and appendix thereto, repealing all conflicting acts and making an appropriation to carry out the provisions hereof.

COMMITTEE AMENDMENTS.

During the second reading of the bill, the following committee amendments were offered:

AMENDMENT NUMBER ONE.

In line 3 of the title of the printed bill, strike out "and appendix thereto".

Amendment adopted.

AMENDMENT NUMBER TWO.

On page 1, line 4, of the printed bill, strike out the comma following "roster", and also strike out lines 5 to 7, inclusive, and insert in lieu thereof the following: "The".

Amendment adopted.

AMENDMENT NUMBER THREE.

On page 1 of the printed bill, strike out lines 19 to 21, inclusive, and on page 2 of the printed bill, strike out lines 1 to 17, inclusive, and insert in lieu thereof the following: "copies."

Amendment adopted.

AMENDMENT NUMBER FOUR.

On page 2, line 22, of the printed bill, strike out "twenty-seven thousand five hundred", and insert in lieu thereof "fifteen thousand".

Amendment adopted.

Bill read second time, ordered to print, engrossment, and on file for third reading.

Senate Bill No. 822—An act to make an appropriation to pay the claim of Simon J. Lubin against the State of California.

COMMITTEE AMENDMENTS.

During the second reading of the bill, the following committee amendments were offered :

AMENDMENT NUMBER ONE.

In line 1 of the printed amended bill, strike out the word "five", and insert in lieu thereof the word "four".

Amendment adopted.

AMENDMENT NUMBER TWO.

In line 2 of the printed amended bill, strike out the words "twenty-two dollars and seventy-three", and insert in lieu thereof the words "fifty-nine dollars and ninety-six".

Amendment adopted.

Bill read second time, ordered to print, engrossment, and on file for third reading.

Senate Bill No. 205—An act providing for the building of a causeway across the Tisdale By-pass in Sutter County, State of California, and making an appropriation therefor.

COMMITTEE AMENDMENT.

During the second reading of the bill, the following committee amendment was offered :

AMENDMENT NUMBER ONE.

In line 7 of the printed bill, strike out the words "one hundred", and insert in lieu thereof the words "thirty-five".

Amendment adopted.

Bill read second time, ordered to print, engrossment, and on file for third reading.

Senate Bill No. 201—An act to amend section 30a of the California Irrigation District Act, relating to reports submitted to the California Bond Certification Commission.

Bill read second time, ordered engrossed, and on file for third reading.

Senate Bill No. 958—An act to amend section 337a of the Penal Code, relating to gambling.

Bill read second time, ordered engrossed, and on file for third reading.

MESSAGE FROM THE GOVERNOR.

The following message from the Governor was received and read :

STATE OF CALIFORNIA, GOVERNOR'S OFFICE,
SACRAMENTO, May 5, 1931.

*To the Members of the Senate,
State of California.*

I herewith return, without my approval, Senate Bill No. 863.

This bill seeks to provide for the salary of the sealer of weights and measures in counties of the thirty-sixth class to conform to the reclassification of counties. The change, however, in salaries is automatic, and with the consent of the author of the bill, I return it herewith to prevent duplication in the laws.

Sincerely,

JAMES ROLPH, JR., Governor of the State of California.

SUSTAINING GOVERNOR'S VETO.

The question being : Shall Senate Bill No. 863 become a law notwithstanding the objections of the Governor ?

The roll was called, and the objections of the Governor sustained by the following vote:

AYES—None.

NOES—Senators Allen, Baker, Breed, Bush, Carter, Cassidy, Christian, Crittenden, Deuel, Duval, Edwards, Evans, Fellom, Harper, Hays, Ingels, Jones, Maloney, McCormack, Moran, Nelson, Rich, Riley, Rochester, Schottky, Sharkey, Slater, Swing, Treacy, Tubbs, and Wagy—31.

FURTHER PROCEEDINGS UNDER CALL OF THE SENATE DISPENSED WITH.

At twelve o'clock and ten minutes p.m., further proceedings under the call of the Senate were dispensed with, on motion of Senator Sharkey.

The Secretary was directed to call the roll on the passage of Assembly Bill No. 412.

The roll was called, and Assembly Bill No. 412 passed by the following vote:

AYES—Senators Allen, Baker, Breed, Bush, Carter, Cassidy, Christian, Crittenden, Deuel, Duval, Edwards, Evans, Harper, Hays, Ingels, Inman, Jones, McCormack, Mixer, Moran, Nelson, Rich, Riley, Schottky, Sharkey, Slater, Swing, Treacy, Tubbs, and Wagy—30.

NOES—Senators Clock, Fellom, and Rochester—3.

Title read and approved.

Bill ordered transmitted to the Assembly.

MOTION TO WITHDRAW SENATE BILL.

Senator Ingels moved that Senate Bill No. 494 be withdrawn from Committee on Revenue and Taxation and placed on the Senate file.

FURTHER CONSIDERATION OF SENATOR INGELS' MOTION POSTPONED.

Senator Breed moved that further consideration of Senator Ingels' motion to withdraw Senate Bill No. 494 from Committee on Revenue and Taxation be postponed until two o'clock p.m.

Motion carried.

RECESS.

On motion of Senator Breed, at twelve o'clock and forty minutes p.m., the President of the Senate declared recess until two o'clock p.m.

RECONVENED.

At two o'clock p.m., the Senate reconvened.

Lieutenant Governor Frank F. Merriam, President of the Senate, in the chair.

Secretary Joseph A. Beek at the desk.

MESSAGES FROM THE ASSEMBLY.

The following messages from the Assembly were received and read:

ASSEMBLY CHAMBER, SACRAMENTO, May 7, 1931.

MR. PRESIDENT: I am directed to inform your honorable body that the Assembly on this day passed Assembly Bill No. 542—An act to amend section 2924 of the Civil Code, relating to making certain transfers a mortgage and defining the manner in which a power of sale contained in a mortgage or deed of trust may be exercised, and to add a new section thereto to be numbered 2924b, relating to sales under mortgages, deeds of trust and other transfers of interest in property.

ARTHUR A. OHNIMUS, Chief Clerk.
By A. W. ENGELKE, Assistant Clerk.

Assembly Bill No. 542 read first time, and referred to Committee on Judiciary.

Also:

ASSEMBLY CHAMBER, SACRAMENTO, May 7, 1931.

MR. PRESIDENT: I am directed to inform your honorable body that the Assembly on this day passed Assembly Concurrent Resolution No. 37—A resolution relative to revision of the Motor Vehicle Laws of California.

ARTHUR A. OHNIMUS, Chief Clerk.
By A. W. ENGELKE, Assistant Clerk.

Assembly Concurrent Resolution No. 37 read, and referred to Committee on Motor Vehicles.

Also:

ASSEMBLY CHAMBER, SACRAMENTO, May 7, 1931.

MR. PRESIDENT: I am directed to inform your honorable body that the Assembly on this day adopted Assembly Concurrent Resolution No. 41—Relative to expressing an intention on the part of the State Legislature against the reduction of salaries of employees.

ARTHUR A. OHNIMUS, Chief Clerk.
By C. W. BOOTH, Assistant Clerk.

Assembly Concurrent Resolution No. 41 read, and referred to Committee on Governmental Efficiency.

Also:

ASSEMBLY CHAMBER, SACRAMENTO, May 7, 1931.

MR. PRESIDENT: I am directed to inform your honorable body that the Assembly on May 6, 1931, passed Assembly Bill No. 1306—An act to amend the Code of Civil Procedure, by amending sections 660, 661, 662 and 956 thereof, and to add a new section thereto, to be numbered 659a, relating to new trial and appeal.

ARTHUR A. OHNIMUS, Chief Clerk.
By A. W. ENGELKE, Assistant Clerk.

Assembly Bill No. 1306 read first time, and referred to Committee on Judiciary.

Also:

ASSEMBLY CHAMBER, SACRAMENTO, May 7, 1931.

MR. PRESIDENT: I am directed to inform your honorable body that the Assembly on this day concurred in Senate amendments to Assembly Bill No. 507—An act to amend the act known as Palo Verde Irrigation District Act, approved June 21, 1923, as amended, by amending section 28 thereof, relating to levy of taxes;

Also: Assembly Bill No. 611—An act to repeal section 4270 of the Political Code and to add sections 4270a, 4270b, 4270c, 4270d, 4270e, 4270f, 4270g, 4270h, 4270i, 4270j, 4270k, 4270l, 4270m, 4270n, 4270o, 4270p, 4270q, and 4270r, relating to the compensation of county and township officers in the county of the forty-first class;

Also: Assembly Bill No. 57—An act to amend section 4255, to repeal sections 4256a and 4256b, and to add section 4255a to the Political Code, relating to the salaries and fees of county officers in counties of the twenty-sixth class.

ARTHUR A. OHNIMUS, Chief Clerk.
By A. W. ENGELKE, Assistant Clerk.

REPORTS OF STANDING COMMITTEES—(RESUMED).

The following reports of standing committees were received and read:

ON ENGROSSMENT, ENROLLMENT AND PRINTING.

SENATE CHAMBER, SACRAMENTO, May 7, 1931.

MR. PRESIDENT: Your Committee on Engrossment, Enrollment and Printing has examined Senate Concurrent Resolution No. 30—Providing for the creation of a joint committee of the Senate and Assembly to study street improvement laws of the State of California; to continue the work of preparing and making recommendations concerning changes in existing laws and to make an appropriation to meet the expenses of said committee necessarily incurred in said work—and reports that the same has been correctly re-engrossed.

RILEY, Chairman.

Also:

MR. PRESIDENT: Your Committee on Engrossment, Enrollment and Printing has examined Senate Bill No. 15—An act to amend sections 737z and 737n of the Political Code, relating to salary of the judge of the superior court in and for the counties of Mono and Inyo;

Also: Senate Bill No. 178—An act to amend sections 600 and 608 of the Probate Code, relating to the inventory and appraisal of the estate of a decedent;

Also: Senate Bill No. 955—An act to amend section 736*b* and repeal section 736*c* of the Political Code, relating to salaries of judges of the superior court and to make an appropriation to cover increases in the payments by the State therefor; And reports that the same have been correctly engrossed.

RILEY, Chairman.

Also:

MR. PRESIDENT: Your Committee on Engrossment, Enrollment and Printing has examined Senate Bill No. 12—An act to amend section 2 of chapter 763, Statutes of 1927, entitled "An act to provide that the Department of Natural Resources, through the State Park Commission, shall have control of the State park system; to establish and define the State park system; to define certain powers and duties of the State Park Commissioner; to make an appropriation for carrying out the purposes of this act; and to establish a contingent fund and a revolving fund," approved May 25, 1927, relating to the State park system;

Also: Senate Bill No. 48—An act to add a new section to the Political Code, to be numbered 3475, relating to the effect of sales of land for delinquent assessments, where the land is also situated in one or more districts or public corporations;

Also: Senate Bill No. 57—An act to add a new section to the Penal Code to be numbered 374½, relating to the discharge of oil from vessels;

Also: Senate Bill No. 73—An act to amend section 7 of chapter 361, Statutes of 1915, entitled "An act to create a levee district to be called and designated Sacramento River West Side Levee District; to prevent the overflow of flood waters from the Sacramento River from flooding onto the lands within said district by the construction of levees along the west bank of the Sacramento River and adjacent thereto and maintain the same; providing for the election and appointment of officers of said levee district; defining the powers, duties and compensation of such officers; and providing for levying and collecting assessments upon the lands within said levee district," approved May 18, 1915;

Also: Senate Bill No. 144—An act to amend section 5582 of the School Code, relating to joint teachers institutes;

Also: Senate Bill No. 147—An act to validate the organization and existence of municipal improvement districts;

And reports that the same have been correctly enrolled and presented to the Governor on the seventh day of May, at eleven o'clock and thirty minutes a.m.

CASSIDY, Vice Chairman.

Also:

MR. PRESIDENT: Your Committee on Engrossment, Enrollment and Printing has examined Senate Bill No. 148—An act to legalize bonds heretofore issued and sold, or to be issued and sold, by municipalities where authority for such issuance has already been given by a vote of not less than two-thirds of the electors of such municipalities voting upon the question of incurring such indebtedness and providing for a levy of taxes to pay the principal and interest of such bonds and declaring the urgency of said act;

Also: Senate Bill No. 149—An act to validate the organization and existence of municipal utility districts;

Also: Senate Bill No. 154—An act to validate bonds of municipal improvement districts, and providing for the levy of a tax to pay the same;

Also: Senate Bill No. 231—An act to amend sections 542*a*, 542*b* and 560 of the Code of Civil Procedure, relating to attachment;

Also: Senate Bill No. 302—An act to add a new section to the Penal Code to be numbered 496*c*, relating to the theft of the contents of any private and unpublished paper, book or record containing information relating to the title to real property;

Also: Senate Bill No. 368—An act to add a new section to the Political Code to be numbered 3817*a*, relating to the extension of the period of redemption of property sold for taxes and containing a provision declaring this act to be an emergency measure, stating the facts constituting such emergency, and providing this act shall take effect immediately upon its passage;

And reports that the same have been correctly enrolled and presented to the Governor on the seventh day of May, at eleven o'clock and thirty minutes a.m.

CASSIDY, Vice Chairman.

Also:

MR. PRESIDENT: Your Committee on Engrossment, Enrollment and Printing has examined Senate Bill No. 906—An act to amend section 2464 of the School Code, relating to the taxation of elementary school districts, and for the payment by said school districts of the quotient cost of educating pupils of such elementary school district attending a high school district;

Also: Senate Bill No. 935—An act granting to the City and County of San Francisco lands known as "Channel" or "Channel street" southwesterly from the

northeasterly line of Seventh street in said city and county; and authorizing said City and County of San Francisco to dispose of portions of said street, or otherwise deal with or improve said portion of said street as said city and county may deem proper; and repealing all acts in conflict therewith.

Also: Senate Concurrent Resolution No. 10—Relative to the orderly addition of new roads to the State highway system, after engineering and economic studies by the California Highway Commission and the Department of Public Works:

And reports that the same have been correctly enrolled and presented to the Governor on the seventh day of May, at eleven o'clock and thirty minutes a.m.

CASSIDY, Vice Chairman.

Also:

MR. PRESIDENT: Your Committee on Engrossment, Enrollment and Printing has examined Senate Bill No. 422—An act granting certain tide and submerged lands of the State of California to the city of San Diego, San Diego County, in said State, upon certain trusts and conditions;

Also: Senate Bill No. 450—An act to add four new sections to the California School Code, to be numbered 6.12, 6.13, 6.14, and 6.15, relating to the maintenance and repair of school property by the county superintendent of schools;

Also: Senate Bill No. 568—An act to amend section 539 of the Civil Code, relating to the recovery of damages for the breaking or injuring of subaqueous telegraph, telephone and electric power cables or gas pipe lines;

Also: Senate Bill No. 807—An act to authorize the Division of Forestry of the Department of Natural Resources to purchase land for look-out sites and other administrative purposes;

Also: Senate Bill No. 865—An act to amend section 4265 of the Political Code, relating to compensation of county and township officers in counties of the thirty-sixth class;

Also: Senate Bill No. 889—An act to amend section 1394½ of the Political Code, relating to fees and rates of tuition of nonresident students of the University of California, and to add to said section a provision authorizing the attorney for the Regents of the University of California, and other persons, to administer oaths in connection with the taking of testimony relative to the residence status of students and prospective students of the University of California;

And reports that the same have been correctly enrolled and presented to the Governor on the seventh day of May, at eleven o'clock and thirty minutes a.m.

CASSIDY, Vice Chairman.

ON GOVERNMENTAL EFFICIENCY.

SENATE CHAMBER, SACRAMENTO, May 7, 1931.

MR. PRESIDENT: Your Committee on Governmental Efficiency, to which was referred Assembly Bill No. 69—An act to amend section 737½ of the Political Code, relating to salaries of judges of the superior court in and for the City and County of San Francisco;

Also: Assembly Bill No. 219—An act to amend section 737½ of the Political Code, relating to the salaries of the judges of the superior court of the county of Los Angeles;

Has had the same under consideration, and respectfully reports the same back, and recommends that they be re-referred to Committee on Finance.

Committee membership—11; committee vote: Ayes—7; noes—2; absent—2.

CRITTENDEN, Chairman.

Assembly Bills Nos. 69 and 219 ordered re-referred to Committee on Finance.

ON REVENUE AND TAXATION.

SENATE CHAMBER, SACRAMENTO, May 7, 1931.

MR. PRESIDENT: Your Committee on Revenue and Taxation, to which was referred Assembly Bill No. 375—An act to amend section 3629 of the Political Code, relating to the statement of property owned subject to taxation;

Also: Assembly Bill No. 1089—An act to add to the Penal Code a new section numbered 437, prescribing penalties for nonpayment of certain taxes;

Has had the same under consideration, and respectfully reports the same back with amendments, and recommends that the amendments be adopted, and that they do pass as amended.

Committee membership—13; committee vote: Ayes—9; absent—4.

NELSON, Chairman.

Assembly Bills Nos. 375 and 1089 ordered on file for second reading.

Also:

MR. PRESIDENT: Your Committee on Revenue and Taxation, to which was referred Assembly Bill No. 62—An act to amend section 3831 and to repeal 3790 of the Political Code, relating to the collection of taxes;

Also: Assembly Bill No. 492—An act to add a new section to the Political Code to be numbered 3881a, to authorize the county auditor to enter corrections on the county assessment book and the county tax collector to cancel payments made in error under certain conditions;

Also: Assembly Bill No. 774—An act to amend section 3805a of the Political Code, relating to cancellation of assessments;

Also: Assembly Bill No. 1886—An act to amend section 3673 of the Political Code, relating to the powers of a county board of equalization; Has had the same under consideration, and respectfully reports the same back, and recommends that they do pass.

Committee membership—13; committee vote: Ayes—9; absent—4.

NELSON, Chairman.

Assembly Bills Nos. 62, 492, 774 and 1886 ordered on file for second reading.

Also:

MR. PRESIDENT: Your Committee on Revenue and Taxation, to which was referred Assembly Constitutional Amendment No. 2—A resolution proposing to the people of the State of California an amendment to the constitution of said State by adding to article IV thereof a new section to be numbered 31b, relating to the release of lien for taxes in certain cases—has had the same under consideration, and respectfully reports the same back, and recommends that it be adopted.

Committee membership—13; committee vote: Ayes—9; absent—4.

NELSON, Chairman.

Assembly Constitutional Amendment No. 2 ordered on file.

ON JUDICIARY.

SENATE CHAMBER, SACRAMENTO, May 7, 1931.

MR. PRESIDENT: Your Committee on Judiciary, to which was referred Assembly Bill No. 31—An act to amend section 1861a of the Civil Code, relating to liens of keepers of furnished apartment houses and furnished bungalow courts—has had the same under consideration, and respectfully reports the same back with amendments, and recommends that the amendments be adopted, and that it do pass, as amended.

Committee membership—17; committee vote: Ayes—14; absent—3.

CHRISTIAN, Chairman.

Assembly Bill No. 31 ordered on file for second reading.

Also:

MR. PRESIDENT: Your Committee on Judiciary, to which was referred Assembly Bill No. 955—An act to amend section 22 of "An act authorizing the establishment of municipal courts, prescribing their constitution, regulation, government, procedure and jurisdiction, and providing for the election and appointment of the judges, clerks and other attaches of such courts, their terms of office, qualification and compensation and for the selection of jurors therein," approved May 23, 1925, relating to municipal courts;

Also: Assembly Bill No. 613—An act to amend section 6 of chapter 485 of the Statutes of 1927, entitled "An act to define collection agencies: to provide for the regulation, bonding, supervision and licensing thereof; to provide for the enforcement of said act and penalties for the violation thereof," approved May 14, 1927, as amended, relating to collection agencies;

Also: Assembly Bill No. 1680—An act to amend section 146a of the Penal Code, relating to falsely representing a public officer;

Also: Assembly Bill No. 1167—An act to add a new section to the Political Code to be numbered 363a, relating to the Department of Public Works;

Also: Assembly Bill No. 1191—An act to amend sections 1184 and 1184d of the Code of Civil Procedure, relating to mechanics' liens;

Has had the same under consideration, and respectfully reports the same back, and recommends that they do pass.

Committee membership—17; committee vote: Ayes—14; absent—3.

CHRISTIAN, Chairman.

Assembly Bills Nos. 955, 613, 1680, 1167 and 1191 ordered on file for second reading.

Also:

MR. PRESIDENT: Your Committee on Judiciary, to which was referred Assembly Bill No. 1744—An act to amend sections 1, 2, 3, 5, 7, 8, 10, 12, 14, and 15 and to repeal section 11 and to add a new section numbered 3a to chapter 140, Statutes of 1929, entitled "An act regulating the business of embalmers and funeral directors and the transportation of and traffic in dead human bodies, creating a State board therefor, providing penalties for violations thereof, and repealing the act entitled 'An act to establish a State Board of Embalmers, defining the duties thereof, providing for the better protection of life and health, preventing the spread of contagious disease, regulating the practice of embalming in connection with the care and disposition of the dead and providing penalties for the violation thereof,' approved April 16, 1915, as amended," approved April 20, 1929, relating to and regulating the business of funeral directors and embalmers—has had the same under consideration, and respectfully reports the same back, and recommends that the bill be re-referred to the Committee on Governmental Efficiency.

Committee membership—17; committee vote: Ayes—14; absent—3.

CHRISTIAN, Chairman.

Assembly Bill No. 1744 ordered re-referred to Committee on Governmental Efficiency.

ON MUNICIPAL CORPORATIONS.

SENATE CHAMBER, SACRAMENTO, May 7, 1931.

MR. PRESIDENT: Your Committee on Municipal Corporations, to which was referred Assembly Bill No. 234—An act to amend section 3 of an act entitled "An act to allow unincorporated towns and villages to establish, equip and maintain systems of street lights on public highways; to provide for the formation, government and operation of highway lighting districts; the calling and holding of elections in such districts; the assessment, collection, custody and disbursement of taxes therein; and the creation of ex officio boards of supervisors," approved March 20, 1909, Statutes of 1909, page 551, relating to formation of such districts;

Also: Assembly Bill No. 652—An act to amend section 5 of an act of the Legislature of the State of California entitled "An act to provide for the formation of districts within municipalities for the acquisition or construction of public improvements, works and public utilities; for the issuance, sale and payment of bonds of such districts to meet the cost of such improvements; and for the acquisition or construction of such improvements," approved May 24, 1927, relating to the amount of bonds that may be issued by such districts;

Also: Assembly Bill No. 1900—An act to amend an act entitled "An act to provide for the incorporation and organization and management of county water districts, and to provide for the acquisition of water rights or construction thereby of water works and for the acquisition of all property necessary therefor, and also to provide for the distribution and sale of water by said districts," approved June 10, 1913, as amended, by amending section 26 thereof to provide that lands situated within any such county water district may nevertheless be included within the boundaries of an irrigation district;

Also: Assembly Bill No. 1911—An act authorizing and empowering any city and county, or county, or city operating under freeholders' charter or otherwise, or any town, or any municipal corporation in the State of California, to donate and grant to the United States of America any real property owned by it, or which it may hereafter acquire, within its corporate limits, for a site upon which the United States of America may erect post office and/or federal office buildings or maintain grounds in connection therewith, and also authorizing the incurring of indebtedness for any of the purposes aforesaid, and validating any bonded indebtedness which may be incurred in furtherance of any such purpose;

Also: Assembly Bill No. 438—An act to provide for the funding and refunding of the indebtedness of, and for the issue and sale or exchange of funding bonds and the retirement of outstanding bonds of districts organized under and in pursuance of the Acquisition and Improvement Act of 1925, and to provide for payment of such bonds and for proceedings to test the validity of the refunding proceeding, and for such funding or refunding to levy assessments and reassessments and enforce the liens thereof;

Has had the same under consideration, and respectfully reports the same back, and recommends that they do pass.

Committee membership—10; committee vote: Ayes—10.

HARPER, Chairman.

Assembly Bills Nos. 234, 652, 1900, 1911 and 438 ordered on file for second reading.

Also:

MR. PRESIDENT: Your Committee on Municipal Corporations, to which was referred Assembly Constitutional Amendment No. 32—A resolution to propose to the people of the State of California an amendment to section 31, article IV, of the constitution of said State, relating to certain payments by the city of Glendale—has had the same under consideration, and respectfully reports the same back, and recommends that it be adopted.

Committee membership—10; committee vote: Ayes—9; noes—1.

HARPER, Chairman.

Assembly Constitutional Amendment No. 32 ordered on file.

Also:

MR. PRESIDENT: Your Committee on Municipal Corporations, to which was referred Assembly Bill No. 218—An act to limit the amount of special assessments for public improvements and acquisitions of property for public purposes; to provide for a preliminary investigation, report and hearing upon proposed public improvements and acquisitions of property for public purposes where the cost of such improvements or acquisitions is to be paid in whole or part by special assessments; to provide a basis for valuation of property for the purpose of establishing a special assessment limitation, and to authorize the payment of a part of the cost of such public improvements and acquisitions of property from any available public fund where a part of such cost is paid by special assessment on benefited property—has had the same under consideration, and respectfully reports the same back with amendments, and recommends that the amendments be adopted, and that it do pass as amended.

Committee membership—10; committee vote: Ayes—7; noes—3.

HARPER, Chairman.

Assembly Bill No. 218 ordered on file for second reading.

Also:

MR. PRESIDENT: Your Committee on Municipal Corporations, to which was referred Assembly Bill No. 228—An act to amend sections 3, 5, 6, 7, 10, 17, 21, 23, 24, 25, 26, 60 and 61 of an act entitled "An act to provide for work in and upon streets, avenues, lanes, alleys, courts, places and sidewalks within municipalities, and upon property and rights of way owned by municipalities or of which a municipality has possession and the right of use under the provisions of section 14 of article I of the constitution, and for establishing and changing the grades of any such streets, avenues, lanes, alleys, courts, places, sidewalks, properties or rights of way, and providing for the issuance and payment of street improvement bonds to represent certain assessments for the cost thereof, and providing a method for the payment of such bonds," approved April 7, 1911, Statutes 1911, page 730, as amended, and to add sections 1a, 20k, 30a and 65a, relating to the doing of work upon streets, avenues, lanes, alleys, courts, places and sidewalks, and the disposal of certain of said works and the method of providing for the payment for such works;

Also: Assembly Bill No. 653—An act to amend section 5 of an act of the Legislature of the State of California entitled "An act to provide for the formation of districts within municipalities for the acquisition or construction of public improvements, works and public utilities; for the issuance, sale and payment of bonds of such districts to meet the cost of such improvements, and for the acquisition or construction of such improvements," approved April 20, 1915, as amended, relating to the amount of bonds that may be issued by such districts;

Also: Assembly Bill No. 1474—An act to add a new section to an act entitled "An act to provide for the acquisition of, including the laying out, opening, extending, widening, straightening, and acquiring in any manner, in whole or in part, and for the improvement of and work upon public highways, roads, streets, avenues, boulevards, lanes, alleys, courts, places, parks, pleasure grounds, commons, and all public ways and other property and rights of way of the public, including any property over which possession and right of use have been obtained under the provisions of section 14 of article I of the constitution of the State of California, in whole or in part, whether lying entirely within unincorporated territory of a county or the territory of a municipality, or lying within such unincorporated territory and one or more municipalities, or lying within two or more municipalities, or forming the exterior boundary of any municipality where the same joins unincorporated territory of a county or the territory of another municipality, whether partly or wholly within or without said boundary, and the establishment and change of grade thereof; and providing for the payment of the costs and expenses of such acquisitions and such work and improvements, and the issuance and effect of bonds therefor and the payment of such bonds by special assessment taxes raised in assessment districts established for that purpose, and the enforcement of such bonds and taxes; and providing for aid from counties and municipalities in such acquisitions, work and improvements; and providing for the establishment and administration of revolving funds to assist in the carrying out of such acquisitions, work and improvements."

approved May 23, 1925, to be numbered 41a, relating to the payment of assessments with bonds or interest coupons; Has had the same under consideration, and respectfully reports the same back with amendments, and recommends that the amendments be adopted, and that they do pass as amended.

Committee membership—10; committee vote: Ayes—10.

HARPER, Chairman.

Assembly Bills Nos. 228, 653 and 1474 ordered on file for second reading.

ON CONSTITUTIONAL AMENDMENTS.

SENATE CHAMBER, SACRAMENTO, May 7, 1931.

MR. PRESIDENT: Your Committee on Constitutional Amendments, to which was referred Assembly Constitutional Amendment No. 31—A resolution to propose to the people of the State of California, an amendment to section 8, of article XI of the constitution of the State of California, relating to the drafting of a charter by the board of freeholders—has had the same under consideration, and respectfully reports the same back with amendments, and recommends that the amendments be adopted, and that it be adopted as amended.

Committee membership—9; committee vote: Ayes—6; absent—3.

ALLEN, Chairman.

Assembly Constitutional Amendment No. 31 ordered on file.

Also:

MR. PRESIDENT: Your Committee on Constitutional Amendments, to which was referred Assembly Constitutional Amendment No. 14—A resolution to propose to the people of the State of California an amendment to the constitution of said State by adding a new section thereto to be known as and numbered section 31b of article IV of the State of California, relating to the ownership by the city of Escondido, California, of stock in a mutual water company—has had the same under consideration, and respectfully reports the same back, and recommends that it be adopted.

Committee membership—9; committee vote: Ayes—6; absent—3.

ALLEN, Chairman.

Assembly Constitutional Amendment No. 14 ordered on file.

ON MUNICIPAL CORPORATIONS.

SENATE CHAMBER, SACRAMENTO, May 7, 1931.

MR. PRESIDENT: Your Committee on Municipal Corporations, to which was referred Assembly Bill No. 1904—An act to provide for a preliminary investigation, report and hearing upon proposed public improvements and acquisitions of property for public purposes where the cost of such improvements or acquisitions is to be paid in whole or part by special assessments, and to provide for the abandonment and barring of said proposed public improvements or acquisitions upon a majority protest—has had the same under consideration, and respectfully reports the same back, without recommendation.

Committee membership—10; committee vote: Ayes—10.

HARPER, Chairman.

Assembly Bill No. 1904 ordered on file for second reading.

Also:

MR. PRESIDENT: Your Committee on Municipal Corporations, to which was referred Assembly Bill No. 222—An act to amend sections 2, 4, 5, 8, 9, 10, 40, 41 and adding section 50a of an act entitled "Acquisition and Improvement Act of 1925," approved May 23, 1925, Statutes 1925, page 849, as amended, relating to acquisition and improvement of property, limiting the amount of special assessments that may be imposed, providing that the bar of a majority protest can not be overruled, relating to the form of protests, relating to the manner of collection of special assessment taxes and providing for the acceptance of matured unpaid bonds and interest coupons in payment for property sold by the state for delinquency in the payment of special assessment taxes of the district for which such bond was issued—has had the same under consideration, and respectfully reports the same back with amendments, and recommends that the amendments be adopted, and that it do pass as amended.

Committee membership—10; committee vote: Ayes—9; noes—1.

HARPER, Chairman.

Assembly Bill No. 222 ordered on file for second reading.

Also:

MR. PRESIDENT: Your Committee on Municipal Corporations, to which was referred Assembly Bill No. 1475—An act to provide for the funding and refunding of the indebtedness of districts organized under and in pursuance of the Road District Improvement Act of 1907, and to provide for the levy of assessments and reassessments for such refunding, and to enforce the liens of said assessments and reassessments, and for the issue and sale or exchange of refunding bonds and the retirement of the unpaid bonds of said districts, and to provide for the payment of bonds and for proceedings to test the validity of such refunding and reassessment—has had the same under consideration, and respectfully reports the same back with amendments, and recommends that the amendments be adopted, and that it do pass as amended.

Committee membership—10; committee vote: Ayes—10.

HARPER, Chairman.

Assembly Bill No. 1475 ordered on file for second reading.

INTRODUCTION, FIRST READING AND REFERENCE OF BILLS.

The following resolution was offered:

By Senators Crittenden, Mixter, Swing, Sharkey and Nelson: Senate Concurrent Resolution No. 38—Providing for the appointment of a Joint Committee on Water Resources.

Referred to Committee on Governmental Efficiency.

CONSIDERATION OF DAILY FILE.

SECOND READING OF ASSEMBLY BILLS.

Assembly Bill No. 1879—An act to add a new section to the Political Code, to be numbered 2524c, relating to the authority of the Board of State Harbor Commissioners or its successor.

Bill read second time, and ordered on file for third reading.

Assembly Bill No. 1880—An act to amend section 2524 of the Political Code, relating to the jurisdiction, powers and duties of the Board of State Harbor Commissioners or its successor.

Bill read second time, and ordered on file for third reading.

Assembly Bill No. 1156—An act to amend section 2349 of the Political Code, relating to navigable streams and public waterways.

Bill read second time, and ordered on file for third reading.

Assembly Bill No. 647—An act authorizing the survey, location, and establishment of the ordinary high-water mark, bordering upon tide-water of the Pacific ocean, between the westerly boundary line of the city of Santa Monica and the westerly boundary line of the city of Los Angeles.

Bill read second time, and ordered on file for third reading.

Assembly Bill No. 5—An act relating to deer-tight fences and providing for State cooperation in the construction thereof.

Bill read second time, and ordered on file for third reading.

Assembly Bill No. 1081—An act to amend section 62 of an act entitled "An act to divide the State of California into fish and game districts and to repeal an act entitled 'An act to divide the State of California into fish and game districts and to repeal an act entitled "An act to divide the State of California into six fish and game districts," approved March 21, 1911, and all acts or parts of acts inconsistent herewith,"

approved May 19, 1915," approved May 25, 1917, as amended and revised, and to add a new section thereto to be numbered section 62a.

Bill read second time, and ordered on file for third reading.

Assembly Bill No. 1052—An act to amend section 636 of the Penal Code, relating to the protection of fish and game.

Bill read second time, and ordered on file for third reading.

Assembly Bill No. 466—An act making it unlawful for an attorney at law to employ any person to solicit law practice; prohibiting any person from soliciting law practice for hire and prescribing the penalty therefor; prohibiting the use of written statements taken from an injured person within 90 days after the injury; also making void certain settlements, compromises, releases and discharges, also certain contracts with attorneys at law, unless approved by the court.

COMMITTEE AMENDMENT.

During the second reading of the bill, the following committee amendment was offered:

AMENDMENT NUMBER ONE

On page 1, line 14, of the printed bill, as amended in the Assembly April 13, 1931, after the word "thereof", strike out the word "shall", and all of line 15, and all of line 16, down to and including the word "wherein".

Amendment adopted.

Bill read second time, ordered to print, and on file for third reading.

Assembly Bill No. 1021—An act authorizing and empowering any county, city and county, or city, in the State of California, to donate, convey and grant to the State of California any real property owned by it, or which it may hereafter acquire, within its corporate limits, and to donate such part of its funds as deemed necessary for the purpose of assisting the State of California to purchase and acquire parks, playgrounds, recreation centers, or beaches for recreational purposes within its corporate limits.

Bill read second time, and ordered on file for third reading.

Assembly Bill No. 1938—An act relating to a Convalescent Colony and empowering the Department of Finance to accept land or contributions for the Convalescent Colony upon recommendation of the Convalescent Colony Board, creating a Convalescent Colony Board, and providing for the disposition and expenditure of moneys in connection with said Convalescent Colony.

Bill read second time, and ordered on file for third reading.

Assembly Bill No. 547—An act to add a new section, to be numbered 5, to chapter 93, Statutes of 1899, entitled "An act requiring the payment into the State treasury of all moneys belonging to the State, received by the various State institutions, commissions, and officers, and directing the disposition of the same," approved March 17, 1899, as amended, relating to the payment of certain State money into the General Fund in the State treasury, and abolishing certain special funds.

Bill read second time, and ordered on file for third reading.

Assembly Bill No. 1066—An act to amend sections 7, 8, 9, 10, and 11 of an act entitled "An act to define the duties of and to license land surveyors, and to repeal an act entitled 'An act to define the duties of

and to license land surveyors,' approved March 31, 1891," approved March 16, 1907, Statutes of 1907, page 310, relating to licensing of surveyors and the preparation and filing of maps.

COMMITTEE AMENDMENTS.

During the second reading of the bill, the following committee amendments were offered:

AMENDMENT NUMBER ONE.

In line 1 of the title of the printed bill, as amended, before the numeral "10", insert the word "and".

Amendment adopted.

AMENDMENT NUMBER TWO.

In line 1 of the title of the printed bill, as amended, after the numeral "10", strike out ", and 11".

Amendment adopted.

AMENDMENT NUMBER THREE.

On page 5, line 1, of the printed bill, as amended, beginning with a portion of the word "Sec.", strike out the rest of the bill.

Amendment adopted.

Bill read second time, ordered to print, and on file for third reading.

Assembly Bill No. 553—An act making an appropriation to pay the claim of Moore Mercantile Company against the State of California.

COMMITTEE AMENDMENT.

During the second reading of the bill, the following committee amendment was offered:

AMENDMENT NUMBER ONE.

On page 1, line 3, of the printed bill, strike out the words "not otherwise appropriated,".

Amendment adopted.

Bill read second time, ordered to print, and on file for third reading.

Assembly Bill No. 578—An act making an appropriation to pay the claim of Sarah G. White against the State of California.

COMMITTEE AMENDMENT.

During the second reading of the bill, the following committee amendment was offered:

AMENDMENT NUMBER ONE.

On page 1, line 4, of the printed bill, strike out "not otherwise appropriated".

Amendment adopted.

Bill read second time, ordered to print, and on file for third reading.

Assembly Bill No. 705—An act to pay the claim of B. J. Humphreys against the State of California.

COMMITTEE AMENDMENT.

During the second reading of the bill, the following committee amendment was offered:

AMENDMENT NUMBER ONE.

On page 1, lines 3 and 4, of the printed bill, strike out ", not otherwise appropriated,".

Amendment adopted.

Bill read second time, ordered to print, and on file for third reading.

Assembly Bill No. 835—An act making an appropriation to pay the claim of The Archison, Topeka and Santa Fe Railway Company against the State of California.

COMMITTEE AMENDMENT.

During the second reading of the bill, the following committee amendment was offered:

AMENDMENT NUMBER ONE.

On page 1, line 4, of the printed bill, as amended, strike out the words "not otherwise appropriated."

Amendment adopted.

Bill read second time, ordered to print, and on file for third reading.

Assembly Bill No. 846—An act making an appropriation to pay the claim of Felix Cross Company against the State of California.

COMMITTEE AMENDMENT.

During the second reading of the bill, the following committee amendment was offered:

AMENDMENT NUMBER ONE.

On page 1, line 4, of the printed bill, strike out the words "not otherwise appropriated."

Amendment adopted.

Bill read second time, ordered to print, and on file for third reading.

Assembly Bill No. 847—An act making an appropriation to pay the claim of Gordon's Sea Food Grocery against the State of California.

COMMITTEE AMENDMENT.

During the second reading of the bill, the following committee amendment was offered:

AMENDMENT NUMBER ONE.

On page 1, lines 3 and 4 of the printed bill, strike out the words "not otherwise appropriated."

Amendment adopted.

Bill read second time, ordered to print, and on file for third reading.

Assembly Bill No. 848—An act making an appropriation to pay the claim of Union Fish Company against the State of California.

COMMITTEE AMENDMENT.

During the second reading of the bill, the following committee amendment was offered:

AMENDMENT NUMBER ONE.

On page 1, line 4, of the printed bill, strike out the words "not otherwise appropriated."

Amendment adopted.

Bill read second time, ordered to print, and on file for third reading.

Assembly Bill No. 849—An act making an appropriation to pay the claim of J. D. Fabris against the State of California.

COMMITTEE AMENDMENT.

During the second reading of the bill, the following committee amendment was offered:

AMENDMENT NUMBER ONE.

On page 1, lines 3 and 4, of the printed bill, strike out the words "not otherwise appropriated,".

Amendment adopted.

Bill read second time, ordered to print, and on file for third reading.

Assembly Bill No. 850—An act making an appropriation to pay the claim of United Ship Repair Company against the State of California.

COMMITTEE AMENDMENT.

During the second reading of the bill, the following committee amendment was offered:

AMENDMENT NUMBER ONE.

On page 1, lines 3 and 4, of the printed bill, strike out the words "not otherwise appropriated,".

Amendment adopted.

Bill read second time, ordered to print, and on file for third reading.

Assembly Bill No. 851—An act making an appropriation to pay the claim of Associated Oil Company against the State of California.

COMMITTEE AMENDMENT.

During the second reading of the bill, the following committee amendment was offered:

AMENDMENT NUMBER ONE.

On page 1, lines 3 and 4, of the printed bill, strike out the words "not otherwise appropriated,".

Amendment adopted.

Bill read second time, ordered to print, and on file for third reading.

Assembly Bill No. 853—An act making an appropriation to pay the claim of Veterans' Bureau of United States government against the State of California.

COMMITTEE AMENDMENT.

During the second reading of the bill, the following committee amendment was offered:

AMENDMENT NUMBER ONE.

On page 1, line 3, of the printed bill, strike out the words "not otherwise appropriated,".

Amendment adopted.

Bill read second time, ordered to print, and on file for third reading.

Assembly Bill No. 855—An act making an appropriation to pay the claim of Kimball-Upson Company against the State of California.

COMMITTEE AMENDMENT.

During the second reading of the bill, the following committee amendment was offered:

AMENDMENT NUMBER ONE.

On page 1, line 3, of the printed bill, strike out the words "not otherwise appropriated,".

Amendment adopted.

Bill read second time, ordered to print, and on file for third reading.

Assembly Bill No. 864—An act making an appropriation to pay the claim of Harold E. Smith against the State of California.

COMMITTEE AMENDMENT.

During the second reading of the bill, the following committee amendment was offered :

AMENDMENT NUMBER ONE.

On page 1, lines 2 and 3, of the printed bill, as amended, strike out the following : "forty-nine thousand two hundred sixty-seven dollars and thirty-three", and insert in lieu thereof the following : "fifty-two thousand six hundred sixty-two dollars and eighty-one".

Amendment adopted.

Bill read second time, ordered to print, and on file for third reading.

Assembly Bill No. 136—An act making an appropriation to pay the claim of J. H. Briney against the State of California.

Bill read second time, and ordered on file for third reading.

Assembly Bill No. 164—An act to appropriate money to pay the claim of J. M. Ocheltree against the State of California.

Bill read second time, and ordered on file for third reading.

Assembly Bill No. 173—An act appropriating money to pay the claim of Yoshio Matsui against the State of California.

Bill read second time, and ordered on file for third reading.

Assembly Bill No. 195—An act making an appropriation to pay the claim of Samuel F. Miles against the State of California.

Bill read second time, and ordered on file for third reading.

Assembly Bill No. 197—An act making an appropriation to pay the claim of W. R. Whyte against the State of California.

Bill read second time, and ordered on file for third reading.

Assembly Bill No. 321—An act making an appropriation to pay the claim of Hugo Michler against the State of California.

Bill read second time, and ordered on file for third reading.

Assembly Bill No. 407—An act making an appropriation to pay the claim of C. O. DeLand against the State of California.

Bill read second time, and ordered on file for third reading.

Assembly Bill No. 478—An act appropriating money to pay the claim of the disbursing officer of the Division of Highways, State Department of Public Works, against the State of California.

Bill read second time, and ordered on file for third reading.

Assembly Bill No. 594—An act appropriating money to pay the claim of the county of Ventura against the State of California.

Bill read second time, and ordered on file for third reading.

Assembly Bill No. 823—An act appropriating money to pay the claim of city of Los Angeles against the State of California.

Bill read second time, and ordered on file for third reading.

Assembly Bill No. 836—An act making an appropriation to pay the claim of Minneapolis Steel and Machinery Company against the State of California.

Bill read second time, and ordered on file for third reading.

Assembly Bill No. 837—An act making an appropriation to pay the claim of Martha Alice McCartea against the State of California.

Bill read second time, and ordered on file for third reading.

Assembly Bill No. 838—An act making an appropriation to pay the claim of Frank Rose against the State of California.

Bill read second time, and ordered on file for third reading.

Assembly Bill No. 839—An act making an appropriation to pay the claim of the Assistant Controller General of the United States against the State of California.

Bill read second time, and ordered on file for third reading.

Assembly Bill No. 840—An act making an appropriation to pay the claim of Charles Skelton against the State of California.

Bill read second time, and ordered on file for third reading.

Assembly Bill No. 841—An act making an appropriation to pay the claim of John F. Ottoboni against the State of California.

Bill read second time, and ordered on file for third reading.

Assembly Bill No. 842—An act making an appropriation to pay the claim of Superior Farms, Incorporated, against the State of California.

Bill read second time, and ordered on file for third reading.

Assembly Bill No. 843—An act making an appropriation to pay the claim of Tony Taix, Jr., against the State of California.

Bill read second time, and ordered on file for third reading.

Assembly Bill No. 844—An act making an appropriation to pay the claim of Redd and Holden against the State of California.

Bill read second time, and ordered on file for third reading.

Assembly Bill No. 845—An act making an appropriation to pay the claim of Mabel Campbell against the State of California.

Bill read second time, and ordered on file for third reading.

Assembly Bill No. 852—An act making an appropriation to pay the claim of P. F. Welsh against the State of California.

Bill read second time, and ordered on file for third reading.

Assembly Bill No. 857—An act making an appropriation to pay the claim of Bertha A. Wilkie against the State of California.

Bill read second time, and ordered on file for third reading.

Assembly Bill No. 858—An act making an appropriation to pay the claim of Frankie M. C. Joseph against the State of California.

Bill read second time, and ordered on file for third reading.

Assembly Bill No. 859—An act making an appropriation to pay the claim of Charles Evans Skidmore against the State of California.

Bill read second time, and ordered on file for third reading.

Assembly Bill No. 860—An act making an appropriation to pay the claim of San Rafael Freight and Transfer Company against the State of California.

Bill read second time, and ordered on file for third reading.

Assembly Bill No. 861—An act making an appropriation to pay the claim of B. Grant Taylor against the State of California.

Bill read second time, and ordered on file for third reading.

Assembly Bill No. 863—An act making an appropriation to pay the claim of M. H. Iverson against the State of California.

Bill read second time, and ordered on file for third reading.

Assembly Bill No. 865—An act making an appropriation to pay the claim of Joseph L. Willecox against the State of California.

Bill read second time, and ordered on file for third reading.

Assembly Bill No. 968—An act making an appropriation to pay the claim of the city auditor of the city of Stockton against the State of California.

Bill read second time, and ordered on file for third reading.

Assembly Bill No. 1033—An act appropriating money to pay the claim of J. Charles Jones against the State of California.

Bill read second time, and ordered on file for third reading.

Assembly Bill No. 1152—An act making an appropriation to pay the claim of the Lassen Advocate against the State of California.

Bill read second time, and ordered on file for third reading.

Assembly Bill No. 1679—An act appropriating money to pay the claim of Harold E. Smith against the State of California.

Bill read second time, and ordered on file for third reading.

Assembly Bill No. 1739—An act to pay the claim of Vermont Marble Company against the State of California.

Bill read second time, and ordered on file for third reading.

Assembly Bill No. 1884—An act making an appropriation to pay the claim of Walter E. Evans and Miles H. Ledbetter against the State of California.

Bill read second time, and ordered on file for third reading.

COMMUNICATION FROM ATTORNEY GENERAL.

The following communication from the Attorney General was received, read, and on motion of Senator Inman, ordered printed in the Journal:

STATE OF CALIFORNIA, LEGAL DEPARTMENT,
SACRAMENTO, CALIFORNIA, May 7, 1931.

*Hon. Joseph A. Beck, Secretary of the Senate,
State Capitol, Sacramento, California.*

DEAR SIR: In yours of the fifth inst., you advise of the action of the Senate in directing you to submit to this office Senate Bill No. 234, and of the Senate's desire to have the views of this office upon the following two questions:

1. Can the Legislature, by a bill, submit a question to the people?
2. What, if any, legal effect would such a referendum, if found permissible under query 1, have?

Your letter also calls attention to the necessity of an early reply. With your letter you transmit a copy of Senate Bill No. 234, section 1 of which reads as follows:

"SECTION 1. There shall be submitted to the qualified electors of the State of California at the next general election, or at such special election as may precede the next general election, the question as to retaining, repealing or modifying the eighteenth amendment as a part of the constitution of the United States. The vote on this question shall be merely of an advisory nature."

While section 2 specifies the questions that it is proposed to submit to the electorate. That section is:

"SEC. 2. There shall be printed on the ballots at such general or special election the words 'For the repeal of the eighteenth amendment to the constitution of the United States,' the words 'For modification of the eighteenth amendment to the constitution of the United States,' and the words 'Against the repeal of the eighteenth amendment to the constitution of the United States.' The general provisions of law relating to the conduct and the returns of elections apply to the vote on this question."

The remaining portions of the bill deal with matters not involved in these questions. There are undoubtedly many questions which could not by the Legislature be legally submitted to a vote of the people. It is very doubtful if the Legislature could legally submit to a vote of the people any question in reference to which in some fashion the Legislature had not the power to act. I can not conceive of the existence of the power to call for the expenditure of public money through the holding of an election to secure an expression of the people upon a question in reference to which no action whatever could be taken by the Legislature.

But the question quoted from your letter must be considered as referring to the questions which the bill proposes to submit to the people. The questions which the bill proposes to submit to the electorate are:

"1. For the repeal of the eighteenth amendment to the constitution of the United States";

"2. For modification of the eighteenth amendment to the constitution of the United States";

and

"3. Against the repeal of the eighteenth amendment to the constitution of the United States."

If these questions may be submitted to the electorate as proposed by this bill the power so to do must arise because there is some action which may be taken by the Legislature relative to amendment of the constitution of the United States.

The constitution of the United States within itself provides the methods through which it may be amended. Article V of the constitution of the United States provides for the amendment of that instrument. Two methods are thus provided.

The Congress of the United States, by the affirmative action of two-thirds of both houses may propose an amendment to the federal constitution, and such proposal shall accomplish the proposed change in the constitution "when ratified by the legislatures of three-fourths of the several states," or when the same has been approved "by conventions in three-fourths" of the states. The other method requires Congress to "call a convention for proposing amendments" when an application to Congress so to do is made by "the legislatures of two-thirds of the several states."

When the amendment is proposed in this fashion, it becomes an effective part of the constitution in the same manner as if proposed directly by Congress, namely, upon its ratification "by the legislatures of three-fourths of the several states, or by conventions in three-fourths thereof."

It will thus be seen that the Legislature of the State may, jointly with other states, cause a convention to be called, which convention may propose amendments to the constitution. Whether the proposal to amend the constitution comes directly from Congress or from the convention called as in the constitution provided, the proposal can become a part of the constitution only when ratified by the legislatures of the required number of states or by conventions held in the required number of states.

The amendment of the federal constitution in any particular is a legitimate subject for legislative consideration. The Legislature may determine to attempt to cause the federal constitution to be amended in any particular by its appeal to Congress and in the event that the proposal to amend the constitution is made the proposal may be submitted to the Legislature for its action.

It results that amendment to the federal constitution is a legitimate subject for legislative consideration and one in reference to which the Legislature may be called upon officially to act.

Legislative action reflects or should reflect the will and wish of the people of the State. I conceive it to be proper that the Legislature should use all legitimate means to advise itself in reference to the will of the people of the State.

At practically every session of the Legislature of the State one or more fact-finding commissions or committees are provided for to function at public expense and directed to make specific investigations and to report the result of their labors to a succeeding Legislature or to the Governor, or to both. Questions as to the legality of such action no longer exist.

The method of obtaining an expression of the views of the electorate of the State by submitting questions at elections is one not frequently used in this State or elsewhere, but it is my view that it may be legally done where the information sought is upon a question which lies within the domain of legislation. I conclude that the questions proposed in Senate Bill No. 234 may be submitted to the electorate of the State in the manner therein provided. In reaching this conclusion,

little, if any, aid has been obtained from adjudicated cases. It may be worthy of note that this method of obtaining an expression of the people's view has been recently resorted to in other states but the legality of such action has not come before the courts for determination. Seemingly, in those states the legality of such action has not been challenged.

Your second question presents less difficulty. It is:

"What, if any, legal effect would such a referendum, if found permissible under query 1, have?"

The question substantially answers itself. It would furnish to subsequent Legislatures the view in reference to the three questions submitted to the electorate entertained by the qualified voters of the State who chose to vote thereon and no subsequent Legislature would be required to act in accord with the vote of the majority or to take any action at all. The result of the vote would be but advisory. It would perhaps be expected that subsequent Legislatures would pay some heed to the result of the information so obtained at public expense but they would not be required so to do.

Respectfully submitted.

U. S. WEBB, Attorney General.

CONSIDERATION OF MOTION TO WITHDRAW SENATE BILL NUMBER
FOUR HUNDRED NINETY-FOUR FROM COMMITTEE.

Pursuant to Senator Breed's motion, made before recess, that further consideration of Senator Ingels' motion to withdraw Senate Bill No. 494 from Committee on Revenue and Taxation, be postponed until two o'clock p.m., the same was taken up for consideration.

The question being on Senator Ingels' motion to withdraw Senate Bill No. 494 from Committee on Revenue and Taxation.

The roll was called.

CALL OF THE SENATE.

Pending the announcement of the vote, Senator Ingels moved a call of the Senate.

Motion carried.

The Secretary was directed to call the roll.

The roll was called, and the following answered to their names:

Senators Allen, Baker, Breed, Carter, Cassidy, Christian, Clock, Edwards, Evans, Fellom, Harper, Ingels, Jones, Maloney, McCormack, McKinley, Pedrotti, Riley, Rochester, Schottky, Slater, Treacy, and Williams—23.

The Secretary announced the absentees.

Time, two o'clock and forty-five minutes p.m.

The President directed the Sergeant-at-Arms to close the doors.

The Sergeant-at-Arms, having been furnished with the names of the absentees, was directed to bring them to the bar of the Senate.

PROCEEDINGS UNDER CALL OF THE SENATE.

CONSIDERATION OF DAILY FILE.

THIRD READING OF SENATE BILLS.

Senate Bill No. 938—An act making an appropriation from the Contingent Fund of the State Board of Pharmacy to be used by the Regents of the University of California for the use and benefit of the College of Pharmacy of the University of California.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Senate Bill No. 938 passed by the following vote:

AYES—Senators Allen, Baker, Carter, Cassidy, Christian, Clock, Deuel, Duval, Edwards, Evans, Fellom, Harper, Hays, Ingels, Jones, Maloney, McCormack, Mixer,

Moran, Nelson, Pedrotti, Rich, Riley, Rochester, Schottky, Slater, Treacy, and Williams—28.

NOES—None.

Title read and approved.

Bill ordered transmitted to the Assembly.

Senate Bill No. 433—An act to make an appropriation to pay the claim of W. E. Martin against the State of California.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Senate Bill No. 433 passed by the following vote:

AYES—Senators Allen, Baker, Breed, Bush, Cassidy, Christian, Clock, Crittenden, Deuel, Duval, Edwards, Evans, Fellom, Harper, Hays, Jones, Maloney, McCormack, Mixer, Moran, Nelson, Pedrotti, Rich, Riley, Rochester, Schottky, Sharkey, Slater, Treacy, and Tubbs—30.

NOES—None.

Title read and approved.

Bill ordered transmitted to the Assembly.

Senate Bill No. 178—An act to amend section 1445 of the Code of Civil Procedure, relating to the inventory and appraisement of the estate of a decedent.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Senate Bill No. 178 passed by the following vote:

AYES—Senators Allen, Baker, Breed, Bush, Carter, Cassidy, Clock, Crittenden, Deuel, Duval, Edwards, Evans, Fellom, Harper, Hays, Ingels, Jones, Maloney, McCormack, Mixer, Moran, Nelson, Pedrotti, Rich, Riley, Rochester, Sharkey, Slater, Swing, Treacy, Tubbs, and Williams—32.

NOES—None.

Title read and approved.

Bill ordered transmitted to the Assembly.

Senate Bill No. 301—An act to amend section 737*ec* of the Political Code, relating to salary of superior court judge.

Bill read third time.

MOTION TO REFER TO SPECIAL COMMITTEE OF ONE.

During third reading of the bill, Senator Cassidy moved to refer Senate Bill No. 301 to Senator Rich, as a Special Committee of One, to amend as follows:

AMENDMENT NUMBER ONE.

In the title of the printed bill, strike out the word "section", and insert in lieu thereof the word "sections", and add after the number "737*ec*", the following: "737*yy* and 737*fff*", also strike out the word "judge", and in lieu thereof insert the word "judges".

AMENDMENT NUMBER TWO.

Add the following to the printed bill:

"SEC. 2. Section 737*yy* of the Political Code is hereby amended to read as follows:

737*yy*. The annual salary of the judge of the superior court in and for the county of Sutter is six thousand five hundred dollars.

SEC. 3. Section 737*fff* of the Political Code is hereby amended to read as follows:

737*fff*. The annual salary of the judge of the superior court in and for the county of Yuba is six thousand five hundred dollars.

AMENDMENT NUMBER THREE.

On page 1, line 5, of the printed bill, after "thousand", insert the following: "five hundred".

Motion carried.

REPORT OF SPECIAL COMMITTEE OF ONE.

SENATE CHAMBER, SACRAMENTO, May 7, 1931

MR. PRESIDENT: Your Special Committee of One, to which was referred Senate Bill No. 301, with instructions to amend, respectfully reports the same back, amended as per instructions.

RICH, Committee.

Report read, and on motion of Senator Cassidy adopted.

Bill ordered to print, and re-engrossment.

Senate Bill No. 214—An act to amend section 605 of the Probate Code, relating to the appointment of appraisers.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Senate Bill No. 214 passed by the following vote:

AYES—Senators Allen, Baker, Breed, Bush, Carter, Cassidy, Christian, Clock, Crittenden, Duval, Edwards, Evans, Fellom, Harper, Ingels, Jones, McCormack, Mixer, Moran, Nelson, Pedrotti, Rich, Riley, Rochester, Schottky, Sharkey, Slater, Treacy, Tubbs, and Williams—30.

NOES—Senator Maloney—1.

Title read and approved.

Bill ordered transmitted to the Assembly.

FURTHER PROCEEDINGS UNDER CALL OF THE SENATE DISPENSED WITH.

At three o'clock and thirteen minutes p.m., further proceedings under call of the Senate were dispensed with, on motion of Senator Ingels.

The Secretary was directed to call the roll.

The roll was called, and Senator Ingels' motion to withdraw Senate Bill No. 494 from Committee on Revenue and Taxation lost by the following vote:

AYES—Senators Allen, Bush, Christian, Crittenden, Harper, Ingels, Jones, McCormack, Mixer, Moran, Riley, Rochester, Schottky, Slater, Tubbs, and Williams—16.

NOES—Senators Baker, Breed, Carter, Cassidy, Clock, Duval, Edwards, Evans, Fellom, Hays, Maloney, Nelson, Pedrotti, Rich, Sharkey, and Treacy—17.

CONSIDERATION OF SENATE RESOLUTION.

By Senator Breed:

RESOLUTION.

WHEREAS, The State expenditures for the biennial period commencing July 1, 1931, will exceed the State's revenues in an amount in excess of \$10,000,000; and

WHEREAS, It is apparent that the revenues will not thereafter equal or balance the State's expenditures; therefore, be it

Resolved, That the Director of Finance be and he is hereby requested to submit to the Legislature when it convenes in January, 1933, a list of activities that the State may, without injury to the public welfare, curtail or eliminate to the end that the revenues and expenditures may be approximately equal.

Resolution read, and on motion of Senator Breed adopted.

CONSIDERATION OF DAILY FILE.

THIRD READING OF SENATE BILLS—(RESUMED).

ASSISTANT SECRETARY FRANCIS E. DALIN AT THE DESK.

Senate Bill No. 833—An act to amend the title of chapter II of part II of division IV of the School Code: to amend sections 4.161, 4.170,

4.172 and 4.173 thereof; to repeal chapters III, IV and V embracing sections 4.180 to 4.282, both inclusive, of part II of division IV of the School Code; to repeal chapter VI embracing sections 4.250 to 4.271, both inclusive, of part II of division II of the School Code; to repeal article V, embracing sections 4.630 to 4.639, both inclusive, of chapter VII of part III of division IV of the School Code; to repeal section 4.174 thereof and to add to chapter II of part II of division IV of the School Code four new articles to be known as article III, article IV, article V and article VI, respectively, embracing sections 4.180 to 4.211, both inclusive; to add a new chapter to part II of division IV of the School Code to be known as chapter III, embracing sections 4.220 to 4.251, both inclusive, and to add a new chapter to part III of division IV of the School Code to be known as chapter IV, embracing sections 4.260 to 4.268, both inclusive; to add two new sections to the School Code to be numbered 5.550 and 5.635; and to repeal chapter 582 of the Statutes of 1929, entitled "An act to provide for the purchase of school supplies for school districts and defining the powers and duties of superintendents of schools of counties and other officers in relation thereto," approved May 31, 1929, all relating to county school funds and the use thereof.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Senate Bill No. 833 passed by the following vote:

AYES—Senators Allen, Breed, Bush, Carter, Cassidy, Christian, Clock, Crittenden, Deuel, Duval, Edwards, Evans, Fellom, Hays, Ingels, Jones, McCormack, Mixter, Moran, Rich, Riley, Rochester, Schottky, Sharkey, Slater, Treacy, Tubbs, and Williams—28.

NOES—None.

Title read and approved.

Bill ordered transmitted to the Assembly.

Senate Bill No. 901—An act to amend section 45½ of the California Vehicle Act, relating to chattel mortgages on motor vehicles or any other vehicle defined by said act, providing for the filing of a certified copy thereof with the Division of Motor Vehicles, registration of the holder as legal owner and the same being constructive notice of said mortgage and contents, excepting chattel mortgages from the provisions of sections 2957, 2959 and 2965 of the Civil Code.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Senate Bill No. 901 passed by the following vote:

AYES—Senators Allen, Baker, Breed, Bush, Carter, Cassidy, Christian, Crittenden, Deuel, Duval, Edwards, Evans, Fellom, Hays, Ingels, Inman, Jones, McCormack, Mixter, Moran, Pedrotti, Riley, Rochester, Schottky, Sharkey, Slater, Tubbs, and Williams—28.

NOES—None.

Title read and approved.

Bill ordered transmitted to the Assembly.

Senate Bill No. 124—An act to amend sections 737*q* and 737*w* of the Political Code, relating to the salaries of judges of the superior courts.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Senate Bill No. 124 passed by the following vote:

AYES—Senators Allen, Baker, Breed, Bush, Carter, Cassidy, Christian, Clock, Duval, Evans, Fellom, Harper, Ingels, Inman, McCormack, Mixer, Moran, Nelson, Pedrotti, Rich, Riley, Schottky, Sharkey, Slater, Treacy, Tubbs, Wagys, and Williams—28.

NOES—Senator Rochester—1.

Title read and approved.

Bill ordered transmitted to the Assembly.

Senate Bill No. 693—An act to add a new section to the Code of Civil Procedure, to be numbered 66b, relating to the number of judges of the superior court in the county of Merced.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Senate Bill No. 693 passed by the following vote:

AYES—Senators Allen, Baker, Breed, Cassidy, Christian, Clock, Duval, Evans, Fellom, Harper, Hays, Ingels, Inman, Jones, Maloney, McCormack, Mixer, Moran, Nelson, Pedrotti, Rich, Riley, Rochester, Schottky, Sharkey, Slater, Treacy, Tubbs, Wagys, and Williams—30.

NOES—None.

Title read and approved.

Bill ordered transmitted to the Assembly.

Senate Bill No. 954—An act to amend section 737l of the Political Code, relating to salary of judges of the superior court in and for the county of Humboldt.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Senate Bill No. 954 passed by the following vote:

AYES—Senators Allen, Baker, Breed, Cassidy, Christian, Clock, Duval, Edwards, Evans, Fellom, Hays, Ingels, Inman, Maloney, McCormack, Mixer, Moran, Nelson, Pedrotti, Rich, Riley, Schottky, Sharkey, Slater, Treacy, Tubbs, Wagys, and Williams—28.

NOES—Senators Harper, and Rochester—2.

Title read and approved.

Bill ordered transmitted to the Assembly.

Senate Bill No. 961—An act to amend section 737h of the Political Code, relating to the salaries of the judges of the superior court.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Senate Bill No. 961 passed by the following vote:

AYES—Senators Allen, Baker, Breed, Cassidy, Christian, Duval, Evans, Fellom, Harper, Hays, Ingels, Inman, Maloney, McCormack, Mixer, Moran, Nelson, Pedrotti, Rich, Riley, Sharkey, Slater, Treacy, Tubbs, Wagys, and Williams—26.

NOES—Senator Rochester—1.

Title read and approved.

Bill ordered transmitted to the Assembly.

Senate Bill No. 15—An act to amend section 737z of the Political Code, relating to salary of the judge of the superior court in and for the county of Mono.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Senate Bill No. 15 passed by the following vote:

AYES—Senators Allen, Baker, Breed, Cassidy, Duval, Edwards, Evans, Fellom, Harper, Hays, Ingels, Inman, Maloney, McCormack, Mixter, Moran, Nelson, Pedrotti, Rich, Riley, Schottky, Sharkey, Slater, Swing, Treacy, Tubbs, Wag, and Williams—28.

NOES—Senator Rochester—1.

Title read and approved.

Bill ordered transmitted to the Assembly.

SECRETARY JOSEPH A. BEEK AT THE DESK.

Senate Bill No. 2—An act to amend section 737aa of the Political Code, relating to the salary of the superior judge in and for the county of Monterey.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Senate Bill No. 2 passed by the following vote:

AYES—Senators Allen, Baker, Carter, Cassidy, Deuel, Duval, Evans, Inman, Maloney, McCormack, Mixter, Moran, Pedrotti, Riley, Schottky, Sharkey, Slater, Swing, Treacy, Tubbs, Wag, and Williams—22.

NOES—Senators Harper, Hays, and Rochester—3.

Title read and approved.

Bill ordered transmitted to the Assembly.

Senate Bill No. 955—An act to amend section 736b and repeal section 736c of the Political Code, relating to salaries of judges of the superior court and to make an appropriation to cover increases in the payments by the State therefor.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Senate Bill No. 955 passed by the following vote:

AYES—Senators Allen, Baker, Deuel, Duval, Evans, Harper, Ingels, Inman, Jones, Maloney, McCormack, Mixter, Moran, Pedrotti, Riley, Schottky, Sharkey, Swing, Treacy, Tubbs, Wag, and Williams—22.

NOES—Senator Rochester—1.

Title read and approved.

Bill ordered transmitted to the Assembly.

Senate Bill No. 163—An act to amend section 737jj of the Political Code, fixing the salaries of judges of the superior court of San Bernardino County.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Senate Bill No. 163 passed by the following vote:

AYES—Senators Allen, Baker, Bush, Carter, Cassidy, Clock, Deuel, Duval, Evans, Fellom, Harper, Ingels, Inman, Maloney, McCormack, Mixter, Moran, Nelson,

Pedrotti, Rich, Riley, Schottky, Sharkey, Slater, Swing, Treacy, Tubbs, Wagy, and Williams—29.

NOES—Senator Rochester—1.

Title read and approved.

Bill ordered transmitted to the Assembly.

Senate Bill No. 913—An act to amend section 2322.31 of the Political Code, relating to the office of agricultural commissioner in counties of the thirty-first class.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Senate Bill No. 913 passed by the following vote:

AYES—Senators Allen, Baker, Breed, Carter, Cassidy, Crittenden, Denel, Duval, Evans, Fellom, Harper, Hays, Ingels, Inman, Maloney, McCormack, Mixer, Moran, Nelson, Pedrotti, Rich, Riley, Sharkey, Slater, Swing, Treacy, Tubbs, Wagy, and Williams—29.

NOES—Senator Rochester—1.

Title read and approved.

Bill ordered transmitted to the Assembly.

Senate Bill No. 630—An act to amend section 2 of an act entitled "An act providing for the regulation and supervision of companies, brokers, agents, and sales of securities as the same are therein defined, and to prevent fraud in the sale of securities; providing for the enforcement of said act and penalties for the violation thereof; and creating a State Corporation Department and the office of Commissioner of Corporations," approved May 18, 1917, as amended, relating to fees.

Bill read third time.

The question being on the passage of the bill.

The roll was called.

CALL OF THE SENATE.

Pending the announcement of the vote, Senator Cassidy moved a call of the Senate.

Motion carried.

The Secretary was directed to call the roll.

The roll was called, and the following answered to their names:

Senators Allen, Breed, Carter, Cassidy, Christian, Cleveland, Clook, Crittenden, Denel, Duval, Edwards, Evans, Fellom, Harper, Hays, Ingels, Inman, Jones, Maloney, Mixer, Moran, Nelson, Pedrotti, Rich, Riley, Rochester, Schottky, Sharkey, Slater, Swing, Treacy, Tubbs, Wagy, and Williams—34.

The Secretary announced the absentees.

Time, four o'clock and fifty-five minutes p.m.

The President directed the Sergeant-at-Arms to close the doors.

The Sergeant-at-Arms, having been furnished with the names of the absentees, was directed to bring them to the bar of the Senate.

PROCEEDINGS UNDER CALL OF THE SENATE.

CONSIDERATION OF DAILY FILE.

THIRD READING OF SENATE BILLS—(RESUMED).

Senate Concurrent Resolution No. 17—Relative to an investigation to determine the effect of the open and closed season on trout in all land-locked waters in fish and game district 1½.

On motion of Senator Allen, Senate Concurrent Resolution No. 17 was ordered re-referred to Committee on Fish and Game.

Senate Bill No. 437—An act to amend sections 4.383 and 4.384 of the School Code.

On motion of Senator Deuel, Senate Bill No. 437 was ordered re-referred to Committee on Education.

Senate Bill No. 934—An act to amend sections 4, 7, 8, 9, 10, 11, 12, 13, 14, 15, 17, 18, 25, 26, 27 and 29 of "An act to provide for the formation, government, operation, reorganization, dissolution and alteration of boundaries of sanitary districts in any part of the State, for the construction of sewers, septic tanks, and other sanitary disposal of sewerage matter; the acquisition of property thereby, the calling and conducting of elections in such districts; the assessment, levying, collection, custody, and disbursement of taxes therein; the issuance, disposal and retirement of the bonds thereof, and the determination of their validity and making provision for the payment of such bonds, and the disposal of their proceeds." approved May 25, 1919, relating to sanitary districts.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Senate Bill No. 934 passed by the following vote:

AYES—Senators Allen, Baker, Breed, Christian, Deuel, Duval, Evans, Fellom, Harper, Hays, Ingels, Iman, Jones, Maloney, Mixter, Moran, Nelson, Pedrotti, Riley, Rochester, Sharkey, Slater, Swing, Treacy, Tubbs, Waggy, and Williams—27.
NOES—None.

AMENDMENTS TO TITLE.

The following amendments to title were offered, and their adoption moved by Senator Sharkey:

AMENDMENT NUMBER ONE.

In line 1 of the title of the printed bill, strike out the figures "10", and the comma following same.

Amendment adopted.

AMENDMENT NUMBER TWO.

In line 1 of the title of the printed bill, strike out the figures "13", and the comma following same.

Amendment adopted.

AMENDMENT NUMBER THREE.

In line 2 of the title of the printed bill, strike out the figures "18", and the comma following same.

Amendment adopted.

Title, as amended, read and approved.

Bill ordered to print, and re-engrossment, and transmitted to the Assembly.

Senate Bill No. 943—An act to amend section 2979a of the Political Code, relating to health officers.

On motion of Senator Duval, Senate Bill No. 943 was re-referred to Committee on Public Health and Quarantine.

CONSIDERATION OF SENATE RESOLUTION.

Resolution by Senator Jones, as offered April 22, 1931.

RESOLUTION.

WHEREAS, The State revenues for the biennial period commencing July 1, 1931, will not be sufficient by \$10,000,000 to meet the State expenditures for that period; and

WHEREAS, The State revenue derived from bank taxes fell from \$4,700,000 in 1928 to \$550,000 in 1929, and \$908,000 in 1930, a loss in State revenue for the two years of \$7,942,000; and

WHEREAS, The State revenues derived from oil companies fell from \$960,129 in 1928, to \$188,464 in 1929, and \$320,933 in 1930, a loss in State revenue for the two years of \$1,410,791; and

WHEREAS, The report of the California Tax Commission of 1927-28 set forth that on the basis of the 1.73 ad valorem rate levied against general property, the gas and electric companies would have been paying a 10.25 per cent gross income tax instead of the 7.5 per cent tax actually paid, the difference in the State revenues actually collected under the lower rate and those that would have been collected under the higher rate being \$10,052,593 for the years 1929-30; and

WHEREAS, The report of the California Tax Commission of 1927-28 set forth that on the basis of the 1.73 ad valorem rate levied against general property the telephone and telegraph companies would have been paying 6.75 gross income tax instead of the 5.50 per cent tax actually collected under the lower rate, the difference in the State revenue actually collected under the lower rate and those that would have been collected under the higher rate being \$2,104,432 for the years 1929-30; and

WHEREAS, The report of the California Tax Commission of 1927-28 set forth that on the basis of the 1.73 ad valorem rate levied against general property, the short line railroads would have been paying a 9 per cent gross income tax instead of the 5.25 per cent tax actually paid, the difference in the State revenues actually collected under the lower rate and those that would have been collected under the higher rate being \$487,130 for the years 1929-30; and

WHEREAS, The State for the biennium 1929-30 suffered on these several items an apparent loss of revenue of \$21,996,947, which is more than double the excess of expenditures over revenue for the coming biennium; and

WHEREAS, The depletion of the State surplus is apparently due to undertaxing of the groups cited in these resolutions; therefore, be it

Resolved, That the Tax Research Bureau authorized by legislation enacted at this session be and it hereby is requested to submit to the Legislature of 1933, a schedule of equitable rates to be levied against the public utilities paying gross income taxes for State purposes, and suggested legislation under which banks and oil companies may be required to bear their proportionate share of the State tax burden; and be it further

Resolved, That the Director of Finance, in the event of the failure to establish such Tax Research Bureau, be and he hereby is requested to submit to the Legislature when it convenes in 1933, legislation under which banks and oil companies may be required to bear their proportionate share of the tax burden.

Resolution read.

Senator Jones moved, seconded by Senator Inman, that the resolution be adopted.

SUBSTITUTE RESOLUTION.

The following resolution was offered by Senator Nelson, as a substitute to the preceding resolution:

SUBSTITUTE RESOLUTION.

WHEREAS, The State revenues for the biennial period commencing July 1, 1931, will not be sufficient by \$10,000,000 to meet the State expenditures in that period; and

WHEREAS, The State revenues derived from the State Bank and Corporation Franchise Act during the current biennium is substantially less than the revenue derived from such sources during the preceding biennium; and

WHEREAS, The reports of the California Tax Commission of 1927-28 and of the Board of Equalization for the last two biennial periods show that the average tax burden of general property in this State is higher than the average tax burden of the utilities or some groups thereof; now, therefore, be it

Resolved, That the Tax Research Bureau authorized by legislation enacted at this session of the Legislature be and it is hereby requested to report to the Legislature of 1933 its findings as to the tax burden borne by the several groups of utilities and corporations taxed for State purposes, and the average tax burden borne by general property and its recommendations as to such schedules of rates

and legislation as may impose upon such utilities and corporations an equitable tax burden; and be it further

Resolved, That in the event of the failure to establish such Tax Research Bureau, the State Board of Equalization be and it is hereby requested to furnish the findings and recommendations hereinbefore requested.

Resolution read.

Senator Nelson moved the adoption of the substitute resolution.

AYES AND NOES DEMANDED.

A roll call was demanded by Senators Jones, Inman, and Swing, on Senator Nelson's motion to adopt his substitute resolution.

The roll was called, and Senator Nelson's motion to substitute carried by the following vote:

AYES—Senators Allen, Baker, Breed, Bush, Christian, Clock, Crittenden, Deuel, Duval, Edwards, Evans, Harper, Hays, Ingels, McCormack, Mixter, Moran, Nelson, Rich, Riley, Rochester, Sharkey, Slater, Tubbs, Wag, and Williams—26.

NOES—Senators Carter, Fellom, Inman, Jones, Maloney, Schottky, Swing, and Treacy—8.

UNANIMOUS CONSENT ASKED TO WITHDRAW RESOLUTION.

Senator Jones asked unanimous consent to withdraw his resolution.

Unanimous consent refused.

UNANIMOUS CONSENT ASKED TO WITHDRAW MOTION.

Senator Jones asked unanimous consent to withdraw his motion for the adoption of the resolution.

Unanimous consent refused.

MOTION TO RE-REFER RESOLUTION TO COMMITTEE ON FINANCE.

Senator Jones moved, seconded by Senator Inman, that his resolution, as amended by Senator Nelson's substitute resolution, be re-referred to Committee on Finance.

AYES AND NOES DEMANDED.

A roll call was demanded by Senators Deuel, Ingels, and Williams, on Senator Jones' motion to re-refer his resolution, as amended by Senator Nelson's substitute resolution, to the Committee on Finance.

The roll was called, and Senator Jones' motion to re-refer his resolution, as amended, to Committee on Finance lost by the following vote:

AYES—Senators Carter, Christian, Fellom, Inman, Jones, Maloney, Schottky, Swing, Treacy, and Tubbs—10.

NOES—Senators Allen, Baker, Breed, Bush, Clock, Deuel, Duval, Edwards, Evans, Harper, Hays, Ingels, McCormack, Mixter, Moran, Nelson, Rich, Riley, Rochester, Sharkey, Slater, Wag, and Williams—23.

POSTPONEMENT OF CONSIDERATION OF RESOLUTION.

Senator Nelson moved that further consideration of the resolution be postponed until Friday, May 8, 1931.

Motion carried.

FURTHER PROCEEDINGS UNDER CALL OF THE SENATE DISPENSED WITH.

At five o'clock and thirty-seven minutes p.m., further proceedings under the call of the Senate were dispensed with, on motion of Senator Cassidy.

The Secretary was directed to call the roll.

The roll was called, and Senate Bill No. 630 passed by the following vote:

AYES—Senators Allen, Carter, Cassidy, Christian, Clock, Crittenden, Duval, Edwards, Evans, Harper, Maloney, Mixer, Moran, Pedrotti, Riley, Schottky, Sharkey, Swing, Treacy, Tubbs, Waggy, and Williams—22.

NOES—Senators Baker, Breed, Bush, Deuel, Fellom, Hays, Ingels, Inman, Jones, McCormack, Nelson, Rich, Rochester, and Slater—14.

Title read and approved.

Bill ordered transmitted to the Assembly.

RESOLUTION.

The following resolution was offered:

By Senator Duval:

WHEREAS, The Senate passed a resolution on April 24, 1931, directing an investigation of the site for the California Institution for Women near Tehachapi; and WHEREAS, Such investigation has been made and no provision was made in said resolution for defraying the expenses of such committee; now, therefore, be it

Resolved by the Senate of the State of California, That the sum of \$108.10 be and the same is hereby made available for the purpose of defraying the expenses of such committee and experts called to assist said committee, to be paid from the contingent fund of the Senate, and the State Controller is hereby authorized and directed to draw his warrants in favor of the chairman of said committee for such expenditures as may be certified to him from time to time by the chairman of said committee and the State Treasurer is hereby authorized and directed to pay the same.

Resolution read.

Senator Duval moved the adoption of the resolution.

The question being on the adoption of the resolution.

The roll was called, and the resolution adopted by the following vote:

AYES—Senators Allen, Baker, Breed, Bush, Carter, Cassidy, Crittenden, Deuel, Duval, Edwards, Evans, Fellom, Hays, Inman, Jones, Maloney, McCormack, Mixer, Moran, Rich, Riley, Rochester, Schottky, Slater, Swing, Tubbs, Waggy, and Williams—28.

NOES—Senator Harper—1.

REPORTS OF STANDING COMMITTEES—(RESUMED).

The following reports of standing committees were received and read:

ON FINANCE.

SENATE CHAMBER, SACRAMENTO, May 7, 1931.

MR. PRESIDENT: Your Committee on Finance, to which was referred Assembly Bill No. 822—An act to amend section 737a of the Political Code, relating to the salaries of the judges of the superior court of the county of Alameda;

Also: Assembly Bill No. 69—An act to amend section 737II of the Political Code, relating to salaries of judges of the superior court in and for the City and County of San Francisco;

Also: Assembly Bill No. 219—An act to amend section 737s of the Political Code, relating to the salaries of the judges of the superior court of the county of Los Angeles;

Has had the same under consideration, and respectfully reports the same back with amendments, and recommends that the amendments be adopted, and that they do pass as amended.

Committee membership—18; committee vote: Ayes—16; absent—2.

SWING, Chairman.

Assembly Bills Nos. 822, 69 and 219 ordered on file for second reading.

ON INSURANCE.

SENATE CHAMBER, SACRAMENTO, May 7, 1931.

MR. PRESIDENT: Your Committee on Insurance, to which was referred Assembly Bill No. 1568—An act to amend section 23 of the Workmen's Compensation, Insurance and Safety Act of 1917," approved May 23, 1917, as amended;

Also: Assembly Bill No. 1752—An act to amend sections 1, 2, 3, 4, 5 and 6 of an act entitled "An act to create the office of State Fire Marshal, to provide for his powers and duties, and to repeal all acts or parts of acts inconsistent herewith," approved

May 23, 1923, as amended, relating to the office of State Fire Marshal and to the State Fire Marshal's Fund;
Has had the same under consideration, and respectfully reports the same back with amendments, and recommends that the amendments be adopted, and that they do pass as amended.

Committee membership—10; committee vote: Ayes—9; absent—1.

TUBBS, Chairman.

Assembly Bills Nos. 1568 and 1752 ordered on file for second reading.

ON GOVERNMENTAL EFFICIENCY.

SENATE CHAMBER, SACRAMENTO, May 7, 1931.

MR. PRESIDENT: Your Committee on Governmental Efficiency, to which was referred Assembly Bill No. 668—An act to amend section 3700 of the Political Code, relating to the salaries of the members and secretary of the State Board of Equalization—has had the same under consideration, and respectfully reports the same back, and recommends that it be re-referred to Committee on Finance.

Committee membership—17.

(Signed out)

CRITTENDEN, Chairman.

BAKER.

CHRISTIAN.

MALONEY.

McCORMACK.

MIXTER.

Assembly Bill No. 668 ordered re-referred to Committee on Finance.
Also:

MR. PRESIDENT: Your Committee on Governmental Efficiency, to which was referred Assembly Bill No. 1889—An act to abolish the Board of Pharmacy Fine Fund and the Pharmacy Board Poison Law Fund and to transfer the money in the State treasury to the credit of said funds to the Pharmacy Board Contingent Fund in the State treasury—has had the same under consideration, and respectfully reports the same back, and recommends that it be re-referred to the Committee on Finance.

Committee membership—17.

(Signed out)

CRITTENDEN, Chairman.

CHRISTIAN.

FELLOM.

MALONEY.

McCORMACK.

MIXTER.

TUBBS.

Assembly Bill No. 1889 ordered re-referred to Committee on Finance.

ON CONTINGENT EXPENSES.

SENATE CHAMBER, SACRAMENTO, May 7, 1931.

MR. PRESIDENT: Your Committee on Contingent Expenses, to which was referred Assembly Bill No. 546—An act to repeal chapter 18, Statutes of 1929, entitled "An act making appropriation to meet the deficiency in the appropriation for contingent expenses of the Assembly for the seventy-ninth and eightieth fiscal years," approved March 7, 1929—has had the same under consideration, and respectfully reports the same back, and recommends that it do pass.

Committee membership—3.

INGELS, Chairman.

MALONEY.

WILLIAMS.

Assembly Bill No. 546 ordered on file for second reading.

ON ENGROSSMENT, ENROLLMENT AND PRINTING.

SENATE CHAMBER, SACRAMENTO, May 7, 1931.

MR. PRESIDENT: Your Committee on Engrossment, Enrollment and Printing has examined Senate Bill No. 390—An act to amend section 1203 of the Penal Code, relating to probation of persons arrested for crime, after plea or verdict of guilty and the suspending of the imposition or execution of sentence during the term of probation or the imposition of jail sentence or fine or both or other conditions to fit the crime in connection with probation, and the disposition of such accusation after full compliance with the terms of probation and providing for the creation of offices of adult probation officer, assistant adult probation officer and deputy adult probation officer and fixing their compensation and duties and providing for adult probation boards in said counties and cities and counties—and reports that the same has been correctly engrossed.

RILEY, Chairman.

ADJOURNMENT.

At five o'clock and fifty minutes p.m., on motion of Senator Breed, the President declared the Senate adjourned until ten o'clock a.m., Friday, May 8, 1931.

HAROLD J. POWERS, Minute Clerk.

IN SENATE.

SENATE CHAMBER,
SACRAMENTO, Friday, May 8, 1931.

The Senate met at ten o'clock a.m.

Lieutenant Governor Frank F. Merriam, President of the Senate, in the chair.

Secretary Joseph A. Beek at the desk.

ROLL CALL.

The roll was called, and the following answered to their names:

Senators Allen, Baker, Breed, Bush, Carter, Cassidy, Christian, Cleveland, Clock, Crittenden, Deuel, Duval, Edwards, Evans, Fellom, Harper, Hays, Ingels, Inman, Jones, Maloney, McCormack, McKinley, Mixter, Moran, Nelson, Pedrotti, Rich, Riley, Rochester, Schottky, Sharkey, Slater, Swing, Treacy, Tubbs, Waggy, and Williams—38.

Quorum present.

PRAYER.

Prayer was offered by the Chaplain, Rev. Sherman L. Divine.

READING OF THE JOURNAL.

During the reading of the Journal of Thursday, May 7, 1931, the further reading was dispensed with, on motion of Senator Slater.

PRIVILEGE OF FLOOR OF SENATE EXTENDED.

On request of Senators Breed and Christian, the privilege of the floor of the Senate Chamber for this day was unanimously extended to Wickham Havens of Oakland.

On request of Senator Bush, the privilege of the floor of the Senate Chamber for this day was unanimously extended to Mr. and Mrs. G. J. Bentley of Oakdale; Ben Creim, A. W. Stratton and J. S. West of Modesto.

On request of Senator Sharkey, the privilege of the floor of the Senate Chamber for this day was unanimously extended to Mr. and Mrs. Peter Jessen of Fresno.

MESSAGES FROM THE ASSEMBLY.

The following messages from the Assembly were received and read:

ASSEMBLY CHAMBER, SACRAMENTO, May 7, 1931.

MR. PRESIDENT: I am directed to inform your honorable body that the Assembly on this day passed Assembly Bill No. 1853—An act to amend sections 1305 and 1306 of the Penal Code, relating to forfeiture and remission of forfeited bail or moneys deposited in lieu thereof.

ARTHUR A. OHNIMUS, Chief Clerk.
By A. W. ENGELKE, Assistant Clerk.

Assembly Bill No. 1853 read first time, and referred to Committee on Judiciary.

Also :

ASSEMBLY CHAMBER, SACRAMENTO, May 7, 1931.

MR. PRESIDENT: I am directed to inform your honorable body that the Assembly on May 6, 1931, passed Assembly Constitutional Amendment No. 1—Proposed amendment to article VI of the constitution, relative to the qualification of judges.

ARTHUR A. OHNIMUS, Chief Clerk.
By A. W. ENGELKE, Assistant Clerk.

Assembly Constitutional Amendment No. 1 read, and referred to Committee on Constitutional Amendments.

Also :

ASSEMBLY CHAMBER, SACRAMENTO, May 7, 1931.

MR. PRESIDENT: I am directed to inform your honorable body that the Assembly on this day passed Assembly Bill No. 919—An act making an appropriation for the purchase of additional land for the Norwalk State Hospital, authorizing the sale of said Norwalk State Hospital, declaring the urgency thereof, and providing that this act shall take effect immediately;

Also: Assembly Bill No. 1288—An act to add a new title XII to part IV of division I of the Civil Code, embracing sections 593 to 605ⁿ inclusive and to repeal and supersede the present title XII thereof, embracing sections 593-605 inclusive, except section 606 thereof, relating to nonprofit corporations;

Also: Assembly Bill No. 39—An act to amend section 170 of the Code of Civil Procedure, relating to disqualification of judges;

Also: Assembly Bill No. 1511—An act appropriating money to pay the claim of the disbursing officer of the Division of Highways, State Department of Public Works, against the State of California;

Also: Assembly Bill No. 1661—An act to amend section 1 of an act entitled "An act to provide a stenographer and typist for judges of the superior courts and provide for their salaries and the payment thereof";

Also: Assembly Bill No. 56—An act to add a new section to the Code of Civil Procedure, to be numbered 66b, relating to the number of judges of the superior court in the county of Merced.

ARTHUR A. OHNIMUS, Chief Clerk.
By A. W. ENGELKE, Assistant Clerk.

Assembly Bill No. 919 read first time, and referred to Committee on Finance.

Assembly Bills Nos. 1288 and 39 read first time, and referred to Committee on Judiciary.

Assembly Bill No. 1511 read first time, and referred to Committee on Finance.

Assembly Bills Nos. 1661 and 56 read first time, and referred to Committee on Governmental Efficiency.

Also :

ASSEMBLY CHAMBER, SACRAMENTO, May 7, 1931.

MR. PRESIDENT: I am directed to inform your honorable body that the Assembly on this day passed Assembly Bill No. 1649—An act to amend section 4246 of the Political Code, relating to compensation of county and township officers in counties of the seventeenth class.

ARTHUR A. OHNIMUS, Chief Clerk.
By A. W. ENGELKE, Assistant Clerk.

Assembly Bill No. 1649 read first time, and referred to Committee on County Government.

REPORTS OF STANDING COMMITTEES.

The following reports of standing committees were received and read :

ON ENGROSSMENT, ENROLLMENT AND PRINTING.

SENATE CHAMBER, SACRAMENTO, May 7, 1931.

MR. PRESIDENT: Your Committee on Engrossment, Enrollment and Printing has examined Senate Bill No. 201—An act to amend section 30a of the California Irrigation District Act, relating to reports submitted to the California Bond Certification Commission;

Also: Senate Bill No. 306—An act granting to the city of Pacific Grove the title to the waterfront of said city, together with certain submerged lands in the bay of Monterey contiguous thereto;

Also: Senate Bill No. 319—An act to amend section 873 of the Code of Civil Procedure, relating to the time of trial in justices' courts;

Also: Senate Bill No. 427—An act making an appropriation for the support of the Forty-second District Agricultural Association;

Also: Senate Bill No. 531—An act appropriating money to pay the claim of W. P. Britton against the State of California;

Also: Senate Bill No. 600—An act to add a new section to the Penal Code, to be numbered 969b, to provide for the admission in evidence in criminal cases of the official records, or the exemplification of copies of official records, of the penitentiaries or reformatories of sister states or of federal penitentiaries, and providing that such records and copies shall constitute prima facie evidence of a prior conviction;

Also: Senate Bill No. 753—An act to amend section 632 of the Penal Code, relating to the protection of fish;

And reports that the same have been correctly engrossed.

RILEY, Chairman.

Also:

MR. PRESIDENT: Your Committee on Engrossment, Enrollment and Printing has examined Senate Bill No. 894—An act to amend section 653c of the Penal Code, relating to the hours of labor on public works;

Also: Senate Bill No. 922—An act to amend section 1 of an act entitled "An act to provide for the payment by the State or counties, or school districts, or other special districts, or cities, or cities and counties, of the premium or charge on official bonds when given by surety companies," approved March 25, 1903, as amended;

Also: Senate Bill No. 951—An act to provide for reimbursement of persons suffering loss by reason of the acts of tule elk during the closed season;

Also: Senate Bill No. 958—An act to amend section 337a of the Penal Code, relating to gambling;

And reports that the same have been correctly engrossed.

RILEY, Chairman.

Also:

MR. PRESIDENT: Your Committee on Engrossment, Enrollment and Printing has examined Senate Bill No. 205—An act providing for the building of a causeway across the Tisdale By-pass in Sutter County, State of California, and making an appropriation therefor;

Also: Senate Bill No. 220—An act to amend section 2 of chapter 767, Statutes of 1927, entitled "An act to regulate the hunting of deer and to provide for the tagging of the carcass of any deer killed, and to provide for the transportation of lawfully killed deer from an open district into a closed district, and to provide revenue therefrom for fish and game preservation, propagation and protection, and providing a penalty for violation," approved May 26, 1927, relating to deer tag licenses;

Also: Senate Bill No. 301—An act to amend sections 737cc, 737yy and 737fff of the Political Code, relating to salary of superior court judges;

Also: Senate Bill No. 339—An act making an appropriation for the construction and completion of an exposition building for the use of No. 1a agricultural district association;

Also: Senate Bill No. 479—An act providing for study of water conservation and flood problems of the Mohave River and rainfall penetration and establishment and maintenance of gauging stations, providing for the cooperation by interested counties and districts, and directing the Division of Water Resources, Department of Public Works, to provide for the carrying on of said work under its own direction or under the direction of the Department of Agriculture of the United States, and relating thereto;

Also: Senate Bill No. 284—An act to amend section 4249 of the Political Code, relating to the salaries and compensation of officers in counties of the twentieth class; And reports that the same have been correctly engrossed.

RILEY, Chairman.

Also:

MR. PRESIDENT: Your Committee on Engrossment, Enrollment and Printing has examined Senate Bill No. 532—An act to provide for the compilation, printing, binding, publishing, and distribution of a legislative manual and State Blue Book, or roster, repealing all conflicting acts and making an appropriation to carry out the provisions hereof;

Also: Senate Bill No. 861—An act to amend section 4265 of the Political Code, relating to compensation of county and township officers in counties of the thirty-sixth class;

Also: Senate Bill No. 506—An act to amend section 632 of the Penal Code, relating to the protection of fish;

Also: Senate Bill No. 191—An act creating the California Districts Securities Commission, providing for its appointment, and defining its duties and powers, relating to bonds of irrigation districts, providing under what circumstances such bonds shall be legal investments for funds of banks, insurance companies and trust com-

panies, trust funds, State school funds and any money or funds which may now or hereafter be invested in bonds of cities, cities and counties, counties, school districts or municipalities, and providing under what circumstances the use of bonds of irrigation districts as security for the performance of any act may be authorized, providing that certain districts may be declared insolvent, and providing for the administration of insolvent districts, making an appropriation, to carry out the purposes of the act, and repealing an act entitled "An act relating to bonds of irrigation districts, providing under what circumstances such bonds shall be legal investments for funds of banks, insurance companies and trust companies, trust funds, State school funds and any money or funds which may now or hereafter be invested in bonds of cities, cities and counties, counties, school districts or municipalities, and providing under what circumstances the use of bonds of irrigation districts as security for the performance of any act may be authorized," approved June 13, 1913, and as amended; And reports that the same have been correctly engrossed.

RILEY, Chairman.

Also:

MR. PRESIDENT: Your Committee on Engrossment, Enrollment and Printing has examined Senate Bill No. 822—An act to make an appropriation to pay the claim of Simon J. Lubin, against the State of California—and reports that the same has been correctly re-engrossed.

RILEY, Chairman.

ON UNIVERSITIES AND TEACHERS COLLEGES.

SENATE CHAMBER, SACRAMENTO, May 8, 1931.

MR. PRESIDENT: Your Committee on Universities and Teachers Colleges, to which was referred Assembly Bill No. 431—An act making an appropriation for the purchase of land for the Santa Barbara State Teachers College—has had the same under consideration, and respectfully reports the same back, and recommends that it do pass, and be re-referred to Committee on Finance.

Committee membership—9; committee vote: Ayes—5; absent—4.

DEUEL, Chairman.

Assembly Bill No. 431 ordered re-referred to Committee on Finance.

Also:

MR. PRESIDENT: Your Committee on Universities and Teachers Colleges, to which was referred Assembly Bill No. 985—An act providing for the establishment of a Summer School of Music—has had the same under consideration, and respectfully reports the same back, and recommends that it do pass.

Committee membership—9; committee vote: Ayes—5; absent—4.

DEUEL, Chairman.

Assembly Bill No. 985 ordered on file for second reading.

ON PUBLIC UTILITIES.

SENATE CHAMBER, SACRAMENTO, May 7, 1931.

MR. PRESIDENT: Your Committee on Public Utilities, to which was referred Assembly Bill No. 1572—An act to amend section 50½ of an act to provide for the organization of the Railroad Commission, to define its powers and duties and the rights, remedies, powers and duties of public utilities and their officers, and the rights and remedies of patrons of public utilities, and to provide penalties for offenses by public utilities, their officers, agents and employees and by other persons and corporations, creating the Railroad Commission Fund and appropriating the moneys therein to carry out the provisions of this act, and repealing title XV of part IV of division I of the Civil Code and all acts and parts of acts inconsistent with the provisions of this act, as amended—has had the same under consideration, and respectfully reports the same back with amendments, and recommends that it do pass as amended.

Committee membership—11.

(Signed out)

CARTER, Chairman.

CHRISTIAN.

DUVAL.

MIXTER.

NELSON.

RICH.

Assembly Bill No. 1572 ordered on file for second reading.

ON COUNTY GOVERNMENT.

SENATE CHAMBER, SACRAMENTO, May 8, 1931.

MR. PRESIDENT: Your Committee on County Government, to which was referred Senate Bill No. 284—An act to amend section 4249 of the Political Code, relating

to the salaries and compensation of officers in counties of the twentieth class—has had the same under consideration, and respectfully reports the same back, and recommends that it do pass.

Committee membership—9; committee vote: Ayes—6; absent—3.

WAGY, Chairman.

Senate Bill No. 284 ordered on file for second reading.

SECOND READING OF SENATE BILL NUMBER TWO HUNDRED EIGHTY-FOUR.

Senate Bill No. 284—An act to amend section 4249 of the Political Code, relating to the salaries and compensation of officers in counties of the twentieth class.

Bill read second time, ordered engrossed, and on file for third reading.

CONSIDERATION OF DAILY FILE.

SECOND READING OF ASSEMBLY BILLS.

Assembly Bill No. 375—An act to amend section 3629 of the Political Code, relating to the statement of property owned subject to taxation.

COMMITTEE AMENDMENTS.

During the second reading of the bill, the following committee amendments were offered:

AMENDMENT NUMBER ONE.

On page 1 of the printed bill, strike out lines 4 to 6, inclusive, and insert in lieu thereof the following:

"3629. The assessor must exact from each person a statement, under oath, setting".

Amendment adopted.

AMENDMENT NUMBER TWO.

On page 3 of the printed bill, strike out lines 1 to 13, inclusive, and insert in lieu thereof the following:

"8. Such statement shall be made in two separate parts, one part containing the information required or furnished under subdivision 5 hereof concerning notes, debentures, shares of capital stock, bonds, solvent credits, deeds of trust, mortgages, or any legal or equitable interest therein, the other part containing all other information required or furnished under the provisions of this section. All information required or furnished upon a statement required as provided by this section shall be held secret by the assessor and such statement shall not constitute a public document or be open to public inspection, but the appropriate officers of any municipal corporation, or irrigation district may, without making any of the details of such statement public or a part of any public record and for the sole and only purpose of preparing the assessment roll or rolls of such municipal corporation, irrigation district, public corporation or public quasi corporation, inspect that part of such a statement which does not contain information concerning notes, debentures, shares of capital stock, bonds, solvent credits, deeds of trust, mortgages or legal or equitable interests therein.

SEC. 2. The provisions of this act shall not go into effect until January 1, 1933."

Amendment adopted.

Bill read second time, ordered to print, and on file for third reading.

Assembly Bill No. 1089—An act to add to the Penal Code a new section numbered 437, prescribing penalties for nonpayment of certain taxes.

COMMITTEE AMENDMENT.

During the second reading of the bill, the following committee amendment was offered:

AMENDMENT NUMBER ONE.

On page 1, line 8, of the printed bill, after the word "than", strike out the words "two hundred fifty", and insert in lieu thereof the following: "one hundred".

Amendment adopted.

Bill read second time, ordered to print, and on file for third reading.

Assembly Bill No. 62—An act to amend section 3831 and to repeal 3790 of the Political Code, relating to the collection of taxes.

Bill read second time, and ordered on file for third reading.

Assembly Bill No. 492—An act to add a new section to the Political Code to be numbered 3881*a*, to authorize the county auditor to enter corrections on the county assessment book and the county tax collector to cancel payments made in error under certain conditions.

Bill read second time, and ordered on file for third reading.

Assembly Bill No. 774—An act to amend section 3805*a* of the Political Code, relating to cancellation of assessments.

Bill read second time, and ordered on file for third reading.

Assembly Bill No. 1886—An act to amend section 3673 of the Political Code, relating to the powers of a county board of equalization.

Bill read second time, and ordered on file for third reading.

Assembly Bill No. 31—An act to amend section 1861*a* of the Civil Code, relating to liens of keepers of furnished apartment houses and furnished bungalow courts.

COMMITTEE AMENDMENT.

During the second reading of the bill, the following committee amendment was offered:

AMENDMENT NUMBER ONE.

On page 1, line 17, of the printed bill, strike out "and a full day's notice in writing"; also strike out all of lines 18 to 20, inclusive, and in line 21, strike out "of the Code of Civil Procedure."

Amendment adopted.

Bill read second time, ordered to print, and on file for third reading.

Assembly Bill No. 955—An act to amend section 22 of "An act authorizing the establishment of municipal courts, prescribing their constitution, regulation, government, procedure and jurisdiction, and providing for the election and appointment of the judges, clerks and other attaches of such courts, their terms of office, qualification and compensation and for the selection of jurors therein," approved May 23, 1925, relating to municipal courts.

Bill read second time, and ordered on file for third reading.

Assembly Bill No. 613—An act to amend section 6 of chapter 485 of the Statutes of 1927, entitled "An act to define collection agencies; to provide for the regulation, bonding, supervision and licensing thereof; to provide for the enforcement of said act and penalties for the violation thereof," approved May 14, 1927, as amended, relating to collection agencies.

Bill read second time, and ordered on file for third reading.

Assembly Bill No. 1680—An act to amend section 146*a* of the Penal Code, relating to falsely representing a public officer.

Bill read second time, and ordered on file for third reading.

Assembly Bill No. 1167—An act to add a new section to the Political Code to be numbered 363*q*, relating to the Department of Public Works. Bill read second time, and ordered on file for third reading.

Assembly Bill No. 1191—An act to amend sections 1184 and 1184*d* of the Code of Civil Procedure, relating to mechanics' liens. Bill read second time, and ordered on file for third reading.

Assembly Bill No. 234—An act to amend section 3 of an act entitled "An act to allow unincorporated towns and villages to establish, equip and maintain systems of street lights on public highways; to provide for the formation, government, and operation of highway lighting districts; the calling and holding of elections in such districts; the assessment, collection, custody and disbursement of taxes therein; and the creation of ex officio boards of supervisors," approved March 20, 1909, Statutes 1909, page 551, relating to formation of such districts.

Bill read second time, and ordered on file for third reading.

Assembly Bill No. 652—An act to amend section 5 of an act of the Legislature of the State of California entitled "An act to provide for the formation of districts within municipalities for the acquisition or construction of public improvements, works and public utilities; for the issuance, sale and payment of bonds of such districts to meet the cost of such improvements; and for the acquisition or construction of such improvements," approved May 24, 1927, relating to the amount of bonds that may be issued by such districts.

Bill read second time, and ordered on file for third reading.

Assembly Bill No. 1900—An act to amend an act entitled "An act to provide for the incorporation and organization and management of county water districts, and to provide for the acquisition of water rights or construction thereby of water works and for the acquisition of all property necessary therefor, and also to provide for the distribution and sale of water by said districts," approved June 10, 1913, as amended, by amending section 26 thereof to provide that lands situated within any such county water district may nevertheless be included within the boundaries of an irrigation district.

Bill read second time, and ordered on file for third reading.

Assembly Bill No. 1911—An act authorizing and empowering any city and county, or county, or city operating under freeholders' charter or otherwise, or any town, or any municipal corporation in the State of California, to donate and grant to the United States of America any real property owned by it, or which it may hereafter acquire, within its corporate limits, for a site upon which the United States of America may erect post-office and/or federal office buildings or maintain grounds in connection therewith, and also authorizing the incurring of indebtedness for any of the purposes aforesaid, and validating any bonded indebtedness which may be incurred in furtherance of any such purpose.

Bill read second time, and ordered on file for third reading.

Assembly Bill No. 438—An act to provide for the funding and refunding of the indebtedness of, and for the issue and sale or exchange of funding bonds and the retirement of outstanding bonds of districts organized under and in pursuance of the Acquisition and Improvement

Act of 1925, and to provide for payment of such bonds and for proceedings to test the validity of the same, and for such funding or refunding to levy assessments and reassessments and enforce the liens thereof.

Bill read second time, and ordered on file for third reading.

Assembly Bill No. 218—An act to limit the amount of special assessments for public improvements and acquisitions of property for public purposes; to provide for a preliminary investigation, report and hearing upon proposed public improvements and acquisitions of property for public purposes where the cost of such improvements or acquisitions is to be paid in whole or part by special assessments; to provide a basis for valuation of property for the purpose of establishing a special assessment limitation, and to authorize the payment of a part of the cost of such public improvements and acquisitions of property from any available public fund where a part of such cost is paid by special assessment on benefited property, and to provide that a majority protest shall be a bar to any proceeding.

COMMITTEE AMENDMENT.

During the second reading of the bill, the following committee amendment was offered:

AMENDMENT NUMBER ONE.

On page 12, line 32, of the printed bill, after the word "Sec.", strike out "14a", and insert in lieu thereof "13a".

Amendment adopted.

Bill read second time, ordered to print, and on file for third reading.

Assembly Bill No. 228—An act to amend sections 3, 5, 6, 7, 10, 17, 21, 23, 24, 25, 26, 60 and 61 of an act entitled "An act to provide for work in and upon streets, avenues, lanes, alleys, courts, places and sidewalks within municipalities, and upon property and rights of way owned by municipalities or of which a municipality has possession and the right of use under the provisions of section 14 of article I of the constitution, and for establishing and changing the grades of any such streets, avenues, lanes, alleys, courts, places, sidewalks, properties or rights of way, and providing for the issuance and payment of street improvement bonds to represent certain assessments for the cost thereof, and providing a method for the payment of such bonds," approved April 7, 1911, Statutes 1911, page 730, as amended, and to add sections 1a, 20k, 30a and 65a, relating to the doing of work upon streets, avenues, lanes, alleys, courts, places and sidewalks, and the disposal of certain of said works and the method of providing for the payment for such works.

COMMITTEE AMENDMENTS.

During the second reading of the bill, the following committee amendments were offered:

AMENDMENT NUMBER ONE.

In line 1 of the title of the printed bill, as amended April 16, 1931, following the word "amend", insert the words "the title and".

Amendment adopted.

AMENDMENT NUMBER TWO.

In line 1 of the title of the printed bill, as amended, strike out "10." and "23."

Amendment adopted.

AMENDMENT NUMBER THREE.

In line 15 of the title of the printed bill, as amended, strike out "20k, 30a".

Amendment adopted.

AMENDMENT NUMBER FOUR.

In lines 19 and 20 of the title of the printed bill, as amended, strike out the words "and the disposal of certain of said works".

Amendment adopted.

AMENDMENT NUMBER FIVE.

On page 2, lines 16, 17, 18 and 19, of the printed bill, as amended, strike out the following: "and for laying and installing water pipes and gas pipes together with appurtenances and for the transfer of such improvements to private owners and for disposition of funds derived from such transfer."

Amendment adopted.

AMENDMENT NUMBER SIX.

On page 4, line 1, of the printed bill, as amended, beginning with the portion of the word "Sec.", strike out all of the printed matter down to and including the period on page 5, line 28.

Amendment adopted.

AMENDMENT NUMBER SEVEN.

On page 5, line 29, of the printed bill, as amended, strike out the numeral "4", and insert in lieu thereof the numeral "3".

Amendment adopted.

AMENDMENT NUMBER EIGHT.

On page 6, line 1, of the printed bill, as amended, beginning with the word "a" strike out all the matter down to and including the comma on page 6, line 4.

Amendment adopted.

AMENDMENT NUMBER NINE.

On page 6, line 29, of the printed bill, as amended, strike out the numeral "5", and insert in lieu thereof the numeral "4".

Amendment adopted.

AMENDMENT NUMBER NINE a.

On page 6, line 25, of the printed bill, as amended, after the word "hearing", insert the following: "If the doing of the work shall require a change of grade of any railroad track or tracks, the legislative body shall direct the clerk to mail to the owner or reputed owner and/or operator or reputed operator thereof, at its last known address as the same appears on the tax rolls of the city or county, the legislative body of which is conducting the proceeding, or when no address so appears then to such owner and/or operator in care of general delivery in such city or county and to the California railroad commission, printed copies of the resolution of intention within five days after the first publication thereof. Failure to mail said copies or failure of any such owner and/or operator to receive the same or any erroneous address thereon shall not affect the jurisdiction of the legislative body, but in such event the failure of the owner and/or operator of such tracks to make objection to the proposed grades shall not be deemed to be a waiver of all objections to the proposed grades or proposed change or modification of grade, nor operate as a bar to any claim for damages, if recoverable damages there be."

Amendment adopted.

AMENDMENT NUMBER TEN.

On page 6, line 40, of the printed bill, as amended, beginning with the word "in", strike out all the matter down to and including the period on page 7, line 1.

Amendment adopted.

AMENDMENT NUMBER ELEVEN.

On page 7, line 44, of the printed bill, as amended, strike out the numeral "6", and insert in lieu thereof the numeral "5".

Amendment adopted.

AMENDMENT NUMBER TWELVE.

On page 8, line 5, of the printed bill, as amended, beginning with the portion of the word "Sec.", strike out all of the printed matter down to and including the period on page 11, line 26.

Amendment adopted.

AMENDMENT NUMBER THIRTEEN.

On page 11, line 27, of the printed bill, as amended, strike out the numeral "10" and insert in lieu thereof the numeral "6".

Amendment adopted.

AMENDMENT NUMBER FOURTEEN.

On page 11, line 46, of the printed bill, as amended, strike out the numeral "11", and insert in lieu thereof the numeral "7".

Amendment adopted.

AMENDMENT NUMBER FIFTEEN.

On page 14, line 7, of the printed bill, as amended, strike out the numeral "12", and insert in lieu thereof the numeral "8".

Amendment adopted.

AMENDMENT NUMBER SIXTEEN.

On page 14, line 25, of the printed bill, as amended, strike out the numeral "13", and insert in lieu thereof the numeral "9".

Amendment adopted.

AMENDMENT NUMBER SEVENTEEN.

On page 15, line 25, of the printed bill, as amended, strike out the word "of", and insert in lieu thereof the word "or".

Amendment adopted.

AMENDMENT NUMBER EIGHTEEN.

On page 15, line 44, of the printed bill, as amended, following the word "of", the second time said word occurs in said line, insert the following: "said assessment until judgment has been rendered in said action or the same has been dismissed and the street superintendent shall omit from the list of properties provided to be sent to the tax".

Amendment adopted.

AMENDMENT NUMBER NINETEEN.

On page 16, line 6, of the printed bill, as amended, strike out the word "of", the second time said word occurs in said line, and insert in lieu thereof the word "or".

Amendment adopted.

AMENDMENT NUMBER TWENTY.

On page 16, line 38, of the printed bill, as amended, strike out the numeral "14", and insert in lieu thereof the numeral "10".

Amendment adopted.

AMENDMENT NUMBER TWENTY-ONE.

On page 17, line 8, of the printed bill, as amended, strike out the numeral "15", and insert in lieu thereof the numeral "11".

Amendment adopted.

AMENDMENT NUMBER TWENTY-TWO.

On page 18, line 17, of the printed bill, as amended, strike out the numeral "16", and insert in lieu thereof the numeral "12".

Amendment adopted.

AMENDMENT NUMBER TWENTY-THREE.

On page 18 of the printed bill, strike out lines 24 and 25, and insert in lieu thereof the following:

"SEC. 13. A new section is hereby added to said act to be known and designated as section 65a and to read as follows:"

Amendment adopted.

AMENDMENT NUMBER TWENTY-FOUR.

On page 18, line 50, of the printed bill, as amended, strike out the word "shall", and insert in lieu thereof the word "may".

Amendment adopted.

AMENDMENT NUMBER TWENTY-FIVE.

On page 19, line 3, of the printed bill, as amended, following the word "land", insert the words "and the holder of the original bond".

Amendment adopted.

AMENDMENT NUMBER TWENTY-SIX.

On page 19, line 24, of the printed bill, as amended, after the word "bond", insert the words "at or prior to the time of filing the application last hereinabove mentioned".

Amendment adopted.

Bill read second time, ordered to print, and on file for third reading.

Assembly Bill No. 653—An act to amend section 5 of an act of the Legislature of the State of California entitled "An act to provide for the formation of districts within municipalities for the acquisition or construction of public improvements, works and public utilities; for the issuance, sale and payment of bonds of such districts to meet the cost of such improvements, and for the acquisition or construction of such improvements," approved April 20, 1915, as amended, relating to the amount of bonds that may be issued by such districts.

COMMITTEE AMENDMENTS.

During the second reading of the bill, the following committee amendments were offered:

AMENDMENT NUMBER ONE.

In line 9 of the title of the printed bill, after "districts", strike out the period, and insert in lieu thereof the following: ", and the disposition of a surplus if one remains after the completion of the municipal improvement for which bonds were voted."

Amendment adopted.

AMENDMENT NUMBER TWO.

On page 2 of the printed bill, after line 16, insert the following:

"SEC. 2. Section 11½ of said act is hereby amended to read as follows:

Sec. 11½. Whenever the legislative body of any municipality in which a municipal improvement district has been formed hereunder, shall by resolution declare that it is no longer necessary to expend the money raised by the sale of bonds of such municipal improvement district for the purpose for which said bonds were voted, by reason of the fact that such purpose has been accomplished by other means, or if a surplus remains in said bond fund after the completion of such municipal improvement for which said bonds were voted, the legislative body of said municipality shall by resolution order that said money be placed into a sinking fund for the purpose of paying the principal and interest of said bonds."

Amendment adopted.

Bill read second time, ordered to print, and on file for third reading.

Assembly Bill No. 1474—An act to add a new section to an act entitled "An act to provide for the acquisition of, including the laying out, opening, extending, widening, straightening, and acquiring in any manner, in whole or in part, and for the improvement of and work upon

public highways, roads, streets, avenues, boulevards, lanes, alleys, courts, places, parks, pleasure grounds, commons, and all public ways and other property and rights of way of the public, including any property over which possession and right of use have been obtained under the provisions of section 14 of article I of the constitution of the State of California, in whole or in part, whether lying entirely within unincorporated territory of a county or the territory of a municipality, or lying within such unincorporated territory and one or more municipalities, or lying within two or more municipalities, or forming the exterior boundary of any municipality where the same joins unincorporated territory of a county or the territory of another municipality, whether partly or wholly within or without said boundary, and the establishment and change of grade thereof; and providing for the payment of the costs and expenses of such acquisitions and such work and improvements, and the issuance and effect of bonds therefor and the payment of such bonds by special assessment taxes raised in assessment districts established for that purpose, and the enforcement of such bonds and taxes; and providing for aid from counties and municipalities in such acquisitions, work and improvements; and providing for the establishment and administration of revolving funds to assist in the carrying out of such acquisitions, work and improvements," approved May 23, 1925, to be numbered 41a, relating to the payment of assessments with bonds or interest coupons.

COMMITTEE AMENDMENT.

During the second reading of the bill, the following committee amendment was offered:

AMENDMENT NUMBER ONE.

On page 3, line 13, of the printed bill, strike out the period, and insert in lieu thereof the words "or with any bonds or coupons of such district for the payment of which any special assessment tax may have been levied."

Amendment adopted.

Bill read second time, ordered to print, and on file for third reading.

Assembly Constitutional Amendment No. 31—A resolution to propose to the people of the State of California, an amendment to section 8. of article XI of the constitution of the State of California, relating to the drafting of a charter by the Board of Freeholders.

COMMITTEE AMENDMENT.

During the second reading of the amendment, the following amendment was offered:

AMENDMENT NUMBER ONE.

On page 2, line 26, after the word "and", insert the words "in any city or city and county with over 50,000 population".

Amendment adopted.

Assembly Constitutional Amendment No. 31 read, ordered to print, and on file.

Assembly Bill No. 1904—An act to provide for a preliminary investigation, report and hearing upon proposed public improvements and acquisitions of property for public purposes where the cost of such improvements or acquisitions is to be paid in whole or part by special assessments, and to provide for the abandonment and barring

of said proposed public improvements or acquisitions upon a majority protest.

Bill read second time, and ordered on file for third reading.

Assembly Bill No. 222—An act to amend sections 2, 4, 5, 8, 9, 10, 40, 41 and adding section 50a of an act entitled Acquisition and Improvement Act of 1925, approved May 23, 1925, Statutes 1925, page 849, as amended, relating to acquisition and improvement of property, limiting the amount of special assessments that may be imposed, providing that the bar of a majority protest can not be overruled, relating to the form of protests, relating to the manner of collection of special assessment taxes and providing for the acceptance of matured unpaid bonds and interest coupons in payment for property sold by the State for delinquency in the payment of special assessment taxes of the district for which such bond was issued.

COMMITTEE AMENDMENTS.

During the second reading of the bill, the following committee amendments were offered :

AMENDMENT NUMBER ONE.

In line 1 of the title of the printed amended bill, strike out the comma between the figures 40 and 41, and in lieu thereof insert the word "and".

Amendment adopted.

AMENDMENT NUMBER TWO.

In lines 1 and 2 of the title of the printed amended bill, strike out the words "and adding section 50a".

Amendment adopted.

AMENDMENT NUMBER THREE.

In line 14 of the title of the printed amended bill, strike out the words "by the state".

Amendment adopted.

AMENDMENT NUMBER FOUR.

On page 4, line 47, of the printed amended bill, following the word "zone," insert the following: "and a statement of the total assessed value of the lands within said district and in each zone therein".

Amendment adopted.

AMENDMENT NUMBER FIVE.

On page 5, line 6, of the printed amended bill, following the word "percentages", insert the following: "and assessed value of the lands in said district and each zone therein".

Amendment adopted.

AMENDMENT NUMBER SIX.

On page 5, line 48, of the printed amended bill, strike out the word "and", and insert in lieu thereof a comma.

Amendment adopted.

AMENDMENT NUMBER SEVEN.

On page 5, line 48, of the printed amended bill, after the word "limitation", insert the words "and majority protest".

Amendment adopted.

AMENDMENT NUMBER EIGHT.

On page 7, line 34, of the printed amended bill, after the word "grades.", insert the following: "If the doing of the work shall require a change of grade of any

railroad track or tracks, the legislative body shall direct the clerk to mail to the owner or reputed owner and/or operator or reputed operator thereof, at its last known address as the same appears on the tax rolls of the city or county, the legislative body of which is conducting the proceeding, or when no address so appears then to such owner and/or operator in case of general delivery in such city or county and to the California railroad commission, printed copies of the resolution of intention within five days after the first publication thereof. Failure to mail said copies or failure of any such owner and/or operator to receive the same or any erroneous address thereon shall not affect the jurisdiction of the legislative body, but in such event the failure of the owner and/or operator of such tracks to make objection to the proposed grades shall not be deemed to be a waiver of all objections to the proposed grades or proposed change or modification of grade, nor operate as a bar to any claim for damages, if recoverable damages there be."

Amendment adopted.

AMENDMENT NUMBER NINE.

On page 11, line 25, of the printed amended bill, beginning with the word "a", strike out all the matter down to and including the word "and", after the word "improved", on page 11, line 27.

Amendment adopted.

AMENDMENT NUMBER TEN.

On page 11, line 38, of the printed amended bill, after the period, insert a new paragraph to read as follows:

"If deemed advisable and the legislative body so orders, said notices may consist of printed copies of the resolution of intention entitled as above provided, and the same shall be sufficient for all purposes of said notice, but shall include a statement of the estimated cost of the proposed acquisition or improvement or both."

Amendment adopted.

AMENDMENT NUMBER ELEVEN.

On page 11, line 44, of the printed amended bill, before the comma insert "(if any of said property is located within unincorporated territory then the clerk shall refer to the county assessment roll, otherwise he shall refer to the assessment roll of the city in which the property is located.)"

Amendment adopted.

AMENDMENT NUMBER TWELVE.

On page 19, line 7, of the printed amended bill, before the word "It", insert "(4)".

Amendment adopted.

AMENDMENT NUMBER THIRTEEN.

On page 22, line 4, of the printed amended bill, beginning with the portion of the word "Sec.", strike out all of the printed matter down to and including the period on page 24, line 11.

Amendment adopted.

Bill read second time, ordered to print, and on file for third reading.

Assembly Bill No. 1475—An act to provide for the funding and refunding of the indebtedness of districts organized under and in pursuance of the Road District Improvement Act of 1907 and to provide for the levy of assessments and reassessments for such refunding, and to enforce the liens of said assessments and reassessments, and for the issue and sale or exchange of refunding bonds and the retirement of the unpaid bonds of said districts, and to provide for the payment of bonds and for proceedings to test the validity of such refunding and reassessment.

COMMITTEE AMENDMENTS.

During the second reading of the bill, the following committee amendments were offered:

AMENDMENT NUMBER ONE.

On page 2, line 19, of the printed amended bill, strike out the period and add the words "which have not been repaid."

Amendment adopted.

AMENDMENT NUMBER TWO.

On page 3, line 39, of the printed amended bill, after the period, insert the words "When fifty per cent or more of the special assessment tax levied in any year for the payment of the interest or the principal and interest of unpaid bonds of any district formed under the provisions of said road district improvement act of 1907 is delinquent and has been delinquent for at least ninety days, if said legislative body determines that the public interest, convenience and necessity require the refunding of the unpaid bonds and unpaid loans of such district, it shall proceed therewith as provided in this act; *provided*, all owners of the unpaid bonds of said district file the agreement in writing provided in this section and if in such case of fifty per cent or more unpaid special assessment tax the owners of a majority in area of the lands upon which such special assessment tax was levied petition for such refunding and all owners of unpaid bonds of such district file their said agreement assenting thereto, such legislative body shall proceed with such refunding and reassessment under the provisions of this act. If seventy-five per cent or more of said special assessment tax levied in any year upon the lands in any such district is delinquent and has been delinquent for at least ninety days, said legislative body shall proceed to refund the unpaid bonds and unpaid loans of such district under the provisions of this act and to levy the reassessment therefor; *provided*, all owners of unpaid bonds of such district file the agreement in writing provided in this section."

Amendment adopted.

AMENDMENT NUMBER THREE.

On page 4, line 27, of the printed amended bill, strike out the word "to", and insert in lieu thereof the word "at"; on the same page, line 34, after the second word "value", insert the words "shall be subject to objection or protest and to change or modification at the hearing herein provided and as made or as changed at such hearing"; on the same page, line 39, strike out the word "herein", and insert in lieu thereof the words "in this act".

Amendment adopted.

AMENDMENT NUMBER FOUR.

On page 5, line 13, of the printed amended bill, following the word "value", insert the words "shall be subject to objection or protest and to modification or change at the hearing herein provided and as made or as changed at such hearing"; on the same page, line 36, strike out the word "chargeable", and insert in lieu thereof the words "to be levied".

Amendment adopted.

AMENDMENT NUMBER FIVE.

On page 6, line 30, of the printed amended bill, strike out the second word "of", and insert in lieu thereof "the said board of supervisors will hold the".

Amendment adopted.

AMENDMENT NUMBER SIX.

On page 7 of the printed amended bill, strike out all of line 3 after the period. Strike out all of line 4, and in line 5 strike out the words "copies thereof", and insert in lieu thereof the words "Copies of such notice shall also be posted"; on the same page, line 10, strike out the word "or", and insert in lieu thereof the word "and"; on the same page, line 12, strike out the word "affidavit", and insert in lieu thereof the word "affidavits", and on the same line, strike out the word "or", and insert in lieu thereof the word "and".

Amendment adopted.

AMENDMENT NUMBER SEVEN.

On page 8, line 11, of the printed amended bill, strike out the words "it shall deem", and insert in lieu thereof the words "may be".

Amendment adopted.

AMENDMENT NUMBER EIGHT.

On page 9, line 5, of the printed amended bill, following the word "reassessment", insert the words "or in the reassessment and refunding"; on the same page, line 12, strike out the words "the bonds issued in the original proceedings,"; strike out all of line 13, and in line 14, strike out the words "to be the date contained in such bonds", and insert in lieu thereof the words "such recordation,"; on the same page, line 17, strike out the words "the bonds issued in the", and insert in lieu thereof the words "such recordation"; on the same page, line 18, strike out the words "original proceedings"; on the same page, line 20, strike out the words "the bonds refunded", and insert in lieu thereof the words "such recordation"; on the same page, line 27, strike out the word "parties", and insert in lieu thereof the word "persons"; on the same page, following line 33, insert the words: "The county surveyor shall give notice by publication for ten days in a daily newspaper of general circulation printed and published in the county in which the lands reassessed lie or by three successive insertions in a weekly newspaper of general circulation printed in such county that said reassessment has been recorded in his office and that all sums assessed therein became due and payable upon the recordation of said reassessment, stating the date of such recordation and that the payment of the said sums is to be made to him within thirty days after the date of such recordation. Said notice shall also contain a statement that for any reassessment not paid before the expiration of said thirty days a bond will issue in the manner and form provided in this act and shall state the period over which said bond or bonds shall extend and the rate of interest which shall be payable thereon. Such notice shall also be given by mailing a post card to the owner of each lot, piece or parcel of land reassessed according to the name and address appearing on the last equalized assessment roll for county taxes prior thereto or as known to the county surveyor; *provided*, that the failure of the surveyor to give such notice by mailing or of the person addressed to receive the same shall not affect the validity of the proceedings or the validity of the lien of any reassessment or of any bond issued thereon,"; on the same page, line 51, strike out the word "pay", and insert in lieu thereof the word "advance".

Amendment adopted.

AMENDMENT NUMBER NINE.

On page 10 of the printed amended bill, strike out all of line 1, and strike out the following language in line 2: "charter, by the county counsel, if any, or," also in line 2, strike out the word "other"; on the same page, line 23, strike out the period, and insert in lieu thereof the words "except assessments upon public property,"; on the same page, lines 26 and 27, strike out the words "filing of said list", and insert in lieu thereof the words "recordation of such reassessment"; on the same page, line 30, strike out the word "reassessment", and insert in lieu thereof the words "reassessments"; on the same page, line 32, strike out the words "filing of such list of unpaid", and insert in lieu thereof the words "recordation of such"; on the same page, line 44, after the word "series", insert a comma; on the same page, line 51, strike out the word "succeeding".

Amendment adopted.

AMENDMENT NUMBER TEN.

On page 12, line 3, of the printed amended bill, after the word "block", insert a comma, and after the word "both", insert a comma, and in line 4, after the word "block", insert a comma, and after the word "both", insert a comma; on the same page, line 6, strike out the word "there", and insert in lieu thereof the word "it"; on the same page, line 33, strike out the word "Said", and insert in lieu thereof the word "Its"; on the same page, line 36, strike out the word "thereto", and insert in lieu thereof the word "thereto"; on the same page, line 39, following the word "reassessment", insert the words "with its diagram".

Amendment adopted.

AMENDMENT NUMBER ELEVEN.

On page 13, line 36, of the printed amended bill, strike out the word "of", and insert in lieu thereof the word "and".

Amendment adopted.

AMENDMENT NUMBER TWELVE.

On page 14, line 27, of the printed amended bill, following the word "and", insert the words "until paid", and on the said page, line 29, strike out the word "with", and insert in lieu thereof the words "shall have"; on the same page, line 39, following the word "may", insert a comma, and in line 40, following the word "foreclosure", insert a comma; on the same page, line 46, following the word "bond",

insert a comma, and in line 51, following the word "reassessment", insert the words "the reassessment".

Amendment adopted.

AMENDMENT NUMBER THIRTEEN.

On page 15, line 23, of the printed amended bill, following the word "any", insert the word "refunding"; on the same page, line 25, following the word "may", insert a comma.

Amendment adopted.

AMENDMENT NUMBER FOURTEEN.

On page 16, line 3, of the printed amended bill, strike out the word "payment", and insert in lieu thereof the word "payments"; on the same page, line 23, strike out the word "hereinbefore".

Amendment adopted.

AMENDMENT NUMBER FIFTEEN.

On page 17 of the printed amended bill, following line 13, insert the words "In the matter of Road District Improvement No. ---- of the county of -----"; on the same page, line 16, after the word "of", insert the word "refunding"; on the same page, line 41, following the blank, insert the word "dollars"; on the same page, line 42, following the blank, insert the word "dollars"; on the same page, line 46, following the blank, insert the word "dollars".

Amendment adopted.

AMENDMENT NUMBER SIXTEEN.

On page 20, line 48, of the printed amended bill, strike out the period, and insert in lieu thereof the words "; and special assessment bonds having priority thereover under the provisions of this act."; on the same page, line 50, following the words "in any", insert the words "of the bonds to be refunded or in any".

Amendment adopted.

AMENDMENT NUMBER SEVENTEEN.

On page 21, line 8, of the printed amended bill, following the period, insert the words "Said summons shall contain a general description of the boundaries of the district of the lands upon which said reassessment is levied."; on the same page, line 15, strike out the word "may", and insert in lieu thereof the word "shall"; on the same page, line 47, strike out the words "acquisition and improvement act of 1925," and insert in lieu thereof the words "road district improvement act of 1907"; on the same page, following line 48, insert the words ", collection and enforcement"; on the same page, following line 50, add the words "Until all unpaid bonds issued under the provisions of the road district improvement act of 1907 for any district organized under said act have been fully paid or have been legally refunded under the provisions of this act it shall be and remain the duty of the legislative body empowered and directed to levy the special assessment taxes for the payment of such bonds to proceed under the provisions of said road district improvement act of 1907 as amended to levy the said taxes provided in said road district improvement act of 1907 in accordance with the provisions of said act and said special assessment taxes shall be levied, collected and enforced as provided in said act."

Amendment adopted.

Bill read second time, ordered to print, and on file for third reading.

Assembly Bill No. 1568—An act to amend section 26 of the Workmen's Compensation, Insurance and Safety Act of 1917, approved May 23, 1917, as amended.

COMMITTEE AMENDMENTS.

During the second reading of the bill, the following committee amendments were offered:

AMENDMENT NUMBER ONE.

On page 1, line 7, of the printed bill, strike out the period after "person", and insert in lieu thereof the following: "and the terms "compensation," "injury," "per-

son," and "insurance" shall be defined as set forth in this act. The term "employer", as herein used shall include "insurance carrier" as defined in this act."

Amendment adopted.

AMENDMENT NUMBER TWO.

On page 1, line 10, of the printed bill, insert after "his", the words "claim or".

Amendment adopted.

AMENDMENT NUMBER THREE.

On page 1, line 10, of the printed bill, strike out "damages arising out of", and insert in lieu thereof the following: "all damages proximately resulting from such".

Amendment adopted.

AMENDMENT NUMBER FOUR.

On page 1, line 13, of the printed bill, after "likewise", insert the following: "make a claim or".

Amendment adopted.

AMENDMENT NUMBER FIVE.

On page 1, line 14, of the printed bill, strike out "to recover said damages", and insert in lieu thereof the following: ", and in the latter event the said employer may also recover in the same suit said damages of said employee in addition to the amount of compensation he has paid and/or become obligated to pay".

Amendment adopted.

AMENDMENT NUMBER SIX.

On page 1, line 15, of the printed bill, strike out "such", as it appears for the first time in said line, and insert in lieu thereof the word "and".

Amendment adopted.

AMENDMENT NUMBER SEVEN.

On page 1, line 23, of the printed bill, strike out "expenditure", and insert in lieu thereof the word "amount".

Amendment adopted.

AMENDMENT NUMBER EIGHT.

On page 1, line 23, of the printed bill, strike out "or", and insert in lieu thereof the word "and".

Amendment adopted.

AMENDMENT NUMBER NINE.

On page 2, line 1, after "expenditures", insert the words "or liability".

Amendment adopted.

AMENDMENT NUMBER TEN.

On page 2, line 1, of the printed bill, strike out "deemed a part of the damages," and strike out all of lines 2 to 4, inclusive, and in line 5 strike out "tion he", and insert in lieu thereof the following: "considered as proximately resulting from such injury or death, in addition to any other items of damage proximately resulting from such injury or death, and after recouping himself for such special damages, together with a reasonable attorney's fee to be fixed by the court, said employer".

Amendment adopted.

AMENDMENT NUMBER ELEVEN.

On page 2, line 7, of the printed bill, after the comma after "suit", insert the words "either the".

Amendment adopted.

AMENDMENT NUMBER TWELVE.

On page 2, line 8, of the printed bill, after "paid", insert the following: "or to be paid".

Amendment adopted.

AMENDMENT NUMBER THIRTEEN.

On page 2, line 8, of the printed bill, after "employer", insert the following: "or the evidence of loss of earning capacity by the employee".

Amendment adopted.

AMENDMENT NUMBER FOURTEEN.

On page 2, line 8, of the printed bill, strike out "shall not be admissible", and insert in lieu thereof the following: "shall be admissible, but not both,".

Amendment adopted.

AMENDMENT NUMBER FIFTEEN.

On page 2, line 9, of the printed bill, strike out "expenditures on account of said", and insert in lieu thereof the following: "items of damage to either said employer and employee proximately resulting from such".

Amendment adopted.

AMENDMENT NUMBER SIXTEEN.

On page 2, line 11, of the printed bill, after "apply", insert the following: "out of the entire amount of".

Amendment adopted.

AMENDMENT NUMBER SEVENTEEN.

On page 2, line 12, of the printed bill, after "employee", insert the following: "a sufficient amount".

Amendment adopted.

AMENDMENT NUMBER EIGHTEEN.

On page 2, line 13, of the printed bill, strike out "and if", and insert in lieu thereof a period and the word "If".

Amendment adopted.

AMENDMENT NUMBER NINETEEN.

On page 2, line 17, of the printed bill, after "against", insert the following: "the entire amount of".

Amendment adopted.

AMENDMENT NUMBER TWENTY.

On page 2, line 19, of the printed bill, strike out the period after "pensation", and insert a comma and the following: "and the court shall, upon further application at any time before said judgment is satisfied, allow as a further lien the amount of any expenditures of said employer for compensation subsequent to the original order. After payment of the employer's lien, said employer shall be relieved from the obligation to pay further compensation to or on behalf of said employee under this act up to the entire amount of the balance of said judgment, if satisfied, without any deduction; *provided, however,* that no satisfaction of such judgment in whole or in part, shall be valid without providing said employer with notice and a reasonable opportunity to perfect and satisfy his lien as herein provided. No release or settlement of any claim for damages under this section shall be valid without the written consent of both employer and employee; but the consent of both the employer and employee filed in court in writing, together with the approval of the court, shall be sufficient in any action or proceeding where such approval is required by law; *provided, further,* that no release or settlement under this section after suit and before judgment shall be valid and binding without notice to both employer and employee with opportunity to said employer to recover the amount of compensation he has paid and/or become obligated to pay, the entire amount of such settlement, or of any settlement without suit, to be subject to the employer's full claim for reimbursement for his compensation expenditures or liability."

Amendment adopted.

AMENDMENT NUMBER TWENTY-ONE.

On page 2, line 19, of the printed bill, after "commission", insert the following: "is empowered to and".

Amendment adopted.

AMENDMENT NUMBER TWENTY-TWO.

On page 2, line 20, of the printed bill, after "against", strike out "any", and insert in lieu thereof "his".

Amendment adopted.

AMENDMENT NUMBER TWENTY-THREE.

On page 2, line 22, of the printed bill, strike out the period after "judgment", and insert a comma and the following: "that has not theretofore been applied to reimburse the employer."

Amendment adopted.

AMENDMENT NUMBER TWENTY-FOUR.

On page 2, line 22, of the printed bill, strike out "When any injury or death shall", and also strike out all of lines 23 to 30, inclusive.

Amendment adopted.

Bill read second time, ordered to print, and on file for third reading.

Assembly Bill No. 1752—An act to amend sections 1, 2, 3, 4, 5 and 6 of an act entitled "An act to create the office of State Fire Marshal, to provide for his powers and duties, and to repeal all acts or parts of acts inconsistent herewith," approved May 23, 1923, as amended, relating to the office of State Fire Marshal and to the State Fire Marshal's Fund.

COMMITTEE AMENDMENT.

During the second reading of the bill, the following committee amendment was offered:

AMENDMENT NUMBER ONE.

On page 2, line 14, of the printed bill, insert after the syllable "ment", the following: "or outside the limits of a county fire protection district in counties where there is no regularly appointed county fire warden".

Amendment adopted.

Bill read second time, ordered to print, and on file for third reading.

Assembly Bill No. 822—An act to amend section 737a of the Political Code, relating to the salaries of the judges of the superior court of the county of Alameda.

COMMITTEE AMENDMENTS.

During the second reading of the bill, the following committee amendments were offered:

AMENDMENT NUMBER ONE.

On page 1 of the printed bill, strike out lines 6 and 7.

Amendment adopted.

AMENDMENT NUMBER TWO.

On page 1, line 4, of the printed bill, as amended April 27, 1931, strike out the word "twelve", and insert in lieu thereof the word "ten".

Amendment adopted.

Bill read second time, ordered to print, and on file for third reading.

Assembly Bill No. 69—An act to amend section 737ll of the Political Code, relating to salaries of judges of the superior court in and for the City and County of San Francisco.

COMMITTEE AMENDMENT.

During the second reading of the bill, the following committee amendment was offered:

AMENDMENT NUMBER ONE

On page 1, line 5, of the printed bill, strike out "twelve", and insert in lieu thereof "ten".

Amendment adopted.

Bill read second time, ordered to print, and on file for third reading.

Assembly Bill No. 219—An act to amend section 737s of the Political Code, relating to the salaries of the judges of the superior court of the county of Los Angeles.

COMMITTEE AMENDMENT.

During the second reading of the bill, the following committee amendment was offered:

AMENDMENT NUMBER ONE

On page 1, line 5, of the printed bill, strike out the word "twelve", and insert in lieu thereof the word "ten".

Amendment adopted.

Bill read second time, ordered to print, and on file for third reading.

Assembly Bill No. 546—An act to repeal chapter 18, Statutes of 1929, entitled "An act making appropriation to meet the deficiency in the appropriation for contingent expenses of the Assembly for the seventy-ninth and eightieth fiscal years," approved March 7, 1929.

Bill read second time, and ordered on file for third reading.

CONSIDERATION OF DAILY FILE.

THIRD READING OF SENATE BILLS.

Senate Bill No. 390—An act to amend section 1203 of the Penal Code, relating to probation of persons arrested for crime, after plea or verdict of guilty and the suspending of the imposition or execution of sentence during the term of probation or the imposition of jail sentence or fine or both or other conditions to fit the crime in connection with probation, and the disposition of such accusation after full compliance with the terms of probation and providing for the creation of offices of adult probation officer, assistant adult probation officer and deputy adult probation officer and fixing their compensation and duties and providing for adult probation boards in said counties and cities and counties.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Senate Bill No. 390 passed by the following vote:

AYES—Senators Allen, Baker, Breed, Carter, Cassidy, Christian, Cline, Crittenden, David, David Edwards, Fellows, Hays, James, Jones, Mooney, McCormack, Miller, Moran, Nelson, Pedretti, Rich, Riley, Rochester, Schottky, Slater, Swing, Tamm, and Wager—26.

NOES—Senator Treacy—1.

Title read and approved.

Bill ordered transmitted to the Assembly.

Senate Constitutional Amendment No. 31—A resolution to propose to the people of the State of California an amendment of the constitu-

tion of said State by amending section 6 of article IX thereof, relating to the support of the school system.

On motion of Senator Nelson, Senate Constitutional Amendment No. 31 was ordered re-referred to Committee on Revenue and Taxation.

Senate Bill No. 534—An act to declare provisions in contracts of employment whereby either party undertakes not to join, become or remain a member of a labor union or of any organization of employers or undertakes in such event to withdraw from the contract of employment, to be against public policy and void.

Bill read third time.

The question being on the passage of the bill.

The roll was called.

CALL OF THE SENATE.

Pending the announcement of the vote, Senator Inman moved a call of the Senate.

Motion carried.

The Secretary was directed to call the roll.

The roll was called, and the following answered to their names:

Senators Allen, Baker, Breed, Bush, Carter, Cassidy, Christian, Clock, Crittenden, Deuel, Duval, Edwards, Evans, Fellom, Harper, Hays, Ingels, Inman, Jones, Maloney, McKinley, Mixer, Moran, Nelson, Pedrotti, Rich, Riley, Rochester, Schottky, Sharkey, Slater, Swing, Treacy, Tubbs, Waggy, and Williams—36.

The Secretary announced the absentees.

Time, eleven o'clock and thirty-five minutes a.m.

The President directed the Sergeant-at-Arms to close the doors.

The Sergeant-at-Arms, having been furnished with the names of the absentees, was directed to bring them to the bar of the Senate.

PROCEEDINGS UNDER CALL OF THE SENATE.

REQUEST FOR PERMISSION TO INTRODUCE A BILL.

The following request for permission to introduce a bill was presented. By Senator Swing:

SENATE CHAMBER, SACRAMENTO, May 8, 1931.

MR. PRESIDENT: In accordance with the provisions of section 2, article IV of the constitution, I request permission to introduce a bill, the title of which is set forth below:

An act to provide for the organization, government, powers and functions of flood control and flood water conservation districts.

Request referred to Committee on Rules.

REPORTS OF STANDING COMMITTEES—(RESUMED).

The following report of standing committee was received and read:

ON RULES.

SENATE CHAMBER, SACRAMENTO, May 8, 1931.

MR. PRESIDENT: Your Committee on Rules, to which was referred the request of Senator Swing to introduce a bill entitled: An act to provide for the organization, government, powers and functions of flood control and flood water conservation districts—has had the same under consideration, and respectfully reports the same back, and recommends that said request be granted.

Committee membership—5; committee vote: Ayes—5.

BREED, Chairman.

The question being on the adoption of the report.

The roll was called in accordance with the provisions of section 2 of

article IV of the constitution, and the report adopted by the following vote:

AYES—Senators Allen, Baker, Breed, Bush, Carter, Cassidy, Christian, Clock, Crittenden, Deuel, Duval, Edwards, Evans, Fellom, Harper, Hays, Ingels, Jones, Maloney, McCormack, McKinley, Mixer, Moran, Nelson, Pedrotti, Rice, Riley, Rochester, Schottky, Sharkey, Slater, Swing, Treacy, Tubbs, Wagy, and Williams—36.

NOES—None.

INTRODUCTION, FIRST READING AND REFERENCE OF BILLS.

The following bill was introduced:

By Senator Swing: Senate Bill No. 962—An act to provide for the organization, government, powers and functions of flood control and flood water conservation districts.

Bill read first time.

UNANIMOUS CONSENT GRANTED.

Senator Swing asked unanimous consent to have Senate Bill No. 962 sent to print without reference to committee.

Unanimous consent granted, and such was the order.

By Senator Rich: Senate Concurrent Resolution No. 39—Relating to the dedication of the Lassen Volcanic National Park.

Senate Concurrent Resolution No. 39 read.

UNANIMOUS CONSENT GRANTED.

Senator Rich asked unanimous consent to have Senate Concurrent Resolution No. 39 sent to print without reference to committee.

Unanimous consent granted, and such was the order.

MOTION TO RE-REFER.

Senator Swing moved, seconded by Senator Inman, that Senate Bill No. 234 be re-referred to Committee on Public Morals.

AYES AND NOES DEMANDED.

A roll call was demanded by Senators Tubbs, Inman, and Maloney, on Senator Swing's motion to re-refer Senate Bill No. 234 to Committee on Public Morals.

The roll was called, and Senator Swing's motion lost by the following vote:

AYES—Senators Breed, Carter, Cassidy, Clock, Duval, Edwards, Evans, Harper, Hays, Inman, Jones, McCormack, McKinley, Mixer, Sharkey, Swing, and Wagy—17.

NOES—Senators Allen, Baker, Bush, Christian, Crittenden, Deuel, Fellom, Ingels, Maloney, Moran, Nelson, Pedrotti, Rich, Riley, Rochester, Schottky, Slater, Treacy, Tubbs, and Williams—29.

FURTHER PROCEEDINGS UNDER CALL OF THE SENATE DISPENSED WITH.

At eleven o'clock and forty-seven minutes a.m., further proceedings under the call of the Senate were dispensed with, on motion of Senator Inman.

The Secretary was directed to call the roll.

The roll was called, and Senate Bill No. 534 refused passage by the following vote:

AYES—Senators Allen, Crittenden, Fellom, Hays, Inman, Jones, Maloney, McCormack, Pedrotti, Rochester, Slater, Swing, Treacy, Tubbs, and Wagy—15.

NOES—Senators Baker, Breed, Bush, Carter, Cassidy, Christian, Clock, Deuel, Duval, Edwards, Evans, Harper, Ingels, McKinley, Mixer, Moran, Nelson, Rich, Riley, Schottky, Sharkey, and Williams—22.

CONSIDERATION OF DAILY FILE.

THIRD READING OF SENATE BILLS—(RESUMED).

Senate Bill No. 292—An act to amend sections 4.1001, 4.1022, 4.1024, 4.1026, 4.1091, 4.1113, 4.1118, 4.1211, 4.1233, 4.1238, 4.1301, 4.1323 and 4.1325 of the School Code, relating to bonds of school districts.

On motion of Senator Carter, Senate Bill No. 292 was ordered re-referred to Committee on Education.

Senate Bill No. 183—An act to add a new section to the Civil Code to be numbered 356a, relating to the employment of attorneys by corporations and the practice of law by corporations.

On motion of Senator Rochester, Senate Bill No. 183 was ordered re-referred to Committee on Judiciary.

Senate Bill No. 175—An act to define medical and hospital service companies and agents; to provide for the regulation, supervision and licensing thereof; to create a fund therefor; to create the office of Commissioner of Medical and Hospital Service Companies; to provide for the enforcement of said act and penalties for the violation thereof; and to make an appropriation.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Senate Bill No. 175 refused passage by the following vote:

AYES—Senators Baker, Carter, Crittenden, Deuel, Fellom, Ingels, Maloney, Moran, Rich, Rochester, Treacy, Tubbs, and Williams—13.

NOES—Senators Allen, Breed, Bush, Cassidy, Christian, Clock, Duval, Edwards, Evans, Harper, Hays, Inman, Jones, McCormack, McKinley, Mixter, Nelson, Pedrotti, Schottky, Sharkey, Slater, Swing, and Waggy—23.

Senate Bill No. 427—An act making an appropriation for the support of the forty-second district agricultural association.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Senate Bill No. 427 passed by the following vote:

AYES—Senators Allen, Breed, Carter, Cassidy, Christian, Clock, Duval, Edwards, Evans, Fellom, Ingels, Inman, Maloney, McKinley, Mixter, Moran, Pedrotti, Rich, Riley, Sharkey, Swing, Treacy, Tubbs, and Williams—24.

NOES—Senators Baker, Crittenden, Deuel, Harper, Hays, Jones, McCormack, Nelson, Schottky, Slater, and Waggy—11.

Title read and approved.

Bill ordered transmitted to the Assembly.

Senate Bill No. 531—An act appropriating money to pay the claim of W. P. Britton against the State of California.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Senate Bill No. 531 passed by the following vote:

AYES—Senators Allen, Breed, Carter, Cassidy, Christian, Clock, Crittenden, Deuel, Duval, Edwards, Evans, Fellom, Harper, Hays, Ingels, Inman, Maloney, McCormack, McKinley, Mixter, Moran, Nelson, Pedrotti, Rich, Riley, Schottky, Sharkey, Slater, Swing, Treacy, Tubbs, Waggy, and Williams—33.

NOES—None.

Title read and approved.

Bill ordered transmitted to the Assembly.

Senate Bill No. 479—An act providing for study of rainfall penetration and establishment and maintenance of gauging stations, providing for the cooperation by interested counties and districts, and directing the Division of Engineering and Irrigation, Department of Public Works, to provide for the carrying on of said work under its own direction or under the direction of the Department of Agriculture of the United States, and relating thereto.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Senate Bill No. 479 passed by the following vote:

AYES—Senators Allen, Breed, Carter, Cassidy, Crittenden, Duval, Edwards, Evans, Fellom, Harper, Inman, Maloney, McCormack, McKinley, Mixter, Moran, Pedrotti, Rich, Schottky, Sharkey, Slater, Swing, Treacy, Tubbs, Waggy, and Williams—26.

NOES—Senators Bush, Deuel, and Riley—3.

Title read and approved.

Bill ordered transmitted to the Assembly.

Senate Bill No. 861—An act to amend section 4269 of the Political Code, relating to compensation of county and township officers in counties of the fortieth class.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Senate Bill No. 861 passed by the following vote:

AYES—Senators Allen, Breed, Bush, Carter, Cassidy, Clock, Crittenden, Deuel, Duval, Edwards, Evans, Fellom, Harper, Hays, Inman, Maloney, McCormack, McKinley, Mixter, Moran, Nelson, Rich, Riley, Rochester, Schottky, Sharkey, Slater, Swing, Treacy, Tubbs, Waggy, and Williams—32.

NOES—None.

Title read and approved.

Bill ordered transmitted to the Assembly.

Senate Bill No. 922—An act to amend section 1 of an act entitled "An act to provide for the payment by the State or counties, or school districts, or other special districts, or cities, or cities and counties, of the premium or charge on official bonds when given by surety companies," approved March 25, 1903, as amended.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Senate Bill No. 922 passed by the following vote:

AYES—Senators Allen, Breed, Bush, Carter, Cassidy, Clock, Crittenden, Deuel, Duval, Edwards, Evans, Fellom, Harper, Inman, Jones, Maloney, McCormack, Mixter, Moran, Nelson, Pedrotti, Rich, Riley, Rochester, Schottky, Sharkey, Slater, Treacy, Tubbs, Waggy, and Williams—31.

NOES—None.

Title read and approved.

Bill ordered transmitted to the Assembly.

RECESS.

On motion of Senator Breed, at twelve o'clock and thirty minutes p.m., the President of the Senate declared recess until one o'clock and thirty minutes p.m.

RECONVENED.

At one o'clock and thirty minutes p.m., the Senate reconvened.

Lieutenant Governor Frank F. Merriam, President of the Senate, in the chair.

Secretary Joseph A. Beek at the desk.

REPORTS OF STANDING COMMITTEES—(RESUMED).

The following report of standing committees was received and read:

ON GOVERNMENTAL EFFICIENCY.

SENATE CHAMBER, SACRAMENTO, May 8, 1931.

MR. PRESIDENT: Your Committee on Governmental Efficiency, to which was referred Senate Concurrent Resolution No. 38—Relative to providing for the appointment of a Joint Committee on Legislation Pertaining to Water Resources—has had the same under consideration, and respectfully reports the same back, and recommends that it be adopted.

Committee membership—11.

(Signed out)

CRITTENDEN, Chairman.

BAKER.

BREED.

CHRISTIAN.

DEUEL.

McCORMACK.

McKINLEY.

MIXTER.

CONSIDERATION OF SENATE CONCURRENT RESOLUTION NUMBER
THIRTY-EIGHT.

Senator Crittenden asked for, and was granted, unanimous consent for the consideration of Senate Concurrent Resolution No. 38, for purpose of adoption.

SENATE CONCURRENT RESOLUTION No. 38.

Providing for the appointment of a joint committee on legislation pertaining to water resources.

WHEREAS, Reports have heretofore been submitted to the Legislature by the legislative committees, executive commissions and departments of the State government relating to the water resources of this State and a proposed plan for the conservation, development and distribution thereof; and

WHEREAS, It appears necessary and advisable that future studies relating thereto, particularly with reference to the economic, legal, statutory and constitutional questions relating thereto be continued to the end that a definite program be submitted for the consideration by a future session of the Legislature; and

WHEREAS, It is deemed advisable that a committee of the Legislature be appointed to consider such matters wherein all sections of the State, so far as practicable, may be represented; now, therefore, be it

Resolved by the Senate, the Assembly concurring, That a committee of 14 members, consisting of seven members of the Assembly, to be appointed by the Speaker thereof, and seven members of the Senate, to be appointed by the President thereof, as herein suggested, to report its findings and recommendations, if practicable, as to the economic phases involved in said plan and particularly to prepare and submit such proposed legislation, resolutions and constitutional amendments as may be necessary and advisable to carry into effect a coordinated plan for the conservation, development and distribution of the water resources of this State; and be it further

Resolved, That said committee shall proceed to organize by the election of one of its members as chairman and by the election of a secretary, and shall proceed with said investigation in such manner as may be determined by said committee; and be it further

Resolved, That each department, board, commission or officer of the State of California, whenever requested to do so by said committee, shall furnish to said committee such assistance as it may require; and be it further

Resolved, That said committee is hereby authorized to hold public hearings at any place in the State of California at which hearings the people shall have opportunity to present their views to the committee; and be it further

Resolved, That said committee is hereby authorized and empowered to do any and all things necessary to make a full and complete investigation of the matters herein referred to, and is hereby authorized and empowered to require the production of books, agreements, documents and papers of every kind; to issue subpoenas and to compel the attendances of witnesses, and to procure testimony. Each of the members

of said committee is hereby authorized to administer oaths, and all the provisions of article VIII of chapter II, title I, part III of the Political Code of the State relative to the attendance and assemblage of witnesses before the Legislature and committees thereof, shall apply to the committee appointed under this resolution. The said committee is hereby given leave to sit during the sessions of the Legislature, during the recess thereof and during the interval between sessions thereof, at any place in the State as said committee shall from time to time determine; and be it further

Resolved, That the sum of \$20,000 or so much thereof as may be necessary be and the same is hereby appropriated for the purpose of defraying the expenses of said committee and said investigation, said sum to be paid equally from the contingent funds of the Senate and of the Assembly and the State Controller is hereby authorized and directed to draw his warrants in favor of the person entitled thereto for such expenditures as may be certified to him from time to time by the chairman of said committee and the said treasurer is hereby authorized and directed to pay the same.

Resolution read.

The question being on the adoption of the resolution.

The roll was called, and Senate Concurrent Resolution No. 38 adopted by the following vote:

AYES—Senators Baker, Breed, Cassidy, Christian, Clock, Crittenden, Duval, Edwards, Fellom, Harper, Hays, Inman, Jones, Maloney, McCormack, McKinley, Mixer, Moran, Nelson, Pedrotti, Rich, Riley, Rochester, Schottky, Sharkey, Slater, Treacy, Tubbs, and Wagye—29.

NOES—None.

Senate Concurrent Resolution No. 38 ordered transmitted to the Assembly.

CONSIDERATION OF DAILY FILE.

THIRD READING OF SENATE BILLS—(RESUMED).

Senate Bill No. 306—An act granting to the city of Pacific Grove the title to the waterfront of said city, together with certain submerged lands in the bay of Monterey contiguous thereto.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Senate Bill No. 306 passed by the following vote:

AYES—Senators Allen, Baker, Breed, Cassidy, Christian, Clock, Crittenden, Duval, Edwards, Evans, Fellom, Harper, Hays, Inman, Maloney, McCormack, McKinley, Mixer, Nelson, Pedrotti, Rich, Riley, Schottky, Sharkey, Slater, Swing, Treacy, Tubbs, and Wagye—29.

NOES—None.

Title read and approved.

Bill ordered transmitted to the Assembly.

Senate Bill No. 220—An act to amend section 6 of an act entitled "An act to regulate the sale and issuance of licenses to hunt, take, pursue, or kill wild birds or mammals, and or to angle for, take, catch or kill game fishes for purposes other than sale or profit in order to provide revenue therefrom for fish and game preservation, protection and restoration; defining game fishes; providing a penalty for the violation of this act and repealing all acts and parts of acts inconsistent or in conflict with this act," approved May 27, 1927, as amended.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Senate Bill No. 220 passed by the following vote:

AYES—Senators Allen, Baker, Breed, Cassidy, Christian, Clock, Crittenden, Duval, Edwards, Evans, Fellom, Harper, Hays, Ingels, Inman, Jones, Maloney, McCormack,

McKinley, Mixter, Moran, Nelson, Pedrotti, Rich, Riley, Rochester, Schottky, Sharkey, Slater, Treacy, Tubbs, Waggy, and Williams—33.

NOES—None.

Title read and approved.

Bill ordered transmitted to the Assembly.

Senate Bill No. 951—An act to provide for reimbursement of persons suffering loss by reason of the acts of tule elk during the closed season.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Senate Bill No. 951 passed by the following vote:

AYES—Senators Allen, Baker, Carter, Cassidy, Christian, Cloek, Crittenden, Duval, Edwards, Evans, Fellom, Harper, Ingels, Inman, Jones, Maloney, McCormack, McKinley, Mixter, Moran, Nelson, Pedrotti, Rich, Riley, Rochester, Schottky, Sharkey, Slater, Swing, Treacy, Tubbs, Waggy, and Williams—33.

NOES—None.

Title read and approved.

Bill ordered transmitted to the Assembly.

Senate Bill No. 753—An act to amend section 632 of the Penal Code, relating to the protection of fish.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Senate Bill No. 753 passed by the following vote:

AYES—Senators Allen, Baker, Breed, Bush, Carter, Cassidy, Christian, Cleveland, Crittenden, Deuel, Duval, Edwards, Evans, Fellom, Harper, Hays, Ingels, Inman, Maloney, McCormack, McKinley, Mixter, Moran, Nelson, Pedrotti, Rich, Riley, Rochester, Schottky, Sharkey, Slater, Swing, Treacy, Tubbs, Waggy, and Williams—36.

NOES—None.

Title read and approved.

Bill ordered transmitted to the Assembly.

Senate Bill No. 600—An act to add a new section to the Penal Code, to be numbered 969b, to provide for the admission in evidence in criminal cases of the official records, or the exemplification of copies of official records, of the penitentiaries or reformatories of sister states or of federal penitentiaries, and providing that such records and copies shall constitute prima facie evidence of a prior conviction.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Senate Bill No. 600 passed by the following vote:

AYES—Senators Allen, Baker, Breed, Bush, Carter, Cassidy, Christian, Cleveland, Cloek, Crittenden, Deuel, Duval, Edwards, Evans, Fellom, Ingels, Inman, Maloney, McCormack, McKinley, Mixter, Moran, Nelson, Pedrotti, Rich, Riley, Rochester, Schottky, Sharkey, Slater, Swing, Treacy, Tubbs, Waggy, and Williams—35.

NOES—None.

Title read and approved.

Bill ordered transmitted to the Assembly.

Senate Bill No. 894—An act to amend section 653c of the Penal Code, relating to the hours of labor on public works.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Senate Bill No. 894 passed by the following vote:

AYES—Senators Allen, Baker, Breed, Bush, Carter, Cassidy, Christian, Cleveland, Clock, Crittenden, Duval, Edwards, Evans, Fellom, Harper, Hays, Ingels, Inman, Jones, Maloney, McCormack, McKinley, Mixter, Moran, Rich, Riley, Rochester, Sharkey, Slater, Swing, Treacy, Tubbs, Wagy, and Williams—34.

NOES—None.

Title read and approved.

Bill ordered transmitted to the Assembly.

Senate Bill No. 191—An act creating the California Districts Securities Commission, providing for its appointment, and defining its duties and powers, relating to bonds of irrigation districts, providing under what circumstances such bonds shall be legal investments for funds of banks, insurance companies and trust companies, trust funds, State school funds and any money or funds which may now or hereafter be invested in bonds of cities, cities and counties, counties, school districts or municipalities, and providing under what circumstances the use of bonds of irrigation districts as security for the performance of any act may be authorized, providing that certain districts may be declared insolvent, and providing for the administration of insolvent districts, making an appropriation to carry out the purposes of the act, and repealing an act entitled "An act relating to bonds of irrigation districts, providing under what circumstances such bonds shall be legal investments for funds of banks, insurance companies and trust companies, trust funds, State school funds and any money or funds which may now or hereafter be invested in bonds of cities, cities and counties, counties, school districts or municipalities, and providing under what circumstances the use of bonds of irrigation districts as security for the performance of any act may be authorized," approved June 13, 1913, and as amended.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Senate Bill No. 191 passed by the following vote:

AYES—Senators Allen, Baker, Breed, Bush, Cassidy, Christian, Cleveland, Crittenden, Duval, Duval, Edwards, Evans, Fellom, Harper, Hays, Ingels, Inman, Jones, Maloney, McCormack, McKinley, Mixter, Moran, Pedrotti, Rich, Rochester, Schottky, Sharkey, Slater, Swing, Treacy, Tubbs, Wagy, and Williams—34.

NOES—None.

Title read and approved.

Bill ordered transmitted to the Assembly.

Senate Bill No. 532—An act to provide for the compilation, printing, binding, publishing, and distribution of a legislative manual and State Blue Book, or roster and appendix thereto, repealing all conflicting acts and making an appropriation to carry out the provisions hereof.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Senate Bill No. 532 passed by the following vote:

AYES—Senators Allen, Baker, Breed, Bush, Carter, Cassidy, Christian, Cleveland, Crittenden, Duval, Duval, Evans, Fellom, Harper, Hays, Ingels, Inman, Jones,

Maloney, McCormack, McKinley, Mixer, Moran, Pedrotti, Rich, Riley, Rochester, Schottky, Sharkey, Slater, Swing, Treacy, Tubbs, Wagy, and Williams—35.
NOES—None.

Title read and approved.

Bill ordered transmitted to the Assembly.

ASSISTANT SECRETARY FRANCIS E. DALIN AT THE DESK.

Senate Bill No. 822—An act to make an appropriation to pay the claim of Simon J. Lubin against the State of California.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Senate Bill No. 822 passed by the following vote:

AYES—Senators Allen, Breed, Cassidy, Clock, Crittenden, Denel, Evans, Fellom, Inman, Jones, Maloney, McCormack, McKinley, Mixer, Moran, Nelson, Pedrotti, Rich, Riley, Schottky, Sharkey, Slater, Swing, Treacy, Tubbs, and Williams—26.

NOES—Senators Baker, Bush, Carter, Christian, Cleveland, Duval, Edwards, Harper, Hays, Ingels, Rochester, and Wagy—12.

Title read and approved.

Bill ordered transmitted to the Assembly.

COMMUNICATIONS.

The following communications were received, and ordered printed in the Journal:

By Senator Inman:

I insist that both former Governor Young and former State Director of Finance King promised financial aid to the Sacramento conference. No further evidence of this is required than the fact that we actually received services from the State in the approximate amount of \$18,000.

I never have stated to anyone that either Young or King specified the amount of such services.

I insist that the first offer of financial assistance came entirely voluntarily, and without my solicitation, from State Director of Finance Alexander Heron on August 24, 1929; and that again this voluntary offer was repeated by the campaign publicity manager for Young to me in my office.

I insist that Mr. B. B. Meek, to whom both Governor Young and Mr. King had directed me in this matter, stated on March 15, 1930, that we might expect State aid in an amount not less than \$50,000; and that in several following conversations with Meek I was encouraged to believe that we should receive that amount.

I have said that Governor Young told me, and then later told Mr. King in my presence, that he desired to aid as far as possible within the law. Mr. Meek, before three or four other persons, definitely stated that it was the Governor's desire "To go the legal limit for Lubin."

It was not until December, 1930, that Mr. Meek, very apologetically, wrote me that more money could not be allotted to us because "the emergency fund was almost hopelessly depleted." And then he advised that we appeal to the new administration and the 1931 Legislature for relief, volunteering to see Governor Rolph and Mr. Vandegrift in our behalf.

On December 27, 1929, over his signature, Governor Young issued a statement containing the following paragraphs:

"I have assured the Sacramento Region Citizens Council of the cooperation of this office, and of the helpful assistance of various departments of State government.

It is therefore my earnest desire that all citizens of California, as well as all civic and commercial associations, lend their full cooperation, that the greatest possible success may attend the Pan American Reciprocal Trade Conference."

On January 11, 1930, Governor Young, as stenographically reported, said this:

"It is a wonderful thing that this (conference) should come to California. It will put California ahead by a dozen years. I congratulate the council on that splendid vision; and I want the officers of the council to know that the State government of California will work early and late to make this vision and dream become a splendid reality."

The Governor repeated substantially these same words at Los Angeles on January 16 before the Foreign Trade Club.

The first unsolicited, voluntary offer of State aid was made by the State Director of Finance Heron. This was repeated and corroborated by Young's campaign publicity manager, who told me that "everything was all fixed." Young definitely stated that it was his desire to give us financial aid, and communicated this fact to State Director of Finance King in my presence on February 4, 1930. Meek definitely stated the approximate amount we might expect. It was not until December, about four months after the conference adjourned, that I was notified by Meek that, as the funds were hopelessly depleted, we could expect no more.

By Senator Duval:

SIMON J. LUBIN.

Lyman M. King, Redlands, California.

SACRAMENTO, May 1, 1931.

Were any promises made the Sacramento Region Citizens Council by you or Governor Young to pay bills of Pan American Reciprocal Trade Conference? Please wire reply State Capitol.

WALTER H. DUVAL, State Senator.

Also:

REDLANDS, CALIFORNIA, May 1, 1931.

State Senator Walter Duval,

Senate Chamber,

Sacramento, California

No promises whatever made by me. Personally disapproved going as far as we did this matter. Sure Governor Young made no promises, but prefer speak for himself. Every possible pressure put upon me to meet these bills. Refused ground not proper claims against State.

LYMAN M. KING.

Also:

SACRAMENTO, May 1, 1931.

Honorable C. C. Young,
Palo Alto, California.

Were any promises made the Sacramento Region Citizens Council by you to pay bills of Pan American Reciprocal Trade Conference? Please wire collect State Senate.

WALTER H. DUVAL, State Senator.

Also:

PALO ALTO, CALIFORNIA, May 1, 1931.

Senator Walter H. Duval,

State Capitol,

Sacramento, California.

Absolutely not except help actually given. Suggest phoning Meek, San Francisco.

C. C. YOUNG.

THIRD READING OF SENATE BILLS—(RESUMED).

Senate Bill No. 205—An act providing for the building of a causeway across the Tisdale By-pass in Sutter County, State of California, and making an appropriation therefor.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Senate Bill No. 205 passed by the following vote:

AYES—Senators Allen, Baker, Breed, Bush, Carter, Cassidy, Christian, Cleveland, Cloek, Crittenden, Deuel, Duval, Edwards, Evans, Fellom, Harper, Hays, Ingels, Inman, Maloney, McCormack, Mixer, Moran, Nelson, Pedrotti, Rich, Riley, Rochester, Schottky, Sharkey, Slater, Swing, Treacy, and Tubbs—34.

NOES—None.

Title read and approved.

Bill ordered transmitted to the Assembly.

Senate Bill No. 201—An act to amend section 30a of the California Irrigation District Act, relating to reports submitted to the California Bond Certification Commission.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Senate Bill No. 201 passed by the following vote:

AYES—Senators Allen, Baker, Breed, Bush, Carter, Cassidy, Christian, Cleveland, Clock, Crittenden, Deuel, Duval, Edwards, Evans, Fellom, Harper, Hays, Ingels, Jones, Maloney, McCormack, McKinley, Mixer, Moran, Nelson, Pedrotti, Rich, Riley, Rochester, Schottky, Sharkey, Slater, Swing, Treacy, Tubbs, and Waggy—36.

NOES—None.

Title read and approved.

Bill ordered transmitted to the Assembly.

Senate Bill No. 958—An act to amend section 337a of the Penal Code, relating to gambling.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Senate Bill No. 958 refused passage by the following vote:

AYES—Senators Edwards, Evans, Jones, McKinley, Rochester, Schottky, and Swing—7.

NOES—Senators Allen, Baker, Breed, Bush, Carter, Cassidy, Christian, Cleveland, Clock, Crittenden, Deuel, Duval, Fellom, Harper, Hays, Ingels, Inman, Maloney, McCormack, Mixer, Moran, Nelson, Pedrotti, Rich, Riley, Sharkey, Slater, Treacy, Tubbs, Waggy, and Williams—31.

Senate Bill No. 284—An act to amend section 4249 of the Political Code, relating to the salaries and compensation of officers in counties of the twentieth class.

Bill read third time.

RESOLUTION.

The following resolution was offered:

By Senator Nelson:

Resolved, That Senate Bill No. 284 presents a case of urgency, as that term is used in section 15 of article IV of the constitution, and the provision of that section requiring that the bill shall be read on three several days in each house is hereby dispensed with, and it is ordered that said bill be read the second and third times, and placed upon its passage.

Resolution read.

The question being on the adoption of the resolution.

The roll was called, and the resolution adopted by the following vote:

AYES—Senators Allen, Baker, Breed, Bush, Carter, Cassidy, Christian, Clock, Crittenden, Deuel, Duval, Edwards, Evans, Fellom, Harper, Hays, Ingels, Inman, Jones, Maloney, McKinley, Mixer, Moran, Nelson, Pedrotti, Riley, Rochester, Schottky, Slater, Treacy, Tubbs, and Waggy—31.

NOES—None.

Whereupon, the President declared the provisions of section 15 of article IV of the constitution suspended for the purpose of considering, at this time, Senate Bill No. 284.

The question being on the passage of the bill.

The roll was called, and Senate Bill No. 284 passed by the following vote:

AYES—Senators Allen, Baker, Breed, Bush, Carter, Cassidy, Christian, Duval, Edwards, Evans, Fellom, Harper, Hays, Ingels, Inman, Jones, Maloney, McKinley, Mixer, Moran, Nelson, Pedrotti, Riley, Schottky, Sharkey, Slater, Treacy, Tubbs, and Waggy—29.

NOES—None.

Title read and approved.

Bill ordered transmitted to the Assembly.

RESOLUTION.

The following resolution was offered:

By Senator Bush:

WHEREAS, The Congress of the United States recently passed a bill known as the Scott-Leavitt Bill, providing for federal aid in the construction of approach highways to national parks; and

WHEREAS, In its present form the bill provides that federal funds can only be used when such approach roads traverse lands 90 per cent of which are owned by the government, and by reason of such provision it is practically impossible to use federal funds for the construction of these roads in California, but such funds will be allotted almost entirely to other states; and

WHEREAS, We believe that California is entitled to a just share of these federal funds for the construction of approach roads to national parks in California; now, therefore, be it

Resolved by the Senate, That the Congress of the United States be asked to pass the necessary amendments or other legislation to insure that in the future the State of California may share on a fair basis with the other states in the Union in the allocation of federal funds for the construction of approach roads to national parks; and be it further

Resolved, That the Secretary of the Senate be and he is hereby authorized and directed to send a copy of this resolution to the President of the United States, the Secretary of the Interior, the Director of the National Park Service, and to each of California's representatives in the Congress of the United States.

(Signed) Allen, Baker, Breed, Bush, Carter, Cassidy, Christian, Cleveland, Crittenden, Deuel, Duval, Edwards, Evans, Fellom, Harper, Hays, Ingels, Inman, Jones, McCormack, McKinley, Maloney, Mixer, Moran, Nelson, Riley, Schottky, Sharkey, Slater, Swing, Treacy, Tubbs, and Williams.

Resolution read, and on motion of Senator Bush adopted.

CONSIDERATION OF DAILY FILE.

THIRD READING OF SENATE BILLS—(RESUMED).

Senate Bill No. 931—An act to repeal chapter 399 of the Statutes of 1911, relating to certain defenses in actions at common law against employers.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Senate Bill No. 931 passed by the following vote:

AYES—Senators Allen, Baker, Breed, Bush, Carter, Cassidy, Christian, Clock, Crittenden, Deuel, Duval, Edwards, Evans, Harper, Hays, Ingels, McKinley, Mixer, Moran, Nelson, Riley, Schottky, Sharkey, Swing, Treacy, Tubbs, and Williams—27.

NOES—Senators Fellom, Maloney, and Pedrotti—3.

Title read and approved.

Bill ordered transmitted to the Assembly.

Senate Bill No. 301—An act to amend section 737ee of the Political Code, relating to salary of superior court judge.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Senate Bill No. 301 passed by the following vote:

AYES—Senators Allen, Baker, Breed, Bush, Carter, Cassidy, Christian, Crittenden, Deuel, Duval, Edwards, Evans, Fellom, Hays, Ingels, Inman, Maloney, McKinley, Mixer, Moran, Pedrotti, Rich, Riley, Schottky, Sharkey, Swing, Treacy, Tubbs, and Williams—29.

NOES—Senator Harper—1.

Title read and approved.

Bill ordered transmitted to the Assembly.

Senate Bill No. 404—An act to amend section 3664aa of the Political Code, relating to taxation of highway transportation companies.

Bill read third time.

MOTION TO REFER TO SPECIAL COMMITTEE OF ONE.

During third reading of the bill, Senator Duval moved to refer Senate Bill No. 404 to Senator Waggy, as a Special Committee of One, to amend as follows:

AMENDMENT NUMBER ONE.

On page 2, line 9, of the printed amended bill, strike out the words "four and one-quarter", and insert in lieu thereof the word "seven".

Motion lost.

The question being on the passage of the bill.

The roll was called, and Senate Bill No. 404 refused passage by the following vote:

AYES—Senators Allen, Carter, Christian, Clock, Crittenden, Evans, Fellom, Harper, Hays, Inman, Maloney, McKinley, Pedrotti, Rochester, Sharkey, Treacy, Tubbs, and Williams—18.

NOES—Senators Baker, Breed, Bush, Deuel, Duval, Edwards, Jones, McCormack, Mixer, Moran, Nelson, Rich, Schottky, Slater, Swing, and Waggy—16.

SECRETARY JOSEPH A. BEEK AT THE DESK.

Senate Bill No. 77—An act to amend section 963 of the Code of Civil Procedure, relative to interlocutory decrees of divorce.

Bill read third time.

The question being on the passage of the bill.

The roll was called.

CALL OF THE SENATE.

Pending the announcement of the vote, Senator Rochester moved a call of the Senate.

Motion carried.

The Secretary was directed to call the roll.

The roll was called, and the following answered to their names:

Senators Allen, Baker, Breed, Bush, Carter, Christian, Clock, Crittenden, Deuel, Duval, Edwards, Evans, Fellom, Harper, Hays, Ingels, Inman, Jones, Maloney, McCormack, McKinley, Mixer, Moran, Nelson, Pedrotti, Rich, Riley, Rochester, Schottky, Sharkey, Slater, Swing, Treacy, Tubbs, Waggy, and Williams—36.

The Secretary announced the absentees.

Time, three o'clock p.m.

The President directed the Sergeant-at-Arms to close the doors.

The Sergeant-at-Arms, having been furnished with the names of the absentees, was directed to bring them to the bar of the Senate.

PROCEEDINGS UNDER CALL OF THE SENATE.

RESOLUTION.

The following resolution was offered:

By Senator Tubbs:

WHEREAS, The Ninety-first Division Association, an organization of veterans who fought with the Ninety-first Division during the World War, is sponsoring a pilgrimage to the American cemeteries and battlefields in Europe, leaving California August 14th and returning to California September 25, 1931; and

WHEREAS, The visitation of the scenes of their battle experiences and the places sanctified by the sacrifices of our heroic dead is a worthy undertaking; and

WHEREAS, The Ninety-first Division was largely composed of men selected for military service from California; now, therefore, be it

Resolved by the Senate of the State of California, That it indorse this pilgrimage and urge the people of the State of California to support this project; and be it further

Resolved, That the heads of the various State departments and the appropriate authorities of the counties, cities and other political subdivisions of the State are hereby urged and requested to grant vacations with pay, covering the period of this pilgrimage to the officers and employees thereof who make it.

Resolution read, and on motion of Senator Tubbs adopted.

CONSIDERATION OF DAILY FILE.

THIRD READING OF SENATE BILLS—(RESUMED).

Senate Bill No. 768—An act to amend section 636 of the Penal Code, relating to the protection of fish.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Senate Bill No. 768 passed by the following vote:

AYES—Senators Allen, Breed, Bush, Carter, Cassidy, Christian, Clock, Crittenden, Duval, Edwards, Evans, Fellom, Harper, Hays, Ingels, Inman, Maloney, McCormack, McKinley, Mixter, Moran, Nelson, Pedrotti, Rich, Riley, Rochester, Schottky, Sharkey, Slater, Swing, Treacy, Tubbs, Wagy, and Williams—35.

NOES—None.

Title read and approved.

Bill ordered transmitted to the Assembly.

Senate Bill No. 506—An act to amend section 632 of the Penal Code, relating to the protection of fish.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Senate Bill No. 506 passed by the following vote:

AYES—Senators Allen, Baker, Breed, Bush, Cassidy, Christian, Clock, Crittenden, Duval, Edwards, Evans, Fellom, Harper, Hays, Ingels, Inman, Jones, Maloney, McCormack, Mixter, Moran, Nelson, Pedrotti, Rich, Riley, Rochester, Schottky, Sharkey, Slater, Swing, Treacy, Tubbs, Wagy, and Williams—34.

NOES—None.

Title read and approved.

Bill ordered transmitted to the Assembly.

Senate Bill No. 319—An act to amend section 873 of the Code of Civil Procedure, relating to the time of trial in justices' courts.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Senate Bill No. 319 passed by the following vote:

AYES—Senators Allen, Breed, Bush, Carter, Cassidy, Christian, Clock, Crittenden, Duval, Edwards, Evans, Fellom, Harper, Ingels, Inman, Jones, Maloney, McCormack, McKinley, Mixter, Moran, Nelson, Pedrotti, Riley, Schottky, Sharkey, Slater, Swing, Treacy, Tubbs, and Wagy—32.

NOES—None.

Title read and approved.

Bill ordered transmitted to the Assembly.

FURTHER PROCEEDINGS UNDER CALL OF THE SENATE DISPENSED WITH.

At three o'clock and seven minutes p.m., further proceedings under the call of the Senate were dispensed with, on motion of Senator Rochester.

The Secretary was directed to call the roll.

The roll was called, and Senate Bill No. 77 passed by the following vote:

AYES—Senators Allen, Bush, Carter, Cassidy, Christian, Clock, Crittenden, Evans, Fellom, Hays, Ingels, Inman, Jones, McKinley, Moran, Pedrotti, Rochester, Sharkey, Swing, Tubbs, and Williams—21.

NOES—Senators Baker, Breed, Deuel, Duval, Edwards, Harper, Maloney, McCormack, Mixter, Nelson, Rich, Riley, Schottky, Slater, Treacy, and Wagy—16.

Title read and approved.

Bill ordered transmitted to the Assembly.

RECESS.

On motion of Senator Breed at three o'clock and eight minutes p.m., the President of the Senate declared recess until three o'clock and twenty-three minutes p.m.

RECONVENED.

At three o'clock and twenty-three minutes p.m., the Senate reconvened. Lieutenant Governor Frank F. Merriam, President of the Senate, in the chair.

Secretary Joseph A. Beek at the desk.

CONSIDERATION OF DAILY FILE.

THIRD READING OF SENATE BILLS—(RESUMED).

Senate Bill No. 339—An act making an appropriation for the construction and completion of the San Francisco Agricultural Exposition building.

Bill read third time.

The question being on the passage of the bill.

The roll was called.

CALL OF THE SENATE.

Pending the announcement of the vote, Senator Fellom moved a call of the Senate.

Motion carried.

The Secretary was directed to call the roll.

The roll was called, and the following answered to their names:

Senators Allen, Baker, Breed, Cassidy, Cleveland, Clock, Crittenden, Deuel, Duval, Edwards, Evans, Fellom, Harper, Hays, Ingels, Jones, Maloney McCormack, McKinley, Mixter, Moran, Pedrotti, Rich, Riley, Rochester, Schottky, Slater, Treacy, Wagy, and Williams—30.

The Secretary announced the absentees.

Time, three o'clock and twenty-five minutes p.m.

The President directed the Sergeant-at-Arms to close the doors.

The Sergeant-at-Arms, having been furnished with the names of the absentees, was directed to bring them to the bar of the Senate.

PROCEEDINGS UNDER CALL OF THE SENATE.

MESSAGES FROM THE ASSEMBLY.

The following messages from the Assembly were received and read:

ASSEMBLY CHAMBER, SACRAMENTO, May 8, 1931.

MR. PRESIDENT: I am directed to inform your honorable body that the Assembly on this day passed Assembly Bill No. 1173—An act to amend section 631 of the Code of Civil Procedure, relating to waiver of trial by jury:

Also: Assembly Bill No. 295—An act to amend section 38 of and to add section 38a to chapter 379, Statutes of 1915, entitled "An act to divide the State of California into fish and game districts and to repeal an act entitled 'An act to divide the State of California into six fish and game districts,' approved March 21, 1911, and all acts or parts of acts inconsistent herewith," approved May 19, 1915, as amended, relating to fish and game districts;

Also: Assembly Bill No. 495—An act to amend section 628f of the Penal Code, relating to the protection of fish and game;

Also: Assembly Bill No. 1397—An act to amend section 9 of an act entitled "An act to regulate and license the maintenance and operation of commercial hunting clubs and to provide revenue therefrom for fish and game protection and restoration," approved June 3, 1927, relating to regulations included in license.

ARTHUR A. OHNIMUS, Chief Clerk.
By FRED J. DESCH, Assistant Clerk.

Assembly Bill No. 1173 read first time, and referred to Committee on Judiciary.

Assembly Bills Nos. 295, 495 and 1397 read first time, and referred to Committee on Fish and Game.

Also:

ASSEMBLY CHAMBER, SACRAMENTO, May 8, 1931.

MR. PRESIDENT: I am directed to inform your honorable body that the Assembly on this day passed Assembly Bill No. 725—An act authorizing the establishment, maintenance, and operation of recreation districts for the acquisition of sites for and the acquisition, construction, operation, maintenance, and management of swimming pools, and authorizing the leasing, conveying, or making available, of public lands in certain instances to recreation districts for such purposes;

Also: Assembly Bill No. 386—An act to amend section 11 of an act entitled "An act to regulate the sale and issuance of licenses to hunt, take, pursue or kill wild birds or mammals, and/or to angle for, take, catch or kill game fishes for purposes other than sale or profit in order to provide revenue therefrom for fish and game preservation, protection and restoration; defining game fishes; providing a penalty for the violation of this act and repealing all acts and parts of acts inconsistent or in conflict with this act," approved May 27, 1927;

Also: Assembly Bill No. 1395—An act to amend section 626a of the Penal Code, relating to the protection of game;

Also: Assembly Bill No. 887—An act to amend section 10 of chapter 517, Statutes of 1917, entitled "An act to provide for the protection of fur-bearing mammals, defining fur-bearing mammals, providing for a license for hunting or trapping such fur-bearing mammals and requiring reports to be filed with the Fish and Game Commission," approved May 18, 1917, as amended.

ARTHUR A. OHNIMUS, Chief Clerk.
By FRED J. DESCH, Assistant Clerk.

Assembly Bill No. 725 read first time, and referred to Committee on County Government.

Assembly Bills Nos. 386, 1395 and 887 read first time, and referred to Committee on Fish and Game.

Also:

ASSEMBLY CHAMBER, SACRAMENTO, May 8, 1931.

MR. PRESIDENT: I am directed to inform your honorable body that the Assembly on this day passed Assembly Bill No. 40—An act to add a new section to the Penal Code, to be numbered 1428a, relating to minutes in municipal courts;

Also: Assembly Bill No. 1903—An act to amend section 969a of the Penal Code, relating to pleading prior convictions in indictments or informations;

Also: Assembly Bill No. 273—An act to amend section 4041.10 of the Political Code, relating to the changing of boundaries of election precincts;

Also: Assembly Bill No. 997—An act to amend section 61 of "An act to define and regulate the business of banking," approved March 1, 1909, as amended, relating to irrigation and reclamation bonds.

ARTHUR A. OHNIMUS, Chief Clerk.
By FRED J. DESCH, Assistant Clerk.

Assembly Bill No. 40 read first time, and referred to Committee on Judiciary.

Assembly Bill No. 1903 read first time, and referred to Committee on Revision of Criminal Law and Procedure.

Assembly Bill No. 273 read first time, and referred to Committee on Elections.

Assembly Bill No. 997 read first time, and referred to Committee on Banking.

Also:

ASSEMBLY CHAMBER, SACRAMENTO, May 8, 1931.

MR. PRESIDENT: I am directed to inform your honorable body that the Assembly on this day passed Assembly Bill No. 1497—An act to add a new section to the Political Code, to be numbered section 758a and to amend section 758 of the Political Code, relating to the creation and establishment of one additional division of the District Court of Appeal for the Second Appellate District and making an appropriation therefor;

Also: Assembly Bill No. 1259—An act to amend sections 692 and 694 of the Code of Civil Procedure, relating to sales of property under execution or under power contained in a deed of trust;

Also: Assembly Bill No. 43—An act to amend section 270b of the Penal Code, relating to security for payment of support of wife or minor child;

Also: Assembly Bill No. 37—An act to amend section 1461a of the Penal Code, relating to procedure in misdemeanor cases filed in municipal courts.

ARTHUR A. OHNIMUS, Chief Clerk.
By FRED J. DESCH, Assistant Clerk.

Assembly Bill No. 1497 read first time, and referred to Committee on Governmental Efficiency.

Assembly Bill No. 1259 read first time, and referred to Committee on Judiciary.

Assembly Bill No. 43 read first time, and referred to Committee on Revision of Criminal Law and Procedure.

Assembly Bill No. 37 read first time, and referred to Committee on Judiciary.

Also:

ASSEMBLY CHAMBER, SACRAMENTO, May 8, 1931.

MR. PRESIDENT: I am directed to inform your honorable body that the Assembly on this day passed Assembly Bill No. 1849—An act to amend section 19c30 of the Juvenile Court Law, relating to probation officers in counties of the thirtieth class;

Also: Assembly Bill No. 123—An act providing for the selection and acquisition of a site for and the construction, equipment and furnishing of a residence for the Governor of the State of California, making an appropriation therefor, and authorizing the disposal of the present gubernatorial mansion property;

Also: Assembly Bill No. 430—An act making an appropriation for the erection of certain buildings for the San Francisco State Teachers College;

Also: Assembly Bill No. 1326—An act to amend section 2979c of the Political Code, relating to continuance of revolving fund, appropriating and adding supplemental amount thereto, providing for the uses and expenditures of such fund, and county obligations thereunder.

ARTHUR A. OHNIMUS, Chief Clerk.
By FRED J. DESCH, Assistant Clerk.

Assembly Bill No. 1849 read first time, and referred to Committee on County Government.

Assembly Bills Nos. 123, 430 and 1326 read first time, and referred to Committee on Finance.

Also:

ASSEMBLY CHAMBER, SACRAMENTO, May 8, 1931.

MR. PRESIDENT: I am directed to inform your honorable body that the Assembly on this day passed Assembly Bill No. 1067—An act to repeal an act entitled "An act declaring the existence of inflammable vegetable matter constituting a fire menace to be a public nuisance; providing for its abatement, and prescribing the manner of collecting the expense thereof," approved June 3, 1921;

Also: Assembly Bill No. 1465—An act to amend section 737nn of the Political Code, relating to the salary of the judge of the superior court in and for the county of San Luis Obispo;

Also: Assembly Bill No. 1763—An act to amend section 737b of the Political Code, relating to the salary of the superior judge in and for the county of Alpine;

Also: Assembly Bill No. 1795—An act to amend section 16c30 of the Weights and Measures Act, relating to sealers of weights and measures in counties of the thirtieth class;

Also: Assembly Bill No. 1821—An act to amend section 2322r13 of the Political Code, relating to the office of agricultural commissioner in counties of the thirteenth class.

ARTHUR A. OHNIMUS, Chief Clerk.
By FRED J. DESCH, Assistant Clerk.

Assembly Bill No. 1067 read first time, and referred to Committee on Conservation.

Assembly Bills Nos. 1465 and 1763 read first time, and referred to Committee on Governmental Efficiency.

Assembly Bills Nos. 1795 and 1821 read first time, and referred to Committee on County Government.

Also:

ASSEMBLY CHAMBER, SACRAMENTO, May 8, 1931.

MR. PRESIDENT: I am directed to inform your honorable body that the Assembly on this day passed Assembly Bill No. 1494—An act authorizing the Director of Finance to deed certain property of the State to the city of Santa Barbara for street and highway purposes;

Also: Assembly Bill No. 749—An act appropriating to the Industrial Accident Commission the sum of \$15,336 in augmentation of the appropriation for the use and support of the Department of Industrial Relations to be used in an increase in payment of the salaries of referees;

Also: Assembly Bill No. 1951—An act to amend sections 37, 128, 190, 219, 246, 1243, 1284 and 1285 of the Penal Code, relating to the punishment of crime;

Also: Assembly Bill No. 739—An act to amend sections 1 and 5, of an act entitled "An act to provide indemnity to persons erroneously convicted of felonies in the State of California," approved May 24, 1913, relating to the indemnification of persons erroneously convicted;

Also: Assembly Bill No. 973—An act making an appropriation for the building of a game preserve for tule elk in or near Kern County.

ARTHUR A. OHNIMUS, Chief Clerk.
By FRED J. DESCH, Assistant Clerk.

Assembly Bill No. 1494 read first time, and referred to Committee on Roads and Highways.

Assembly Bill No. 749 read first time, and referred to Committee on Finance.

Assembly Bills Nos. 1951 and 739 read first time, and referred to Committee on Judiciary.

Assembly Bill No. 973 read first time, and referred to Committee on Fish and Game.

Also:

ASSEMBLY CHAMBER, SACRAMENTO, May 8, 1931.

MR. PRESIDENT: I am directed to inform your honorable body that the Assembly on this day passed Assembly Bill No. 1118—An act making an appropriation for the purchase of a site and the construction of an armory in the city of Pomona, Los Angeles County, California;

Also: Assembly Bill No. 648—An act to provide for the elimination of camel's thorn and to provide an appropriation therefor;

Also: Assembly Bill No. 1141—An act to amend section 1229 of the Penal Code, relating to execution of judgments of death;

Also: Assembly Bill No. 1312—An act authorizing a suit against the State of California to quiet title against it to certain real property in the city of Oakland, county of Alameda, State of California.

ARTHUR A. OHNIMUS, Chief Clerk.
By FRED J. DESCH, Assistant Clerk.

Assembly Bill No. 1118 read first time, and referred to Committee on Finance.

Assembly Bill No. 648 read first time, and referred to Committee on Agriculture and Live Stock.

Assembly Bills Nos. 1141 and 1312 read first time, and referred to Committee on Judiciary

Also:

ASSEMBLY CHAMBER, SACRAMENTO, May 8, 1931.

MR. PRESIDENT: I am directed to inform your honorable body that the Assembly on this day adopted Assembly Joint Resolution No. 27—Relative to memorializing and petitioning the President of the United States to urge the Permanent Opium Council of the League of Nations, Geneva, Switzerland, to adopt a scheme of stipulated supply.

ARTHUR A. OHNIMUS, Chief Clerk.
By FRED J. DESCH, Assistant Clerk.

Assembly Joint Resolution No. 27 read, and referred to Committee on Federal Relations.

Also:

ASSEMBLY CHAMBER, SACRAMENTO, May 8, 1931.

MR. PRESIDENT: I am directed to inform your honorable body that the Assembly on this day adopted Assembly Concurrent Resolution No. 34—Relative to a coordinated State-wide plan for highway beautification.

ARTHUR A. OHNIMUS, Chief Clerk.
By FRED J. DESCH, Assistant Clerk.

Assembly Concurrent Resolution No. 34 read, and referred to Committee on Roads and Highways.

FURTHER PROCEEDINGS UNDER CALL OF THE SENATE DISPENSED WITH.

At three o'clock and twenty-eight minutes p.m., further proceedings under the call of the Senate were dispensed with, on motion of Senator Fellom.

The Secretary was directed to call the roll.

The roll was called, and Senate Bill No. 339 passed by the following vote:

AYES—Senators Allen, Baker, Breed, Bush, Carter, Cassidy, Cleveland, Clock, Evans, Fellom, Harper, Ingels, Inman, Maloney, McKinley, Mixter, Moran, Pedrotti, Rich, Riley, Rochester, Schottky, Sharkey, and Treacy—24.

NOES—Senators Deuel, Duval, Edwards, Hays, Jones, McCormack, Nelson, Slater, Swing, Waggy, and Williams—11.

Title read and approved.

Bill ordered transmitted to the Assembly.

Senate Bill No. 78—An act to amend sections 61 and 131 of the Civil Code, and to repeal section 132 of the Civil Code, relating to interlocutory decrees for divorce.

Bill read third time.

POINT OF ORDER.

Senator McKinley raised the point of order that the questions asked by Senator Tubbs were not relative to the bill under discussion.

DECISION ON POINT OF ORDER.

The President announced his decision and declared the point of order not well taken.

The question being on the passage of the bill.

The roll was called, and Senate Bill No. 78 refused passage by the following vote:

AYES—Senators Allen, Carter, Cleveland, Clock, Crittenden, Evans, Fellom, Hays, Jones, McKinley, Pedrotti, Rochester, Sharkey, Swing, and Williams—15.

NOES—Senators Baker, Breed, Bush, Cassidy, Deuel, Duval, Edwards, Harper, Ingels, Inman, Maloney, McCormack, Mixter, Moran, Nelson, Rich, Riley, Schottky, Slater, Treacy, Tubbs, and Waggy—22.

REPORTS OF STANDING COMMITTEES—(RESUMED).

The following reports of standing committees were received and read:

ON ROADS AND HIGHWAYS.

SENATE CHAMBER, SACRAMENTO, May 8, 1931.

MR. PRESIDENT: Your Committee on Roads and Highways, to which was referred Senate Concurrent Resolution No. 26—Relative to preparation of a plan for financing the elimination of grade crossings other than across State highways and authorizing the appointment of a committee for the purpose of preparing such a plan—has had the same under consideration, and respectfully reports the same back, and recommends that it be adopted.

Committee membership—14.

(Signed out)

DEUEL.
FELLOM.
HARPER.
INGELS.
McCORMACK.
PEDROTTI.
RILEY.
SWING.
TREACY.
WILLIAMS.

Senate Concurrent Resolution No. 26 ordered on file.

ON FINANCE.

SENATE CHAMBER, SACRAMENTO, May 8, 1931.

MR. PRESIDENT: Your Committee on Finance, to which was referred Senate Bill No. 393—An act making an appropriation to pay the claim of W. H. Carlson against the State of California—has had the same under consideration, and respectfully reports the same back, and recommends that it do pass.

Committee membership—18.

(Signed out)

SWING, Chairman.
BREED.
BUSH.
CARTER.
CLOCK.
DUVAL.
EDWARDS.
FELLOM.
INGELS.
JONES.
MORAN.
NELSON.
RICH.
SHARKEY.
TUBBS.

Senate Bill No. 393 ordered on file for second reading.

ON ENGROSSMENT, ENROLLMENT AND PRINTING.

SENATE CHAMBER, SACRAMENTO, May 8, 1931.

MR. PRESIDENT: Your Committee on Engrossment, Enrollment and Printing has examined Senate Bill No. 962—An act to provide for the organization, government, powers and functions of flood control and flood water conservation districts;

Also: Senate Concurrent Resolution No. 39—Relating to the dedication of the Lassen Volcanic National Park;

Also: Senate Bill No. 393—An act making an appropriation to pay the claim of W. H. Carlson against the State of California;

Also: Senate Concurrent Resolution No. 26—Relative to preparation of a plan for financing the elimination of grade crossings other than across State highways and authorizing the appointment of a committee for the purpose of preparing such a plan;

And reports that the same have been correctly engrossed.

RILEY, Chairman.

Senate Bill No. 962—An act to provide for the organization, government, powers and functions of flood control and flood water conservation districts.

RESOLUTION.

The following resolution was offered:

By Senator Swing:

Resolved, That Senate Bill No. 962 presents a case of urgency, as that term is used in section 15 of article IV of the constitution, and the provision of that section requiring that the bill shall be read on three several days in each house is hereby dispensed with, and it is ordered that said bill be read the first, second and third times, and placed upon its passage.

Resolution read.

The question being on the adoption of the resolution.

The roll was called, and the resolution adopted by the following vote:

AYES—Senators Allen, Baker, Breed, Bush, Carter, Cassidy, Clock, Crittenden, Deuel, Duval, Edwards, Evans, Fellom, Harper, Hays, Ingels, Inman, Jones, Maloney, McCormack, McKinley, Mixter, Nelson, Rich, Riley, Schottky, Sharkey, Slater, Swing, Wagy, and Williams—31.

NOES—Senators Moran, and Pedrotti—2.

Whereupon, the President declared the provisions of section 15 of article IV of the constitution suspended for the purpose of considering, at this time, Senate Bill No. 962.

SECOND READING OF SENATE BILL NUMBER NINE HUNDRED SIXTY-TWO.

Senate Bill No. 962—An act to provide for the organization, government, powers and functions of flood control and flood water conservation districts.

Bill read second time, and ordered on file for third reading.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Senate Bill No. 962 passed by the following vote:

AYES—Senators Allen, Baker, Breed, Bush, Carter, Cassidy, Cleveland, Crittenden, Deuel, Duval, Edwards, Evans, Harper, Ingels, Inman, Jones, Maloney, McCormack, McKinley, Mixter, Nelson, Rich, Sharkey, Slater, Swing, Wagy, and Williams—27.

NOES—Senators Clock, Fellom, Moran, Pedrotti, and Riley—5.

Title read and approved.

Bill ordered transmitted to the Assembly.

SENATE CONCURRENT RESOLUTION No. 39.

Relating to the dedication of the Lassen Volcanic National Park.

WHEREAS, The people of California, through the sponsorship and under the direction of the California State Chamber of Commerce, are making elaborate plans for the formal dedication of Lassen Volcanic National Park on July 24, 25, and 26 of this year; and

WHEREAS, This great national park is destined to become one of the foremost scenic and recreational playgrounds of the nation by reason of its being the site of the only living volcano on the mainland of the United States, and thus an invaluable asset to the national park system of the United States of America as well as the source of constant pride to the people of California; now, therefore, be it

Resolved by the Senate, the Assembly concurring, That the Legislature of the State of California join with the sponsors of this dedication in welcoming visitors from all other western states; and be it further

Resolved, That the Legislature urges the people of California to join in the dedication ceremonies as a mark of appreciation to the national government in providing this great natural wonderland for the benefit and enjoyment of the people of this nation; and be it further

Resolved, That the Legislature of the State of California join with the California State Chamber of Commerce in inviting and urging the Honorable Herbert Hoover,

President of the United States, to grace this dedication ceremony with his presence on Saturday, July 25, 1931; and be it further

Resolved, That the Governor is respectfully requested to forward a copy of this resolution to the President of the United States.

Resolution read.

The question being on the adoption of the resolution.

The roll was called, and Senate Concurrent Resolution No. 39 adopted by the following vote:

AYES—Senators Allen, Baker, Breed, Bush, Carter, Cassidy, Clock, Crittenden, Duval, Duval, Evans, Fellom, Harper, Hays, Ingels, Jones, McCormack, Mixer, Pedrotti, Rich, Schottky, Sharkey, Slater, Swing, and Waggy—25.

NOES—None.

Senate Concurrent Resolution No. 39 ordered transmitted to the Assembly.

Senate Bill No. 393—An act making an appropriation to pay the claim of W. H. Carlson against the State of California.

RESOLUTION.

The following resolution was offered:

By Senator Harper:

Resolved, That Senate Bill No. 393 presents a case of urgency, as that term is used in section 15 of article IV of the constitution, and the provision of that section requiring that the bill shall be read on three several days in each house is hereby dispensed with, and it is ordered that said bill be read the first, second, and third times, and placed upon its passage.

Resolution read.

The question being on the adoption of the resolution.

The roll was called, and the resolution adopted by the following vote:

AYES—Senators Allen, Baker, Breed, Carter, Cleveland, Crittenden, Duval, Duval, Edwards, Evans, Fellom, Harper, Hays, Ingels, Jones, Maloney, McCormack, McKinley, Mixer, Nelson, Pedrotti, Riley, Schottky, Sharkey, Slater, Swing, Waggy, and Williams—28.

NOES—None.

Whereupon, the President declared the provisions of section 15 of article IV of the constitution suspended for the purpose of considering, at this time, Senate Bill No. 393.

SECOND READING OF SENATE BILL NUMBER THREE HUNDRED NINETY-THREE.

Senate Bill No. 393—An act making an appropriation to pay the claim of W. H. Carlson against the State of California.

Bill read second time, and ordered on file for third reading.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Senate Bill No. 393 passed by the following vote:

AYES—Senators Allen, Baker, Breed, Carter, Cassidy, Cleveland, Clock, Crittenden, Duval, Edwards, Evans, Fellom, Harper, Ingels, Jones, Maloney, McCormack, McKinley, Mixer, Pedrotti, Rich, Riley, Schottky, Sharkey, Slater, Swing, Tubbs, Waggy, and Williams—29.

NOES—Senators Duval, and Hays—2.

Title read and approved.

Bill ordered transmitted to the Assembly.

Senate Concurrent Resolution No. 26.—Relative to preparation of a plan for financing the elimination of grade crossings other than across State highways and authorizing the appointment of a committee for the purpose of preparing such a plan.

Resolution read.

The question being on the adoption of the resolution.

The roll was called, and Senate Concurrent Resolution No. 26 refused adoption by the following vote:

AYES—Senators Crittenden, Fellom, Jones, Maloney, and Treacy—5.

NOES—Senators Allen, Baker, Breed, Bush, Cleveland, Deuel, Duval, Edwards, Evans, Harper, Hays, Ingels, McCormack, McKinley, Mixter, Moran, Nelson, Pedrotti, Rich, Riley, Schottky, Sharkey, Slater, Swing, Tubbs, and Wagy—26.

REPORTS OF STANDING COMMITTEES—(RESUMED).

The following reports of standing committees were received and read:

ON COUNTY GOVERNMENT.

SENATE CHAMBER, SACRAMENTO, May 8, 1931.

MR. PRESIDENT: Your Committee on County Government, to which was referred Senate Bill No. 320—An act to amend section 4255 of the Political Code, relating to the salaries, fees and expenses of officers in counties of the twenty-sixth class—has had the same under consideration, and respectfully reports the same back, and recommends that it do pass.

Committee membership—9.

(Signed out)

WAGY, Chairman.
McCORMACK.
RICH.
SCHOTTKY.
SLATER.

Senate Bill No. 320 ordered on file for second reading.

ON ENGROSSMENT, ENROLLMENT AND PRINTING.

SENATE CHAMBER, SACRAMENTO, May 8, 1931.

MR. PRESIDENT: Your Committee on Engrossment, Enrollment and Printing has examined Senate Bill No. 320—An act to amend section 4255 of the Political Code, relating to the salaries, fees and expenses of officers in counties of the twenty-sixth class—and reports that the same has been correctly re-engrossed.

RILEY, Chairman.

Senate Bill No. 320—An act to amend section 4255 of the Political Code, relating to the salaries, fees and expenses of officers in counties of the twenty-sixth class.

RESOLUTION.

The following resolution was offered:

By Senator Cleveland:

Resolved. That Senate Bill No. 320 presents a case of urgency, as that term is used in section 15 of article IV of the constitution, and the provision of that section requiring that the bill shall be read on three several days in each house is hereby dispensed with, and it is ordered that said bill be read the first, second and third times, and placed upon its passage.

Resolution read.

The question being on the adoption of the resolution.

The roll was called, and the resolution adopted by the following vote:

AYES—Senators Allen, Baker, Breed, Cleveland, Crittenden, Deuel, Duval, Edwards, Evans, Fellom, Harper, Hays, Ingels, Jones, Maloney, McCormack, McKinley, Mixter, Moran, Nelson, Pedrotti, Rich, Riley, Schottky, Sharkey, Slater, Treacy, Wagy, and Williams—29.

NOES—None.

Whereupon, the President declared the provisions of section 15 of article IV of the constitution suspended for the purpose of considering, at this time, Senate Bill No. 320.

SECOND READING OF SENATE BILL NUMBER THREE HUNDRED TWENTY.

Senate Bill No. 320—An act to amend section 4255 of the Political Code, relating to the salaries, fees and expenses of officers in counties of the twenty-sixth class.

Bill read second time, and ordered on file for third reading.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Senate Bill No. 320 passed by the following vote:

AYES—Senators Allen, Baker, Breed, Bush, Cleveland, Crittenden, Duval, Edwards, Evans, Fellom, Harper, Hays, Ingels, Jones, Maloney, McCormack, Moran, Nelson, Pedrotti, Rich, Riley, Schottky, Sharkey, Slater, Treacy, Wagy, and Williams—27.

NOES—None.

Title read and approved.

Bill ordered transmitted to the Assembly.

REPORTS OF STANDING COMMITTEES—(RESUMED).

The following reports of standing committees were received and read:

ON COUNTY GOVERNMENT.

SENATE CHAMBER, SACRAMENTO, May 8, 1931.

MR. PRESIDENT: Your Committee on County Government, to which was referred Assembly Bill No. 1585—An act to amend section 2322-33 of the Political Code, relating to the office of agricultural commissioner in counties of the thirty-third class;

Also: Assembly Bill No. 1586—An act to amend section 19-33 of the Juvenile Court Law, relating to probation officers in counties of the thirty-third class;

Also: Assembly Bill No. 1599—An act to amend section 19-50 of the Juvenile Court Law, relating to probation officers in counties of the fiftieth class;

Has had the same under consideration, and respectfully reports the same back, and recommends that they do pass.

Committee membership—9.

(Signed out)

WAGY, Chairman.
CASSIDY.
McCORMACK.
NELSON.
RICH.
RILEY.
SCHOTTKY.
SLATER.

Assembly Bills Nos. 1585, 1586 and 1599 ordered on file for second reading.

Also:

MR. PRESIDENT: Your Committee on County Government, to which was referred Assembly Bill No. 1619—An act to amend section 2322-4 to the Political Code, relating to the office of agricultural commissioner in counties of the fourth class;

Also: Assembly Bill No. 1622—An act to amend section 19-4 of the Juvenile Court Law, relating to probation officers in counties of the fourth class;

Has had the same under consideration, and respectfully reports the same back, and recommends that they do pass.

Committee membership—9; committee vote: Ayes—9.

WAGY, Chairman.

Assembly Bills Nos. 1619 and 1622 ordered on file for second reading.

Also:

MR. PRESIDENT: Your Committee on County Government, to which was referred Assembly Bill No. 410—An act to amend section 4277 of the Political Code, relating to salaries and fees of officials in counties of the forty-seventh class;

Also: Assembly Bill No. 286—An act to amend section 4280 of the Political Code, relating to the salaries and fees of officials in counties of the fifty-first class;

Also: Assembly Bill No. 1825—An act to amend section 2322²⁶ of the Political Code, relating to the office of agricultural commissioner in counties of the twenty-sixth class;

Also: Assembly Bill No. 1545—An act to add section 4327 to the Political Code, relating to vacations and sick leaves of county officers and employees;

Also: Assembly Bill No. 982—An act to amend section 4260 of the Political Code, relating to compensation of county and township officers in counties of the thirty-first class;

Has had the same under consideration, and respectfully reports the same back with amendments, and recommends that the amendments be adopted, and that they do pass as amended.

Committee membership—9; committee vote: Ayes—8; absent—1.

WAGY, Chairman.

Assembly Bills Nos. 410, 286, 1825, 1545 and 982 ordered on file for second reading.

Also:

MR. PRESIDENT: Your Committee on County Government, to which was referred Assembly Bill No. 1542—An act to add a new section to the Political Code, to be numbered 4259^a, relative to fees for official services—has had the same under consideration, and respectfully reports the same back with amendments, and recommends that the amendments be adopted, and that it do pass as amended.

Committee membership—9; committee vote: Ayes—8; absent—1.

WAGY, Chairman.

Assembly Bill No. 1542 ordered on file for second reading.

Also:

MR. PRESIDENT: Your Committee on County Government, to which was referred Assembly Bill No. 677—An act to amend section 4234 and to repeal section 4235^a of the Political Code, relating to the compensation of county and township officers in counties of the fifth class;

Also: Assembly Bill No. 1635—An act to amend section 2322³⁷ of the Political Code, relating to the office of agricultural commissioner in counties of the thirty-seventh class;

Also: Assembly Bill No. 1136—An act to amend section 4236^a of the Political Code, relating to county and township officers in counties of the seventh class, the assistants, deputies, and other employees of said officers, and provided for the compensation of said officers and said assistants, deputies, and other employees;

Also: Assembly Bill No. 1802—An act to amend the Political Code by adding thereto new sections to be numbered 3440^a, 3440^b, 3440^c and 3440^d, by amending sections 3512, 3513, and 3514 and by repealing sections 3422, 3423, 3424, 3425, 3426, 3427 and 3429, all relating to public lands;

Also: Assembly Bill No. 1806—An act to amend section 19^{a26} of the Juvenile Court Law, relating to probation officers in counties of the twenty-sixth class;

Has had the same under consideration, and respectfully reports the same back, and recommends that they do pass.

Committee membership—9; committee vote: Ayes—8; absent—1.

WAGY, Chairman.

Assembly Bills Nos. 677, 1635, 1136, 1802 and 1806 ordered on file for second reading.

Also:

MR. PRESIDENT: Your Committee on County Government, to which was referred Assembly Bill No. 1775—An act to amend section 2322¹⁶ of the Political Code, relating to the salary of the county agricultural commissioner, his deputies and inspectors, in counties of the sixteenth class;

Also: Assembly Bill No. 248—An act to amend section 4283 of the Political Code, relating to compensation of county officers in counties of the fifty-fourth class;

Also: Assembly Bill No. 1531—An act to add section 19x20 to the Juvenile Court Law, relating to the compensation of the probation officers in counties of the twentieth class;

Has had the same under consideration, and respectfully reports the same back, and recommends that they do pass.

Committee membership—9; committee vote: Ayes—8; absent—1.

WAGY, Chairman.

Assembly Bills Nos. 1775, 248 and 1531 ordered on file for second reading.

ON EDUCATION.

SENATE CHAMBER, SACRAMENTO, May 7, 1931.

MR. PRESIDENT: Your Committee on Education, to which was referred Assembly Bill No. 447—An act to amend section 5.744 of the School Code, relating to the manner of paying salaries of certified employees of school districts;

Also: Assembly Bill No. 1178—An act to add a new section to the School Code, to be numbered 5.805, providing for the exemption of certain persons from the benefits and burdens of part IV of division V of the School Code;*

Has had the same under consideration, and respectfully reports the same back with amendments, and recommends that the amendments be adopted, and that they do pass as amended.

Committee membership—14; committee vote: Ayes—13; absent—1.

SLATER, Chairman.

Assembly Bills Nos. 447 and 1178 ordered on file for second reading.

ON ELECTIONS.

SENATE CHAMBER, SACRAMENTO, May 8, 1931.

MR. PRESIDENT: Your Committee on Elections, to which was referred Assembly Bill No. 149—An act to amend sections 1357, 1358, 1359 and 1362 and repeal sections 1360 and 1361 of the Political Code, relating to absent voters—has had the same under consideration, and respectfully reports the same back, without recommendation.

Committee membership—11; committee vote: Ayes—8; absent—3.

FELLOW, Chairman.

Assembly Bill No. 159 ordered on file for second reading.

ON EDUCATION.

SENATE CHAMBER, SACRAMENTO, May 7, 1931.

MR. PRESIDENT: Your Committee on Education, to which was referred Assembly Bill No. 1495—An act to repeal articles VII and VIII, embracing sections 2.170 to 2.187, both inclusive, of chapter II of part I of division II of the School Code and to add to chapter II of part I of division II of the School Code a new article to be known as article VII, embracing sections 2.170 to 2.179, both inclusive, relating to the suspension and lapsation of school districts;

Also: Assembly Bill No. 1665—An act to amend section 2.446 of the School Code, relating to a change of boundaries as a consequence of two or more school districts forming a union or joint union district;

Has had the same under consideration, and respectfully reports the same back, and recommends that they do pass.

Committee membership—14; committee vote: Ayes—13; absent—1.

SLATER, Chairman.

Assembly Bills Nos. 1495 and 1665 ordered on file for second reading.

Also:

MR. PRESIDENT: Your Committee on Education, to which was referred Assembly Bill No. 1050—An act to repeal chapter III, embracing sections 4.180 to 4.196, both inclusive, of part II of division IV of the School Code, relating to teachers' salary funds in counties or cities and counties constituting but one school district;

Also: Assembly Bill No. 1053—An act to amend sections 1, 6, 7, 9, 10 and 13 of the California Nautical School Act, approved June 3, 1929, relating to the State Nautical School;

Also: Assembly Bill No. 1094—An act to amend section 5.540 of the School Code, relating to the employment of teachers;

Also: Assembly Bill No. 1181—An act to amend section 3.24 of the School Code, relating to the maximum school day for pupils in the public schools;

Also: Assembly Bill No. 1197—An act to amend section 3.250 of the School Code, relating to the admission of minors to junior high schools;

Also: Assembly Bill No. 1266—An act to add a new section to the School Code, to be numbered 6.5, relating to the providing of a water supply for schools;

Also: Assembly Bill No. 1491—An act to add a new section to the School Code to be numbered 1.73, providing for the payment of the cost of food and lodging to secondary school pupils by governing boards of secondary school districts in lieu of the transportation of such pupils;

Has had the same under consideration, and respectfully reports the same back, and recommends that they do pass.

Committee membership—14; committee vote: Ayes—13; absent—1.

SLATER, Chairman.

Assembly Bills Nos. 1050, 1053, 1094, 1181, 1197, 1266 and 1491 ordered on file for second reading.

Also:

MR. PRESIDENT: Your Committee on Education, to which was referred Assembly Bill No. 446—An act to add new sections to the School Code, to be numbered 5.722 and 5.723 providing for the granting of leaves of absence to certificated employees of school districts for the purpose of permitting study or travel by such employees;

Also: Assembly Bill No. 448—An act to add a new section to the School Code to be numbered 5.721 providing for the granting of leaves with compensation to certificated employees of school districts because of accident, illness, quarantine or temporary inability to perform duties;

Also: Assembly Bill No. 530—An act to repeal article III embracing section 1.90 of chapter III of part I of division I of the School Code, and to add to chapter III of part I of division I of the School Code a new article to be known as article III, embracing section 1.90, all relating to the transportation of pupils;

Also: Assembly Bill No. 660—An act to amend chapter IV, part I, division VI of the School Code, by adding thereto a new article, to be numbered IVa, relating to the sale of buildings, structures, and other fixtures by one school district to another, where the governing boards have the same personnel;

Also: Assembly Bill No. 671—An act to add a new section to the School Code to be numbered 4.385, relating to the publication of information regarding school affairs by school boards;

Also: Assembly Bill No. 752—An act to amend section 2.970 of the School Code and to add thereto a new section to be numbered 2.971, relating to the election of members of boards of education in cities;

Has had the same under consideration, and respectfully reports the same back, and recommends that they do pass.

Committee membership—14; committee vote: Ayes—13; absent—1.

SLATER, Chairman.

Assembly Bills Nos. 446, 448, 530, 660, 671 and 752 ordered on file for second reading.

Also:

MR. PRESIDENT: Your Committee on Education, to which was referred Assembly Bill No. 1168—An act to amend sections 6.260, 6.262, 6.264 and 6.523 of, and to add sections 2.1223 and 6.561½ to the School Code, relating to the public school system—has had the same under consideration, and respectfully reports the same back, without recommendation.

Committee membership—14; committee vote: Ayes—13; absent—1.

SLATER, Chairman.

Assembly Bill No. 1168 ordered on file for second reading.

ON UNIVERSITIES AND TEACHERS COLLEGES.

SENATE CHAMBER, SACRAMENTO, May 7, 1931.

MR. PRESIDENT: Your Committee on Universities and Teachers Colleges, to which was referred Assembly Bill No. 477—An act to create a State Medical Library under the direction of the Regents of the University of California, providing for the establishment of branches of said library and for the administration, maintenance, and support of the same, and making an appropriation therefor—has had the same under consid-

eration, and respectfully reports the same back, and recommends that it be re-referred to Committee on Finance.

Committee membership—9.

(Signed out)

DEUEL, Chairman.

BREED.

EVANS.

HAYS.

NELSON.

PEDROTTI.

Assembly Bill No. 477 ordered re-referred to Committee on Finance.

ON PUBLIC UTILITIES.

SENATE CHAMBER, SACRAMENTO, May 8, 1931.

MR. PRESIDENT: Your Committee on Public Utilities, to which was referred Assembly Bill No. 731—An act to add a new section to the Civil Code, to be numbered 2178, limiting the liability of steam and electric railroad common carriers and sleeping car companies of property carried in trunks, valises, suit cases, traveling bags, boxes, bundles or packages, in the event of loss of or injury to the same—has had the same under consideration, and respectfully reports the same back, and recommends that it do pass.

Committee membership—11; committee vote: Ayes—8; absent—3.

CARTER, Chairman.

Assembly Bill No. 731 ordered on file for second reading.

RE-REFERENCE OF SENATE BILLS.

On motion of Senator Breed, the following Senate Bills were re-referred as indicated:

Senate Bill No. 356 ordered re-referred to Committee on Revenue and Taxation.

Senate Bills Nos. 27 and 28 ordered re-referred to Committee on Governmental Efficiency.

Senate Bill No. 234 ordered re-referred to Committee on Public Morals.

Senate Concurrent Resolution No. 30 ordered re-referred to Committee on Municipal Corporations.

Senate Constitutional Amendment No. 26 ordered re-referred to Committee on Conservation.

ADJOURNMENT OUT OF RESPECT.

On motion of Senator Slater, seconded by Senators Breed and Crittenden, the Senate decided, by a rising vote, that when adjournment for this day should be had, such adjournment should be out of respect to the memory of the Hon. Emmett I. Donohue, former Assemblyman.

ADJOURNMENT.

At four o'clock p.m., on motion of Senator Breed, the President declared the Senate adjourned out of respect to the memory of the late Emmett I. Donohue, former Assemblyman, until eleven o'clock a.m., Monday, May 11, 1931.

HAROLD J. POWERS, Minute Clerk.

IN SENATE.

SENATE CHAMBER,
SACRAMENTO, Monday, May 11, 1931.

The Senate met at eleven o'clock a.m.

Lieutenant Governor Frank F. Merriam, President of the Senate, in the chair.

Secretary Joseph A. Beek at the desk.

ROLL CALL.

The roll was called, and the following answered to their names:

Senators Allen, Baker, Breed, Bush, Carter, Cassidy, Christian, Cleveland, Clook, Crittenden, Deuel, Duval, Edwards, Evans, Fellom, Harper, Hays, Ingels, Inman, Jones, Maloney, McKinley, Mixter, Moran, Nelson, Pedrotti, Rich, Riley, Rochester, Schottky, Sharkey, Slater, Swing, Treacy, Tubbs, Wagy, and Williams—37.

Quorum present.

PRAYER.

Prayer was offered by the Chaplain, Rev. Sherman L. Divine.

READING OF THE JOURNAL.

During the reading of the Journal of Friday, May 8, 1931, the further reading was dispensed with, on motion of Senator Slater.

PRIVILEGE OF FLOOR OF SENATE EXTENDED.

On request of Senator Deuel, the privilege of the floor of the Senate Chamber for this day was unanimously extended to Federal Judge A. F. St. Sure.

On request of Senator Sharkey, the privilege of the floor of the Senate Chamber for this day was unanimously extended to Marion Doss of Martinez.

On request of Senator Evans, the privilege of the floor of the Senate Chamber for this day was unanimously extended to J. M. Paige, secretary Pomona Chamber of Commerce, Pomona, California.

On request of Senator Sharkey, the privilege of the floor of the Senate Chamber for this day was unanimously extended to Undersheriff W. M. Veale and Junior Bray of Martinez.

MESSAGES FROM THE ASSEMBLY.

The following messages from the Assembly were received and read:

ASSEMBLY CHAMBER, SACRAMENTO, May 8, 1931.

MR. PRESIDENT: I am directed to inform your honorable body that the Assembly on this day passed Assembly Bill No. 1517—An act to amend section 4 of the Act Concerning Cosmetology, relating to the tenure of office of the members of the Board of Cosmetology;

Also: Assembly Bill No. 1520—An act to amend section 1 of the State Medical Practice Act, relating to the tenure of office of the members of the Board of Medical Examiners;

Also: Assembly Bill No. 1514—An act to amend section 1 of "An act to regulate the practice of architecture," approved March 23, 1901, relating to tenure of office of board members;

Also: Assembly Bill No. 1448—An act to amend section 364c of the Political Code, relating to the members of the Industrial Welfare Commission;

Also: Assembly Bill No. 1449—An act to amend section 364b of the Political Code, relating to the Industrial Accident Commission.

ARTHUR A. OHNIMUS, Chief Clerk.
By A. W. ENGELKE, Assistant Clerk.

Assembly Bills Nos. 1517, 1520, 1514, 1448 and 1449 read first time, and referred to Committee on Governmental Efficiency.

Also:

ASSEMBLY CHAMBER, SACRAMENTO, May 8, 1931.

MR. PRESIDENT: I am directed to inform your honorable body that the Assembly on this day passed Assembly Bill No. 331—An act to amend section 347½ of the Penal Code, relative to the sale and use of poisons and providing a penalty for the violation thereof;

Also: Assembly Bill No. 1501—An act to amend section 11 of an act entitled "An act to insure the better education of dental surgeons and to regulate the practice of dentistry in the State of California, providing penalties for the violation hereof," approved May 21, 1915, as amended;

Also: Assembly Bill No. 673—An act appropriating money to pay the claim of International Indemnity Company, a corporation, against the State of California;

Also: Assembly Bill No. 1422—An act appropriating money to pay the claim of ----- against the State of California.

ARTHUR A. OHNIMUS, Chief Clerk.
By FRED J. DESCH, Assistant Clerk.

Assembly Bills Nos. 331 and 1501 read first time, and referred to Committee on Public Health and Quarantine.

Assembly Bills Nos. 673 and 1422 read first time, and referred to Committee on Finance.

Also:

ASSEMBLY CHAMBER, SACRAMENTO, May 8, 1931.

MR. PRESIDENT: I am directed to inform your honorable body that the Assembly on this day passed Assembly Bill No. 1461—An act making an appropriation for the education of children of those who were killed in action or who died from other causes while serving in the armed forces of the United States during the World War, from April 6, 1917, to July 2, 1921, and providing for the expenditure thereof;

Also: Assembly Bill No. 1817—An act to amend section 737f of the Political Code, relating to the salary of the superior judge in and for the county of Colusa;

Also: Assembly Bill No. 1950—An act making an appropriation for the use of the Judicial Council to be devoted to research;

Also: Assembly Bill No. 1192—An act to amend The Municipal Port District Act, relating to the inclusion of unincorporated territory in municipal port districts by amending sections 1, 2, 4, 5, 6, 9, 13, 17, and 18 thereof.

ARTHUR A. OHNIMUS, Chief Clerk.
By FRED J. DESCH, Assistant Clerk.

Assembly Bill No. 1461 read first time, and referred to Committee on Military Affairs.

Assembly Bills Nos. 1817 and 1950 read first time, and referred to Committee on Finance.

Assembly Bill No. 1192 read first time, and referred to Committee on Municipal Corporations.

Also:

ASSEMBLY CHAMBER, SACRAMENTO, May 8, 1931.

MR. PRESIDENT: I am directed to inform your honorable body that the Assembly on this day passed Assembly Bill No. 1644—An act to appropriate money to pay the claim of Herbert F. Field against the State of California;

Also: Assembly Bill No. 661—An act to add a new section to the California Vehicle Act, to be numbered 51½, relating to the display of registration plates;

Also: Assembly Bill No. 416—An act to amend section 1582 of the Code of Civil Procedure, relating to actions by and against executors and administrators;

Also: Assembly Bill No. 1941—An act to amend section 2290 of the Political Code, relating to children of parents who have been committed to a State hospital or to prison.

ARTHUR A. OHNIMUS, Chief Clerk.
By FRED J. DESCH, Assistant Clerk.

Assembly Bill No. 1644 read first time, and referred to Committee on Finance.

Assembly Bill No. 661 read first time, and referred to Committee on Motor Vehicles.

Assembly Bills Nos. 416 and 1941 read first time, and referred to Committee on Judiciary.

Also:

ASSEMBLY CHAMBER, SACRAMENTO, May 8, 1931.

MR. PRESIDENT: I am directed to inform your honorable body that the Assembly on this day passed Assembly Bill No. 184—An act to amend sections 765, 861 and 863 of an act entitled "An act to provide for the organization, incorporation, and government of municipal corporations," approved March 13, 1883, as amended, relating to cities and towns of the fifth and sixth class;

Also: Assembly Bill No. 1939—An act to enable counties to rent equipment for or contract for the maintenance, construction or repair of, street and road work in incorporated cities and towns;

Also: Assembly Bill No. 1745—An act to amend section 4241 of the Political Code, relating to salaries of officers and employees of counties of the twelfth class;

Also: Assembly Bill No. 854—An act making an appropriation to pay the claim of J. H. Brinney against the State of California.

ARTHUR A. OHNIMUS, Chief Clerk.
By FRED J. DESCH, Assistant Clerk.

Assembly Bills Nos. 184 and 1939 read first time, and referred to Committee on Municipal Corporations.

Assembly Bill No. 1745 read first time, and referred to Committee on County Government.

Assembly Bill No. 854 read first time, and referred to Committee on Finance.

Also:

ASSEMBLY CHAMBER, SACRAMENTO, May 8, 1931.

MR. PRESIDENT: I am directed to inform your honorable body that the Assembly on this day passed Assembly Bill No. 1956—An act making an appropriation to be expended by the Governor in defraying expenses incident to the visit to California of the Committee on Irrigation and Reclamation of the Senate of the United States;

Also: Assembly Bill No. 750—An act to amend section 736c of the Political Code, relating to the payment of salaries of judges of the superior court;

Also: Assembly Bill No. 512—An act to amend section 2 of an act entitled "An act creating a State Bureau of Criminal Identification and Investigation, providing for its organization and defining its powers and duties and making an appropriation to carry out the provisions hereof, and repealing an act entitled 'An act to create a State Bureau of Criminal Identification, and providing for the appointment of a director of said bureau, defining his duties and qualifications and powers; providing for the appointment of a clerk of said bureau and fixing his qualifications; fixing compensation of said director and clerk, providing for the manner of paying the same and providing for the expense of conducting the office,' approved March 20, 1905, as amended," relating to the Board of Managers of the State Bureau of Criminal Identification and Investigation.

ARTHUR A. OHNIMUS, Chief Clerk.
By FRED J. DESCH, Assistant Clerk.

Assembly Bills Nos. 1956 and 750 read first time, and referred to Committee on Finance.

Assembly Bill No. 512 read first time, and referred to Committee on Governmental Efficiency.

Also:

ASSEMBLY CHAMBER, SACRAMENTO, May 8, 1931.

MR. PRESIDENT: I am directed to inform your honorable body that the Assembly on this day passed Assembly Bill No. 878—An act to amend sections 2.1370 and 2.1371 of the School Code, relating to the State Board of Education;

Also: Assembly Bill No. 1731—An act to amend section 1 of an act entitled "An act relating to the Board of Trustees of the California Institution for Women and the appointment and terms of office of the members of said board," approved May 24, 1929, relating to trustees of such institution;

Also: Assembly Bill No. 1733—An act to amend section 3 of the California Nautical School Act, relating to members of the Board of Governors of the California Nautical School;

Also: Assembly Bill No. 1742—An act to amend section 2 of the State Civil Service Act, relating to the State Civil Service Commission.

ARTHUR A. OHNIMUS, Chief Clerk.

By FRED J. DESCH, Assistant Clerk.

Assembly Bills Nos. 878, 1731, 1733 and 1742 read first time, and referred to Committee on Governmental Efficiency.

Also:

ASSEMBLY CHAMBER, SACRAMENTO, May 8, 1931.

MR. PRESIDENT: I am directed to inform your honorable body that the Assembly on this day passed Assembly Bill No. 785—An act to add a new article to chapter 3 of title 1 to part 111 of the Political Code, to be numbered article 11a, embracing sections 360 to 360j, both inclusive, relating to a Division of Motor Vehicles and a California Highway Patrol and repealing sections 363h, 363i and 363m of the Political Code, and repealing section 30 of the California Vehicle Act, relating to the California Highway Patrol;

Also: Assembly Bill No. 1205—An act to add a new section to the Political Code, to be numbered 880, relating to officers appointed by the Governor or by the Governor with the consent of the Senate, and their tenure of office;

Also: Assembly Bill No. 1954—An act creating in the State Department on Penology a Division of Prison Terms and Paroles under the control of a Board of Prison Terms and Paroles, defining the powers and duties of said division and of said board, and making an appropriation therefor;

Also: Assembly Bill No. 1955—An act to create a State Unemployment Commission to study the problem of unemployment and to propose remedies therefor and to make an appropriation therefor.

ARTHUR A. OHNIMUS, Chief Clerk.

By FRED J. DESCH, Assistant Clerk.

Assembly Bill No. 785 read first time, and referred to Committee on Motor Vehicles.

Assembly Bills Nos. 1205 and 1954 read first time, and referred to Committee on Governmental Efficiency.

Assembly Bill No. 1955 read first time, and referred to Committee on Finance.

Also:

ASSEMBLY CHAMBER, SACRAMENTO, May 8, 1931.

MR. PRESIDENT: I am directed to inform your honorable body that the Assembly on this day passed Assembly Bill No. 1454—An act to amend section 3756 of the Political Code, relating to delinquent dates for taxes;

Also: Assembly Bill No. 1240—An act to amend section 737p of the Political Code, relating to the salary of the judge of the superior court in and for the county of Kings;

Also: Assembly Bill No. 1298—An act making an appropriation to defray the expenses of the winter sports program to be held in connection with the Olympic Games in the State of California;

Also: Assembly Bill No. 596—An act to regulate the practice of structural pests control.

ARTHUR A. OHNIMUS, Chief Clerk.

By FRED J. DESCH, Assistant Clerk.

Assembly Bill No. 1454 read first time, and referred to Committee on Revenue and Taxation.

Assembly Bills Nos. 1240 and 1298 read first time, and referred to Committee on Finance.

Assembly Bill No. 596 read first time, and referred to Committee on Agriculture and Live Stock.

Also:

ASSEMBLY CHAMBER, SACRAMENTO, May 8, 1931.

MR. PRESIDENT: I am directed to inform your honorable body that the Assembly on May 7, 1931, passed Assembly Bill No. 561—An act to amend sections 602 and 627 of the Penal Code, relating to trespass.

ARTHUR A. OHNIMUS, Chief Clerk.
By A. W. ENGELKE, Assistant Clerk.

Assembly Bill No. 561 read first time, and referred to Committee on Judiciary.

Also:

ASSEMBLY CHAMBER, SACRAMENTO, May 8, 1931.

MR. PRESIDENT: I am directed to inform your honorable body that the Assembly on this day passed Assembly Bill No. 992—An act to amend section 1186 of the Code of Civil Procedure, relating to liens of mechanics and materialmen:

Also: Assembly Bill No. 1908—An act to repeal section 13a of chapter 795, Statutes of 1927, entitled "An act to regulate and license the business of producing, refining or distributing gasoline, distillate and other motor vehicle fuels, providing for the collection and disposition of license taxes, and adopting those provisions, not inconsistent herewith, of an act entitled 'An act to regulate and license the business of producing, refining or distributing gasoline, distillate and other motor vehicle fuels, providing for the collection and disposition of license taxes, prescribing penalties for violation of the provisions of said act, and repealing all acts and parts of acts inconsistent herewith,' approved May 30, 1923, as amended and approved May 23, 1925," as amended, relating to a revolving fund for the State Highway Commission;

Also: Assembly Bill No. 771—An act to amend sections 24 and 38 of the State Bar Act, relating to the admission of applicants;

Also: Assembly Bill No. 1206—An act to add a new section to the Penal Code, to be numbered section 653g, making it a misdemeanor offense to charge or collect, or attempt to charge or collect, a fee or valuable consideration for placing, or assisting in placing, or attempting to place, persons in public work, as herein defined, or for registering persons for such public work, or giving information as to where such public work may be procured, or to place any order for the employment of a worker or workers, for such public work where a fee or valuable consideration is to be charged the applicant for such employment.

ARTHUR A. OHNIMUS, Chief Clerk.
By FRED J. DESCH, Assistant Clerk.

Assembly Bill No. 992 read first time, and referred to Committee on Judiciary.

Assembly Bill No. 1908 read first time, and referred to Committee on Oil Industries.

Assembly Bills Nos. 771 and 1206 read first time, and referred to Committee on Judiciary.

Also:

ASSEMBLY CHAMBER, SACRAMENTO, May 8, 1931.

MR. PRESIDENT: I am directed to inform your honorable body that the Assembly on this day passed Assembly Concurrent Resolution No. 33—Relative to the holding of a celebration on August 7, 1932, to mark the completion of 20 years of highway progress in California;

Also: Assembly Concurrent Resolution No. 40—A resolution providing for the creation of a joint committee of the Senate and Assembly to study acquisition and improvement laws of the State of California; to prepare and make recommendations concerning elimination, consolidation and changes in existing laws and to make an appropriation to meet expenses of said committee necessarily incurred in said work;

Also: Assembly Concurrent Resolution No. 32—Relative to an conditions in public buildings and creating a committee for the study thereof, to report to the Legislature;

Also: Assembly Concurrent Resolution No. 24—Relative to amendment of the Joint Rules of Senate and Assembly;

Also: Assembly Concurrent Resolution No. 35—Relative to the Joint Rules of the Senate and of the Assembly;

Also: Assembly Concurrent Resolution No. 39—A resolution relative to the appointment of a joint committee of the Senate and Assembly to consider the constitutional mandate with respect to mechanics' liens and to suggest remedial legislation; to prepare and make recommendations concerning changes in existing laws affecting trust deeds and mortgages and to make an appropriation to meet expenses of said committee necessarily incurred in said work.

ARTHUR A. OHNIMUS, Chief Clerk.
By A. W. ENGELKE, Assistant Clerk.

Assembly Concurrent Resolutions Nos. 33, 24, and 35 read, and referred to Committee on Rules.

Assembly Concurrent Resolution No. 40 read, and referred to Committee on Municipal Corporations.

Assembly Concurrent Resolution No. 32 read, and referred to Committee on Public Health and Quarantine.

Assembly Concurrent Resolution No. 39 read, and referred to Committee on Judiciary.

Also:

ASSEMBLY CHAMBER, SACRAMENTO, May 8, 1931.

MR. PRESIDENT: I am directed to inform your honorable body that the Assembly on this day passed Assembly Joint Resolution No. 28—Memorializing the President of the United States and Congress to modify in certain particulars the Migratory Bird Treaty;

Also: Assembly Joint Resolution No. 29—A resolution relative to migratory birds.

ARTHUR A. OHNIMUS, Chief Clerk.
By A. W. ENGELKE, Assistant Clerk.

Assembly Joint Resolutions Nos. 28 and 29 read, and referred to Committee on Federal Relations.

Also:

ASSEMBLY CHAMBER, SACRAMENTO, May 8, 1931.

MR. PRESIDENT: I am directed to inform your honorable body that the Assembly on this day passed Assembly Bill No. 370—An act to amend section 636 of the Penal Code, relating to the protection of fish and game;

Also: Assembly Bill No. 1692—An act providing for the exhibit of the products and resources of the State of California at the Chicago World's Fair Centennial Celebration to be held at Chicago, Illinois, in 1933, creating the California World's Fair Centennial Celebration Commission and defining its powers and duties, and making an appropriation therefor;

Also: Assembly Bill No. 1505—An act to amend sections 1 and 2 of The California Irrigation District Act, relating to petitions;

Also: Assembly Bill No. 730—An act to prohibit the solicitation of the business of collecting personal injury or death claims arising within this State, with the intention of instituting suit thereon outside of the State, and to provide a penalty for violation of this act.

ARTHUR A. OHNIMUS, Chief Clerk.
By FRED J. DESCH, Assistant Clerk.

Assembly Bill No. 370 read first time, and referred to Committee on Fish and Game.

Assembly Bill No. 1692 read first time, and referred to Committee on Finance.

Assembly Bill No. 1505 read first time, and referred to Committee on Irrigation.

Assembly Bill No. 730 read first time, and referred to Committee on Judiciary.

Also:

ASSEMBLY CHAMBER, SACRAMENTO, May 8, 1931.

MR. PRESIDENT: I am directed to inform your honorable body that the Assembly on this day passed Assembly Bill No. 17—An act to amend section 1756 of the Code of Civil Procedure, relating to letters of guardianship:

Also: Assembly Bill No. 505—An act to amend section 2322430 of the Political Code, relating to the salaries of the county horticultural commissioner, deputies, inspectors, and clerks of the counties of the thirtieth class;

Also: Assembly Bill No. 623—An act to amend section 4259 of the Political Code, relating to salaries of officers of counties of the thirtieth class;

Also: Assembly Bill No. 1851—An act providing for the sale of property used by the California Polytechnic School and providing for the purchase of property for the use of said school.

ARTHUR A. OHNIMUS, Chief Clerk.

By FRED J. DESCH, Assistant Clerk.

Assembly Bill No. 17 read first time, and referred to Committee on Judiciary.

Assembly Bills Nos. 505 and 623 read first time, and referred to Committee on County Government.

Assembly Bill No. 1851 read first time, and referred to Committee on Education.

Also:

ASSEMBLY CHAMBER, SACRAMENTO, May 8, 1931.

MR. PRESIDENT: I am directed to inform your honorable body that the Assembly on this day passed Assembly Bill No. 1523—An act to amend section 1 of "An act to insure the better education of practitioners of veterinary medicine, and to regulate the practice of veterinary medicine in the State of California, to provide for the creation of a board of five members who shall act under and in accordance with the provisions of this act; to provide for their appointment and define their powers, duties and compensation, to define offenses committed by acts done contrary to the provisions of this act, and providing penalties for the violation thereof; providing for the revocation or suspension, in certain cases, of licenses issued hereunder, and to repeal an act entitled 'An act to regulate the practice of veterinary medicine and surgery in the State of California,' approved March 23, 1893, and all other acts or parts of acts in conflict hereof," approved May 5, 1927, relating to the tenure of office of the members of the Board of Examiners in Veterinary Medicine;

Also: Assembly Bill No. 1515—An act to amend section 20 of the California Barber Law, as amended, relating to the tenure of office of the members of the board;

Also: Assembly Bill No. 1516—An act to amend section 2 of "An act regulating the practice of civil engineering," relating to the tenure of office of the members of the Board of Registration of Civil Engineers;

Also: Assembly Bill No. 1521—An act to amend section 372 of the Political Code, relating to the Department of Public Health.

ARTHUR A. OHNIMUS, Chief Clerk.

By A. W. ENGELKE, Assistant Clerk.

Assembly Bills Nos. 1523, 1515, 1516 and 1521 read first time, and referred to Committee on Governmental Efficiency.

Also:

ASSEMBLY CHAMBER, SACRAMENTO, May 8, 1931.

MR. PRESIDENT: I am directed to inform your honorable body that the Assembly on this day passed Assembly Bill No. 1522—An act to amend section 5 of "An act to regulate the practice of pharmacy in the State of California, and to provide a penalty for the violation thereof; and for the appointment of a board to be known as the California State Board of Pharmacy," approved March 20, 1905, as amended, relating to the tenure of office of the members of the State Board of Pharmacy;

Also: Assembly Bill No. 1518—An act to amend section 2 of "An act to insure the better education of dental surgeons and to regulate the practice of dentistry in the State of California, providing penalties for the violation hereof," approved May 21, 1915, as amended, relating to the tenure of office of the members of the Board of Dental Examiners;

Also: Assembly Bill No. 1519—An act to amend section 1 of "An act regulating the business of embalmers and funeral directors and the transportation of and traffic in dead human bodies, creating a State board therefor, providing penalties for violations thereof, and repealing the act entitled 'An act to establish a State Board of Embalmers, defining the duties thereof, providing for the better protection of life and health, preventing the spread of contagious disease, regulating the practice of embalming in connection with the care and disposition of the dead and providing

penalties for the violation thereof," approved April 16, 1915, as amended," approved April 20, 1929, as amended, relating to the tenure of office of the members of the State Board of Embalmers and Funeral Directors;

Also: Assembly Bill No. 1513—An act to amend section 1 of "An act to create a State Board of Accountancy and prescribe its duties and powers; to provide for the examination of and issuance of certificates to qualified applicants, with the designation of certified public accountant; and to provide for the grade of penalty for violations of the provisions hereof," approved March 23, 1901, as amended, relating to tenure of office of board members.

ARTHUR A. OHNIMUS, Chief Clerk.
By A. W. ENGELKE, Assistant Clerk.

Assembly Bills Nos. 1522, 1518, 1519 and 1513 read first time, and referred to Committee on Governmental Efficiency.

REPORTS OF STANDING COMMITTEES.

The following reports of standing committee were received and read:

ON COUNTY GOVERNMENT.

SENATE CHAMBER, SACRAMENTO, May 11, 1931.

MR. PRESIDENT: Your Committee on County Government, to which was referred Assembly Bill No. 1649—An act to amend section 4246 of the Political Code, relating to compensation of county and township officers in counties of the seventeenth class;

Also: Assembly Bill No. 1846—An act to amend sections 19r25 and 19r41 of the Juvenile Court Law, relating to probation officers in counties of the twenty-fifth and forty-first classes;

Has had the same under consideration, and respectfully reports the same back, and recommends that they do pass.

Committee membership—9.

(Signed out)

WAGY, Chairman.
CASSIDY.
RICH.
SCHOTTKY.
SLATER.

Assembly Bills Nos. 1649 and 1846 ordered on file for second reading.

Also:

MR. PRESIDENT: Your Committee on County Government, to which was referred Assembly Bill No. 610—An act to amend the Political Code by repealing section 4254 thereof and adding new sections thereto, to be numbered 4254, 4254a, 4254b, 4254c, 4254d, 4254e, 4254f, 4254g, 4254h, 4254i, 4254j, 4254k, 4254l, 4254m, 4254n, 4254o, 4254p, 4254q, 4254r, 4254s, relating to county and township officers in counties of the twenty-fifth class and providing for the compensation of said officers and said assistants and deputies and other employees;

Also: Assembly Bill No. 1764—An act to amend section 16r41 of the Weights and Measures Act, relating to sealers of weights and measures in counties of the forty-first class;

Also: Assembly Bill No. 1781—An act to add a new section to be numbered 9a25 to an act entitled "An act to provide for the establishment and maintenance of county free libraries in the State of California, and repealing 'An act entitled 'An act to provide county library systems,' approved April 12, 1909, and all acts and parts of acts in conflict with this act,'" approved February 25, 1911, as amended, relating to libraries in the counties of the twenty-fifth class;

Also: Assembly Bill No. 1828—An act to amend sections 2322r25 and 2322r41 of the Political Code, relating to the office of agricultural commissioner in counties of the twenty-fifth and forty-first classes;

Has had the same under consideration, and respectfully reports the same back, and recommends that they do pass.

Committee membership—9.

(Signed out)

WAGY, Chairman.
CASSIDY.
RICH.
SCHOTTKY.
SLATER.

Assembly Bills Nos. 610, 1764, 1781 and 1828 ordered on file for second reading.

RESOLUTION.

The following resolution was offered:

By Committee on Contingent Expenses:

Resolved, That the Controller be and he is hereby ordered and directed to draw his warrant upon the Contingent Fund of the Senate in the sum of \$1,974.35 in favor of the Secretary of the Senate to pay the items set forth below, and the Treasurer is hereby ordered and directed to pay the same. The Secretary of the Senate is instructed to furnish to the Controller vouchers covering the items set forth below:

State Supply Department	\$518 96
George N. Hammond Typewriter Company, typewriter rental	72 50
H. S. Crocker Company	8 42
State Department of Finance	55 84
Thomson Diggs Company	166 00
Virginia Crossan, illuminating resolutions	165 00
Cascade Towel Supply Company	104 44
Postage	300 00
Pacific Telephone and Telegraph Company	164 15
Western Union	70 86
Postal Telegraph and Cable Company	18 68
Frank N. Killam, installation of desk locks	329 50
Total	\$1,974 35

INGELS, Chairman.
MALONEY.
WILLIAMS.

Resolution read.

Senator Ingels moved the adoption of the resolution.

The question being on the adoption of the resolution.

The roll was called, and the resolution adopted by the following vote:

AYES—Senators Allen, Baker, Breed, Bush, Cassidy, Christian, Cleveland, Clock, Ducl, Duval, Edwards, Evans, Harper, Hays, Ingels, Inman, Jones, Maloney, McKinley, Mixter, Moran, Nelson, Pedrotti, Rich, Schottky, Sharkey, Slater, Swing, Treacy, Wagy, and Williams—31.

NOES—None.

ADOPTION OF REPORT OF SPECIAL COMMITTEE.

Senator Allen moved that the report of the Special Investigating Committee on the Water Situation in Inyo and Mono Counties, printed in the Senate Journal of Thursday, May 7, 1931, be adopted.

Motion carried, and report adopted.

EXTRA COPIES OF REPORT ORDERED.

Senator Allen moved that the Secretary of the Senate be instructed to order 2500 separate copies of the report of the Special Investigating Committee.

Motion carried, and such was the order.

ADJOURNMENT OUT OF RESPECT.

Senator Inman moved, seconded by Senator Breed, that when adjournment for this day should be had, that such adjournment be out of respect to the memory of Hon. William M. Finch, Presiding Justice of the District Court of Appeal, Third District.

CONSIDERATION OF DAILY FILE.

THIRD READING OF ASSEMBLY BILLS.

Assembly Bill No. 1694—An act to amend section 111 of the Penal Code, relating to trial of convicts and hearings of writs of habeas corpus. Bill read third time.

The question being on the passage of the bill.

The roll was called, and Assembly Bill No. 1694 passed by the following vote:

AYES—Senators Allen, Baker, Breed, Bush, Carter, Cassidy, Christian, Cleveland, Clock, Deuel, Duval, Edwards, Evans, Fellom, Hays, Inman, Jones, Maloney, McKinley, Mixer, Moran, Nelson, Pedrotti, Rich, Riley, Rochester, Schottky, Sharkey, Slater, Swing, Treacy, and Williams—34.

NOES—None.

Title read and approved.

Bill ordered transmitted to the Assembly.

Assembly Bill No. 1392—An act to amend section 902 of the Code of Civil Procedure, relating to writs of execution.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Assembly Bill No. 1392 passed by the following vote:

AYES—Senators Allen, Breed, Bush, Carter, Cassidy, Christian, Cleveland, Clock, Deuel, Edwards, Evans, Fellom, Hays, Inman, Jones, Maloney, McKinley, Mixer, Moran, Nelson, Pedrotti, Rich, Riley, Rochester, Schottky, Sharkey, Slater, Swing, Treacy, and Waggy—30.

NOES—None.

Title read and approved.

Bill ordered transmitted to the Assembly.

Assembly Bill No. 662—An act to add section 373j to the Political Code, relating to the Department of Natural Resources.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Assembly Bill No. 662 passed by the following vote:

AYES—Senators Allen, Baker, Breed, Bush, Cassidy, Christian, Cleveland, Clock, Deuel, Duval, Edwards, Evans, Fellom, Hays, Inman, Jones, Maloney, McKinley, Mixer, Moran, Nelson, Pedrotti, Rich, Riley, Rochester, Schottky, Sharkey, Slater, Swing, Treacy, and Waggy—30.

NOES—None.

Title read and approved.

Bill ordered transmitted to the Assembly.

Assembly Bill No. 1202—An act to amend section 2 of an act entitled "An act to regulate contracts on behalf of the State in relation to the erection, construction, alteration, repair or improvement of any State structure, building, road, or other State improvement of any kind and to repeal an act entitled 'An act to regulate contracts on behalf of the State in relation to erections and buildings,' approved March 28, 1876." approved March 22, 1909, as amended relating to advertisement of work.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Assembly Bill No. 1202 passed by the following vote:

AYES—Senators Allen, Baker, Breed, Bush, Cassidy, Christian, Cleveland, Deuel, Duval, Edwards, Evans, Fellom, Hays, Inman, Jones, Maloney, Mixer, Moran, Nelson, Pedrotti, Rich, Riley, Rochester, Schottky, Sharkey, Slater, Swing, Treacy, and Waggy—29.

NOES—None.

Title read and approved.

Bill ordered transmitted to the Assembly.

Assembly Bill No. 1233—An act providing for the creation and organization of a port district, as an agency of the State of California, for the improvement, development, maintenance, control, government and operation of the harbor of San Francisco, and its authorized facilities, and for the development of the commerce, navigation, and fisheries of that harbor, to be known as the Port of San Francisco, and to become the successor of the Board of State Harbor Commissioners; defining the powers, duties, and jurisdiction of said port district; providing for the qualifications, the selection, and certain powers and duties of the officers and employees of said port district; abolishing the Board of State Harbor Commissioners and officers and positions thereunder; transferring certain State property to said port district, in trust for the State, for the uses and purposes of the act; providing for the acquisition, construction, maintenance, management and operation of property by said port district; authorizing said port district to levy taxes and incur indebtedness for certain purposes, and to fix, regulate, and collect for its own purposes all charges for the use or enjoyment of public property under the jurisdiction, possession and control of said port district or managed or operated by it; authorizing the City and County of San Francisco to make contributions to said port district for certain purposes; defining the obligations and privileges of the port district with regard to certain public moneys and certain State bonds, and certain harbor improvement funds and sinking funds connected therewith; providing a procedure for determining the validity of the bonds of said port district; and providing for the extension of said port district and the acquisition of certain State property in the event of any consolidation of the City and County of San Francisco with the county of San Mateo or any part thereof.

Bill read third time.

MOTION TO REFER TO SPECIAL COMMITTEE OF ONE.

During third reading of the bill, Senator Fellom moved to refer Assembly Bill No. 1233 to Senator Treacy, as a Special Committee of One, to amend as follows:

AMENDMENT NUMBER ONE.

On page 12 of the printed amended bill, between lines 34 and 35, insert the following:

"(36) Nothing in this act shall be construed so as to constitute the district or the port board warehousemen, or as being in the warehouse or cold storage business, or authorize it to issue warehouse or storage receipts or otherwise to act as bailee, it being the intent and purpose of this act to enable the district to furnish necessary storage space for such export and import tonnage, and competitive tonnage that could use other ports needing temporary storage through inability to connect with forwarding carriers and so as to enable said tonnage to move through the port of San Francisco, and to furnish cooling and cold storage facilities for tonnage in transit; *provided, however,* anything in this act to the contrary, notwithstanding, the district itself shall have the power to use and operate the warehouses and their facilities commonly known as the state products terminal and the Islais creek grain terminal and the cold storage plant and its facilities, commonly known as the state refrigeration terminal or any parts thereof or to lease the same as in this act provided."

AMENDMENT NUMBER TWO.

On page 27 of the printed amended bill, between lines 22 and 23, insert the following:

"Sec. 46a. The provisions of any act now in effect or hereafter taking effect, establishing a retirement system for persons employed by the state, and the rules and regulations of any administrative authority created by and authorized to establish such rules and regulations under the provisions of any such act, shall apply to officers and employees under the jurisdiction of the port and paid by funds controlled by the port, in the same manner and to the same extent as in the case of

persons made eligible to membership in such retirement system under the provisions of the act creating such system. The port board must furnish such information concerning its officers and employees, their compensation and service, as may be required by such administrative authority. The port board must also certify to such administrative authority a designation of the disbursing officers of the port who are authorized to deduct the officers' and employees' contributions and to remit the contributions of the port to such retirement system. The funds of the port out of which compensation to officers or employees is paid shall contribute to such retirement system in the same manner and to the same extent as in the case of similar funds in the state treasury. The amounts to be deducted from compensations of officers and employees, and the amounts to be contributed by the fund or funds of the port, shall be certified to the designated disbursing officer or officers of the port in the same manner as in the case of members paid out of funds transferred and disbursed by the state controller. Such disbursing officer must thereupon pay the certified amounts into the retirement fund established by the act creating such retirement system."

AMENDMENT NUMBER THREE.

On page 25, line 21, of the printed amended bill, after the period, strike out the balance of the line; also strike out all of lines 22 and 23.

AMENDMENT NUMBER FOUR.

On page 3, line 39, of the printed amended bill, following the period after the word "district", add the following words: "The governor may remove any harbor trustee from his office at any time prior to the expiration of the latter's term of office and shall appoint his successor to serve for the unexpired term of the harbor trustee so removed."

AMENDMENT NUMBER FIVE.

On page 13, line 44, of the printed amended bill, before the word "need", insert the words "or of any wharf or pier".

POINT OF ORDER.

Senator Inman raised the point of order that the amendments as offered in Senator Fellom's motion to refer Assembly Bill No. 1233 to Senator Treacy, as a Special Committee of One, for amendment, were identical to what was amended out of the bill on April 20, and therefore the amendments were out of order.

DECISION ON POINT OF ORDER.

The President announced his decision and declared the point of order well taken.

Assembly Bill No. 368—An act to add a new section to the School Code, to be numbered 2.74, relating to the liability for the bonded indebtedness of school districts.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Assembly Bill No. 368 passed by the following vote:

AYES—Senators Allen, Breed, Bush, Cassidy, Christian, Cleveland, Deuel, Edwards, Evans, Fellom, Harper, Hays, Ingels, Jones, Maloney, McKinley, Mixter, Moran, Nelson, Pedrotti, Rich, Riley, Rochester, Schottky, Sharkey, Slater, Swing, Treacy, Waggy, and Williams—30.

NOES—None.

Title read and approved.

Bill ordered transmitted to the Assembly.

Assembly Bill No. 922—An act to amend section 2.125 of article III, chapter II, part I, division II of an act approved March 28, 1929, entitled "An act to provide for the establishment, government, maintenance and operation of the public school system of the State of California" and known as "The School Code of the State of California," and relating to the boundaries of certain school districts.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Assembly Bill No. 922 passed by the following vote:

AYES—Senators Allen, Baker, Breed, Bush, Carter, Cassidy, Christian, Cleveland, Clock, Crittenden, Deuel, Edwards, Evans, Fellom, Harper, Hays, Ingels, Jones, Maloney, McKinley, Mixer, Moran, Nelson, Rich, Riley, Rochester, Schottky, Slater, Swing, Treacy, Wagy, and Williams—32.

NOES—None.

Title read and approved.

Bill ordered transmitted to the Assembly.

Assembly Bill No. 950—An act to amend section 5.1043 of the School Code, relating to the payment of contributions to the Public School Teachers Permanent Fund.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Assembly Bill No. 950 passed by the following vote:

AYES—Senators Allen, Baker, Breed, Bush, Carter, Cassidy, Christian, Cleveland, Clock, Crittenden, Deuel, Duval, Evans, Fellom, Jones, McKinley, Mixer, Moran, Pedrotti, Rich, Riley, Rochester, Schottky, Slater, Treacy, Wagy, and Williams—27.

NOES—None.

Title read and approved.

Bill ordered transmitted to the Assembly.

Assembly Bill No. 461—An act to amend the title and sections 1, 2, 5, and 9 of an act entitled "An act to provide for the formation, management, and dissolution of county fire protection districts, and annexations thereto, setting forth the powers of such districts and providing for levying and collecting taxes on property in such districts to defray the expenses thereof," approved May 23, 1923, Statutes 1923, page 431, as amended, and to add sections 7a, 7b, and 7c, relating to the consolidation of fire protection districts.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Assembly Bill No. 461 passed by the following vote:

AYES—Senators Allen, Baker, Breed, Bush, Carter, Cassidy, Christian, Cleveland, Clock, Crittenden, Deuel, Duval, Evans, Fellom, Ingels, Jones, Maloney, McKinley, Mixer, Moran, Nelson, Pedrotti, Rich, Riley, Rochester, Schottky, Slater, Swing, Wagy, and Williams—30.

NOES—None.

Title read and approved.

Bill ordered transmitted to the Assembly.

Assembly Bill No. 1068—An act to amend the Political Code by adding thereto a new section to be numbered 4310, providing a special fund for the sheriff, for the manner of making disbursements thereunder, for the use of the fund, and for the manner of accounting therefor.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Assembly Bill No. 1068 passed by the following vote:

AYES—Senators Allen, Baker, Breed, Bush, Carter, Cassidy, Christian, Clock, Crittenden, Deuel, Duval, Evans, Fellom, Hays, Ingels, Jones, Maloney, Mixer,

Moran, Nelson, Rich, Riley, Rochester, Schottky, Sharkey, Slater, Swing, Wagy, and Williams—29.

NOES—None.

Title read and approved.

Bill ordered transmitted to the Assembly.

Assembly Bill No. 346—An act to amend sections 258, 261 and 261a of the Code of Civil Procedure, relating to employees of the superior court in counties or cities and counties having a population of 900,000 inhabitants and over.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Assembly Bill No. 346 passed by the following vote:

AYES—Senators Allen, Baker, Breed, Bush, Cassidy, Christian, Cleveland, Clook, Crittenden, Deuel, Evans, Fellom, Hays, Ingels, Maloney, Mixter, Moran, Nelson, Pedrotti, Rich, Riley, Rochester, Schottky, Sharkey, Slater, Swing, Treacy, Wagy, and Williams—29.

NOES—None.

Title read and approved.

Bill ordered transmitted to the Assembly.

Assembly Bill No. 396—An act to amend section 131 of the Code of Civil Procedure, relating to the incidental expenses of probation officers and deputy probation officers.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Assembly Bill No. 396 passed by the following vote:

AYES—Senators Baker, Breed, Bush, Carter, Cassidy, Christian, Cleveland, Crittenden, Deuel, Duval, Evans, Fellom, Harper, Hays, Ingels, Inman, Maloney, Mixter, Moran, Pedrotti, Riley, Rochester, Schottky, Sharkey, Slater, Swing, Treacy, Wagy, and Williams—29.

NOES—None.

Title read and approved.

Bill ordered transmitted to the Assembly.

Assembly Bill No. 460—An act to add a new section to be numbered 26a, to an act entitled The Road District Improvement Act of 1907, approved March 21, 1907, as amended, to provide a method of adjusting errors and other errors in accounts of incidental expenses.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Assembly Bill No. 460 passed by the following vote:

AYES—Senators Allen, Baker, Breed, Bush, Carter, Cassidy, Cleveland, Clook, Crittenden, Duval, Evans, Fellom, Harper, Hays, Ingels, Inman, Maloney, Mixter, Pedrotti, Rich, Riley, Rochester, Schottky, Sharkey, Slater, Swing, Treacy, Wagy, and Williams—29.

NOES—None.

Title read and approved.

Bill ordered transmitted to the Assembly.

Assembly Bill No. 1077—An act to amend section 4149a of the Political Code, relating to the duties of county live stock inspector.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Assembly Bill No. 1077 passed by the following vote:

AYES—Senators Allen, Baker, Breed, Bush, Carter, Cassidy, Cleveland, Clock, Duval, Edwards, Evans, Fellom, Harper, Hays, Ingels, Inman, Jones, Maloney, Mixer, Moran, Nelson, Pedrotti, Rich, Rochester, Schottky, Sharkey, Slater, Treacy, Wag, and Williams—30.

NOES—None.

Title read and approved.

Bill ordered transmitted to the Assembly.

Assembly Bill No. 1376—An act providing for the investigation, inspection, control and eradication of disease in poultry and live stock in counties, and for the appropriation and the expenditure of money therefor; and for agreements between counties and with the Department of Agriculture for such purposes.

Bill read third time.

URGENCY CLAUSE.

SEC. 3. This act is hereby declared to be an urgency measure necessary for the immediate preservation of the public peace, health or safety within the meaning of section 1 of article IV of the constitution of the State of California, and shall take effect immediately. The following is a statement of the facts constituting such urgency:

It is necessary to the public health, safety and peace that counties act either jointly or severally to prevent the introduction of dangerous, infectious, or communicable diseases and to eradicate them if introduced, and for the purpose of general sanitation, and inasmuch as a unity of effort in such purpose is the most effective and benefits the greater number of people and the greater area of land it is important that this act have immediate application.

Urgency clause read.

The question being on the adoption of the urgency clause.

The roll was called, and the urgency clause adopted by the following vote:

AYES—Senators Allen, Baker, Breed, Bush, Carter, Cassidy, Christian, Cleveland, Clock, Crittenden, Duval, Evans, Harper, Hays, Inman, Jones, Maloney, McKinley, Mixer, Moran, Nelson, Pedrotti, Rich, Riley, Rochester, Schottky, Sharkey, Slater, Swing, Treacy, Wag, and Williams—32.

NOES—None.

The question being on the passage of the bill.

The roll was called, and Assembly Bill No. 1376 passed by the following vote:

AYES—Senators Allen, Baker, Breed, Bush, Cassidy, Christian, Cleveland, Clock, Crittenden, Duval, Edwards, Evans, Harper, Hays, Ingels, Inman, Jones, Maloney, McKinley, Mixer, Moran, Nelson, Pedrotti, Riley, Rochester, Schottky, Sharkey, Slater, Swing, Treacy, Wag, and Williams—33.

NOES—None.

Title read and approved.

Bill ordered transmitted to the Assembly.

Assembly Bill No. 233—An act to add a new section to be numbered 11a to an act entitled "An act to provide for the formation, management and dissolution of county waterworks districts; for supplying the inhabitants thereof with water; for levying and collecting taxes on property in such districts; and for the issuance of county waterworks dis-

trict bonds and the payment thereof." approved June 13, 1913. Statutes 1913, chapter 370, page 785, relating to the power of the governing board to order emergency repairs.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Assembly Bill No. 233 passed by the following vote:

AYES—Senators Allen, Baker, Breed, Bush, Carter, Cassidy, Christian, Cleveland, Crittenden, Duval, Evans, Harper, Hays, Ingels, Inman, Maloney, McKinley, Mixer, Moran, Nelson, Pedrotti, Riley, Rochester, Schottky, Sharkey, Slater, Swing, Treacy, and Waggy—29.

NOES—None.

Title read and approved.

Bill ordered transmitted to the Assembly.

Assembly Bill No. 241—An act to amend section 11 of an act entitled "An act to be known as the Juvenile Court Law, and concerning persons under the age of 21 years; and in certain cases providing for their care, custody and maintenance; providing for the probationary treatment of such persons, and for the commitment of such persons to the Whittier State School and the Preston School of Industry, the California School for Girls, and other institutions; establishing probation officers and a probation committee to deal with such persons and fixing the salary thereof; providing for the establishment of detention homes for such persons; fixing the method of procedure and treatment or commitment where crimes have been committed by such persons; providing for the punishment of those guilty of offenses with reference to such persons, and defining such crimes; and repealing the Juvenile Court Law approved March 8, 1909, as amended by an act approved April 5, 1911, and as amended by an act approved June 16, 1913, and all amendments thereof and all acts or parts of acts inconsistent herewith." approved June 5, 1915, as amended, requiring counties to pay the State in the semiannual settlements with the Controller and for the proper part of each month.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Assembly Bill No. 241 passed by the following vote:

AYES—Senators Allen, Breed, Carter, Cassidy, Christian, Cleveland, Crittenden, Deuel, Duval, Edwards, Evans, Fellom, Harper, Hays, Ingels, Inman, Maloney, McKinley, Mixer, Moran, Nelson, Pedrotti, Rich, Riley, Rochester, Schottky, Sharkey, Slater, Swing, Treacy, Waggy, and Williams—32.

NOES—None.

Title read and approved.

Bill ordered transmitted to the Assembly.

ASSEMBLY CONSTITUTIONAL AMENDMENT No. 26.

A resolution to propose to the people of the State of California an amendment to the constitution of the State by adding a new section to article IV thereof to be numbered 25½, relating to boxing, sparring and wrestling matches or exhibitions.

Resolved by the Assembly, the Senate concurring. That the Legislature of the State of California at its forty-ninth regular session commencing on the fifth day of January, 1931, two-thirds of all the members elected to each of the two houses voting in favor thereof, hereby proposes to the people of the State of California an amendment to the constitution of this state by adding a new section to article IV thereof, to be numbered 25½ to read as follows:

Sec. 253. The Legislature may provide for the supervision, regulation and conduct, in such manner as it may determine, of wrestling matches or exhibitions and of boxing and sparring matches or exhibitions; *provided*, that no boxing or sparring match or exhibition shall be of more than 12 rounds in length, such rounds to be of not more than three minutes for each round. All moneys, except such sum as the Legislature shall appropriate annually to defray the expenses of the State Athletic Commission of California and to pay the salaries of officers and employees as provided by law, received by the State from license fees, taxes or other means, on or in relation to boxing, sparring and wrestling matches or exhibitions, shall be and are hereby appropriated for the purpose of maintaining such homes for the care of veterans of any war of the United States as may be existing at the time this amendment becomes effective, or that may be established by the laws of this State. Such moneys shall be apportioned as the Legislature of the State of California may direct.

The Legislature in the exercise of the power granted herein may amend, revise, or supplement any part of that certain initiative act approved by the electors November 4, 1924, entitled "An act to authorize boxing and wrestling contests for prizes or purses, or where an admission fee is charged, and limiting such boxing contests to 12 rounds; to create an Athletic Commission empowered to license such contests and the participants therein; to prescribe conditions under which licenses shall be issued and contests held; to declare that amateur boxing contests conducted under section 412 of the Penal Code shall be subject to the provisions of this measure and under the sole jurisdiction of such commission in all cases wherein an admission fee is charged spectators to witness such amateur boxing contests."

The Legislature shall, however, have no power to take away the effect of the provisions of the initiative act hereinabove cited which allow wrestling and 12-round boxing contests in the State of California. The repeal either in fact or effect of the sections of the above cited act shall rest entirely in the hands of the people of the State of California as heretofore.

Amendment read.

The question being on the adoption of the amendment.

The roll was called, and Assembly Constitutional Amendment No. 26 adopted by the following vote:

AYES—Senators Allen, Baker, Breed, Bush, Carter, Cassidy, Cleveland, Crittenden, Deuel, Duval, Evans, Fellom, Harper, Hays, Ingels, Inman, Maloney, McKinley, Mixer, Moran, Nelson, Pedrotti, Rich, Riley, Rochester, Schottky, Sharkey, Slater, Swing, Treacy, Wagy, and Williams—32.

NOES—Senator Christian—1.

Assembly Constitutional Amendment No. 26 ordered transmitted to the Assembly.

RECESS.

On motion of Senator Breed, at twelve o'clock and thirty-five minutes p.m., the President of the Senate declared recess until two o'clock p.m.

RECONVENED.

At two o'clock p.m., the Senate reconvened.

Lieutenant Governor Frank F. Merriam, President of the Senate, in the chair.

Secretary Joseph A. Beek at the desk.

CONSIDERATION OF DAILY FILE.

THIRD READING OF ASSEMBLY BILLS—(RESUMED).

Assembly Bill No. 513—An act establishing standards, tests and requirements for certain refined petroleum products, providing for taking samples thereof, providing for sealing of certain containers, pumps and storage tanks connected thereto, providing for labeling of certain containers and pumps, and further, providing an annual license fee and fixing a penalty for the violation thereof of provisions contained therein.

Bill read third time.

MOTION TO REFER TO SPECIAL COMMITTEE OF ONE.

During third reading of the bill, Senator Sharkey moved to refer Assembly Bill No. 513 to Senator Fellom, as a Special Committee of One, to amend as follows:

AMENDMENT NUMBER ONE.

On page 4, line 47, of the printed bill, as amended, after the word "that", insert the word "neither", and after the word "section", insert the words "nor section 5", and after the word "shall", strike out the word "not".

AMENDMENT NUMBER TWO.

On page 4, line 49, of the printed bill, as amended, after the word "sale", insert the words "or transports".

AMENDMENT NUMBER THREE.

On page 4, line 52, of the printed bill, as amended, after the word "sell", insert the words "or transport".

Motion carried.

REPORT OF SPECIAL COMMITTEE OF ONE.

SENATE CHAMBER, SACRAMENTO, May 4, 1931.

MR. PRESIDENT: Your Special Committee of One, to which was referred Assembly Bill No. 513, with instructions to amend, respectfully reports the same back, amended as per instructions.

FELLOM, Committee.

Report read, and on motion of Senator Sharkey adopted.

Bill ordered to print.

Assembly Bill No. 1095—An act to amend sections 2, 3, 4, 5, and add a new section to be known as section 6½ of the Pure Milk Law of California, approved June 3, 1927.

Bill read third time.

The question being on the passage of the bill.

The roll was called.

CALL OF THE SENATE.

Pending the announcement of the vote, Senator Duval moved a call of the Senate.

Motion carried.

The Secretary was directed to call the roll.

The roll was called, and the following answered to their names:

Senators Bush, Cassidy, Denel, Duval, Edwards, Evans, Harper, Hays, Ingels, Iman, Maloney, McKinley, Mixer, Pedrotti, Rich, Riley, Schottky, Sharkey, Slater, Swing, Treacy, Wagy, and Williams—23.

The Secretary announced the absentees.

Time, two o'clock and fifteen minutes p.m.

The President directed the Sergeant-at-Arms to close the doors.

The Sergeant-at-Arms, having been furnished with the names of the absentees, was directed to bring them to the bar of the Senate.

PROCEEDINGS UNDER CALL OF THE SENATE.

CONSIDERATION OF DAILY FILE.

THIRD READING OF ASSEMBLY BILLS—(RESUMED).

Assembly Bill No. 366—An act to repeal article I, embracing sections 5.500 to 5.502, both inclusive, of chapter 3 of part III of division V of the School Code; to repeal article II, embracing sections 5.650 and 5.651, and article III, embracing sections 5.660 to 5.670, both inclusive, of chapter VII of part III of division V of the School Code; to repeal

article VI, embracing sections 5.700 and 5.701 of chapter VII of part III of division V of the School Code; to add a new article to chapter III of part III of division V thereof, to be known as article I, embracing sections 5.500 to 5.504, both inclusive, and to add a new article to chapter VII of part III of division V thereof, to be known as article II, embracing sections 5.650 to 5.667, both inclusive; to add thereto a new section to be numbered 5.407; and to amend sections 5.520 and 5.681 thereof, all relating to the classification and dismissal of persons employed by school districts in positions requiring certification qualifications.

Bill read third time.

MOTION TO REFER TO SPECIAL COMMITTEE OF ONE.

During third reading of the bill, Senator McKinley moved to refer Assembly Bill No. 366 to Senator Edwards, as a Special Committee of One, to amend as follows:

AMENDMENT NUMBER ONE.

On page 3, line 14, of the printed bill, as amended in Assembly April 9, 1931, strike out the following: "of suspension".

Motion carried.

REPORT OF SPECIAL COMMITTEE OF ONE.

SENATE CHAMBER, SACRAMENTO, May 11, 1931.

MR. PRESIDENT: Your Special Committee of One, to which was referred Assembly Bill No. 366, with instructions to amend, respectfully reports the same back, amended as per instructions.

EDWARDS, Committee.

Report read, and on motion of Senator McKinley adopted.

Bill ordered to print.

Assembly Bill No. 1380—An act to amend section 4247 of the Political Code, relating to the salaries, fees, and expenses of officers and their deputies and assistants in counties of the eighteenth class.

Bill read third time.

MOTION TO REFER TO SPECIAL COMMITTEE OF ONE.

During third reading of the bill, Senator Edwards moved to refer Assembly Bill No. 1380 to Senator McKinley, as a Special Committee of One, to amend as follows:

AMENDMENT NUMBER ONE.

On page 5 of the printed bill, strike out lines 23 to 25, inclusive, and insert in lieu thereof the following: "population of more than six thousand, such expenses shall include clerical help, not to exceed seventy-five dollars per month, and in townships having a population of more than two thousand and less than six thousand, such expenses shall include clerical help, not to exceed twenty-five dollars per month. The board of supervisors of such counties".

Motion carried.

REPORT OF SPECIAL COMMITTEE OF ONE.

SENATE CHAMBER, SACRAMENTO, May 11, 1931.

MR. PRESIDENT: Your Special Committee of One, to which was referred Assembly Bill No. 1380, with instructions to amend, respectfully reports the same back, amended as per instructions.

McKINLEY, Committee.

Report read, and on motion of Senator Edwards adopted.

Bill ordered to print.

Assembly Bill No. 1592—An act to amend section 19.46 of the Juvenile Court Law, relating to probation officers in counties of the forty-sixth class.

Bill read third time.

MOTION TO REFER TO SPECIAL COMMITTEE OF ONE.

During third reading of the bill, Senator Williams moved to refer Assembly Bill No. 1592 to Senator Cassidy, as a Special Committee of One, to amend as follows:

AMENDMENT NUMBER ONE.

On page 1, line 6, of the printed bill, after "forty-sixth", insert the following: "class".

Motion carried.

REPORT OF SPECIAL COMMITTEE OF ONE.

SENATE CHAMBER, SACRAMENTO, May 11, 1931.

MR. PRESIDENT: Your Special Committee of One, to which was referred Assembly Bill No. 1592, with instructions to amend, respectfully reports the same back, amended as per instructions.

CASSIDY, Committee.

Report read, and on motion of Senator Williams adopted.

Bill ordered to print.

Assembly Bill No. 1291—An act to amend section 134 of the Code of Civil Procedure, relating to the time when judges shall be available.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Assembly Bill No. 1291 passed by the following vote:

AYES—Senators Breed, Bush, Carter, Christian, Cleveland, Deuel, Duval, Edwards, Evans, Harper, Hays, Inman, Maloney, McKinley, Mixer, Moran, Pedrotti, Rich, Riley, Schottky, Sharkey, Slater, Swing, Treacy, Waggy, and Williams—26.

NOES—None.

Title read and approved.

Bill ordered transmitted to the Assembly.

FURTHER PROCEEDINGS UNDER CALL OF THE SENATE DISPENSED WITH.

At two o'clock and thirty minutes p.m., further proceedings under the call of the Senate were dispensed with, on motion of Senator Duval.

The Secretary was directed to call the roll.

The roll was called, and Assembly Bill No. 1095 passed by the following vote:

AYES—Senators Breed, Bush, Carter, Cassidy, Christian, Cleveland, Clock, Deuel, Duval, Edwards, Harper, Ingels, Inman, Maloney, McKinley, Mixer, Moran, Rich, Riley, Schottky, Sharkey, Slater, Swing, Treacy, Waggy, and Williams—26.

NOES—Senators Evans, and Hays—2.

Title read and approved.

Bill ordered transmitted to the Assembly.

ASSISTANT SECRETARY FRANCIS E. DALIN AT THE DESK.

Assembly Bill No. 130—An act to add a new section, to be numbered 383b to the Penal Code, relating to the sale of kosher meats and meat preparations, and kosher food, defining the word "kosher" and providing penalties for the violation thereof.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Assembly Bill No. 130 passed by the following vote:

AYES—Senators Allen, Bush, Carter, Cassidy, Cleveland, Clock, Crittenden, Deuel, Duval, Edwards, Evans, Harper, Hays, Ingels, Inman, Jones, Maloney, McKinley, Mixer, Moran, Pedrotti, Rochester, Schottky, Sharkey, Slater, Swing, Waggy, and Williams—28.

NOES—Senators Breed, Christian, Fellom, Rich, Riley, and Treacy—6.

Title read and approved.

Bill ordered transmitted to the Assembly.

COMMUNICATION.

The following communication was received, and ordered printed in the Journal:

By Senator Christian:

FIRST HEBREW CONGREGATION OF OAKLAND,
TEMPLE SINAI, OAKLAND, CALIFORNIA, April 21, 1931.

Senator E. H. Christian,

State Capitol, Sacramento, California.

DEAR SENATOR CHRISTIAN: This morning I wired you in opposition to Assembly Bill No. 130, relative to kosher meat.

I am unalterably opposed to this bill because Judaism need not call upon the State to settle its own internal affairs. We are starting a dangerous precedent in California which can only lead to evil consequences.

Four years ago you assisted in preventing an increase of "wine rabbis." The law relative to sacramental wine was properly surrounded, and California Jews do not suffer the disgrace which eastern brethren feel.

This bill will bring a "meat rabbi" into existence. New York state has this kosher law and yet it did not prevent the terrible scandal which was uncovered last month in New York city. Use your best influence to prevent it.

If Judaism has not enough inner resources to meet present day conditions, the sooner it passes away the better.

With kindest personal regards, believe me to be

Yours very sincerely,

RUDOLPH I. COFFEE.

CONSIDERATION OF DAILY FILE.

THIRD READING OF ASSEMBLY BILLS—(RESUMED).

Assembly Bill No. 1009—An act to repeal title XXI of part IV of division I of the Civil Code of the State of California, including sections 653m, 653n, 653o, 653p, 653q, 653r, 653s, 653sa, 653sb, and 653sc of the Civil Code of the State of California, relating to nonprofit cooperative, agricultural, viticultural and horticultural associations.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Assembly Bill No. 1009 passed by the following vote:

AYES—Senators Allen, Breed, Bush, Carter, Cassidy, Cleveland, Clock, Crittenden, Deuel, Edwards, Evans, Fellom, Harper, Hays, Ingels, Inman, Jones, Maloney, McKinley, Mixer, Moran, Pedrotti, Rich, Rochester, Schottky, Sharkey, Slater, Treacy, Waggy, and Williams—30.

NOES—None.

Title read and approved.

Bill ordered transmitted to the Assembly.

Assembly Bill No. 1010—An act to repeal title XXII of part IV of division I of the Civil Code of the State of California, including sections 653t, 653u, 653v, 653w, 653x, 653y, 653z, 653za, 653zb, 653zc, and 653zd of the Civil Code of the State of California, relating to nonprofit cooper-

ative corporations, and making the General Corporation Law apply to such corporations.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Assembly Bill No. 1010 passed by the following vote:

AYES—Senators Allen, Baker, Breed, Bush, Carter, Cassidy, Christian, Cleveland, Clock, Crittenden, Deuel, Evans, Fellom, Harper, Hays, Ingels, Inman, Jones, Maloney, McKinley, Mixer, Moran, Nelson, Pedrotti, Rich, Rochester, Schottky, Sharkey, Slater, Treacy, Waggy, and Williams—32.

NOES—None.

Title read and approved.

Bill ordered transmitted to the Assembly.

Assembly Bill No. 1023—An act to amend sections 653bb, 653cc, 653hh, 653ii, 653jj, 653kk, 653mm, 653qq, 653tt and 653vv, of title XXIII of part IV of division I of the Civil Code of the State of California, relating to nonprofit cooperative marketing associations, and to add to said title XXIII new sections to be known as section 653hh (1), section 653hh (2) and section 653yy of the Civil Code of the State of California.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Assembly Bill No. 1023 passed by the following vote:

AYES—Senators Allen, Baker, Breed, Bush, Carter, Christian, Cleveland, Crittenden, Evans, Fellom, Hays, Ingels, Inman, Jones, Maloney, McKinley, Mixer, Moran, Nelson, Pedrotti, Rich, Rochester, Schottky, Sharkey, Slater, Treacy, Waggy, and Williams—28.

NOES—None.

Title read and approved.

Bill ordered transmitted to the Assembly.

Assembly Bill No. 1008—An act to repeal titles XIX and XX of part IV of division I of the Civil Code of the State of California, including sections 653a, 653b, 653c, 653d, 653e, 653f, 653g, 653h, 653i, 653j, 653k, and 653l of the Civil Code of the State of California, relating to cooperative associations and cooperative business corporations.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Assembly Bill No. 1008 passed by the following vote:

AYES—Senators Allen, Baker, Breed, Bush, Carter, Christian, Cleveland, Clock, Crittenden, Deuel, Duval, Edwards, Evans, Hays, Ingels, Inman, Jones, Maloney, McKinley, Mixer, Moran, Nelson, Pedrotti, Rich, Rochester, Schottky, Sharkey, Slater, Treacy, Waggy, and Williams—31.

NOES—None.

Title read and approved.

Bill ordered transmitted to the Assembly.

Assembly Bill No. 1075—An act to regulate the preparation, sale, disposal, shipment, transportation and possession of viruses, serums, toxins and analogous products intended for use in the treatment of domestic animals, and repealing an act entitled "An act prohibiting the preparation, sale, barter, shipment or exchange of any worthless, contaminated, dangerous or harmful hog cholera serum or virus; requiring

every establishment for the preparation of hog cholera serum, virus, vaccine or antitoxin to be inspected and licensed by the Director of the Agricultural Experiment Station of the University of California; and providing penalties for violation of any of the provisions hereof," approved June 1, 1915.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Assembly Bill No. 1075 passed by the following vote:

AYES—Senators Allen, Breed, Bush, Carter, Christian, Cleveland, Crittenden, Duval, Edwards, Fellom, Hays, Ingels, Inman, Maloney, McKinley, Mixter, Moran, Nelson, Pedrotti, Rich, Rochester, Schottky, Sharkey, Slater, Swing, Treacy, Wagy, and Williams—28.

NOES—None.

Title read and approved.

Bill ordered transmitted to the Assembly.

Assembly Bill No. 354—An act to amend section 24 of chapter 690, Statutes of 1913, entitled "An act to provide for and regulate primary elections, and providing a method for choosing the delegates for political parties to State conventions and for nominating electors of President and Vice President of the United States, and providing for the election of party county central committees, and to repeal an act approved April 7, 1911, known as the Direct Primary Law, and also to repeal an act approved December 24, 1911, amending sections 1, 3, 5, 7, 10, 12, 13, 22, 23, and 24 of the said Direct Primary Law, and also to repeal all other acts or parts of acts inconsistent with or in conflict with the provisions of this act," approved June 16, 1913, as amended, relating to party conventions, membership and organization of State central committees and county central committees.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Assembly Bill No. 354 passed by the following vote:

AYES—Senators Allen, Baker, Breed, Bush, Carter, Christian, Cleveland, Clock, Crittenden, Deuel, Duval, Edwards, Evans, Fellom, Hays, Ingels, Inman, Jones, Maloney, McKinley, Mixter, Moran, Nelson, Pedrotti, Rich, Riley, Schottky, Sharkey, Slater, Swing, Treacy, Wagy, and Williams—33.

NOES—None.

Title read and approved.

Bill ordered transmitted to the Assembly.

Assembly Bill No. 361—An act to amend section 19x23 of the Juvenile Court Law, relating to probation officers in counties of the twenty-third class.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Assembly Bill No. 361 passed by the following vote:

AYES—Senators Allen, Baker, Breed, Bush, Carter, Christian, Cleveland, Clock, Crittenden, Deuel, Duval, Edwards, Evans, Fellom, Hays, Ingels, Inman, Jones,

Maloney, McKinley, Mixter, Moran, Nelson, Rich, Riley, Rochester, Schottky, Sharkey, Slater, Treacy, Wagy, and Williams—32.

NOES—None.

Title read and approved.

Bill ordered transmitted to the Assembly.

Assembly Bill No. 362—An act to amend section 4252 of the Political Code, relating to compensation of county officers and employees in counties of the twenty-third class.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Assembly Bill No. 362 passed by the following vote:

AYES—Senators Allen, Baker, Breed, Bush, Carter, Cassidy, Christian, Cleveland, Clock, Crittenden, Deuel, Duval, Edwards, Evans, Fellom, Hays, Inman, Jones, Maloney, McKinley, Mixter, Moran, Nelson, Riley, Rochester, Schottky, Sharkey, Slater, Swing, Treacy, Wagy, and Williams—32.

NOES—None.

Title read and approved.

Bill ordered transmitted to the Assembly.

Assembly Bill No. 1321—An act to amend section 2322r23 of the Political Code, relating to the office of agricultural commissioner in counties of the twenty-third class.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Assembly Bill No. 1321 passed by the following vote:

AYES—Senators Allen, Baker, Breed, Carter, Clock, Crittenden, Deuel, Duval, Edwards, Evans, Fellom, Hays, Ingels, Inman, Jones, Maloney, McKinley, Mixter, Moran, Nelson, Rich, Rochester, Schottky, Sharkey, Slater, Swing, Treacy, and Wagy—28.

NOES—None.

Title read and approved.

Bill ordered transmitted to the Assembly.

Assembly Bill No. 1322—An act to add a new section to be numbered 9a23 to an act entitled "An act to provide for the establishment and maintenance of county free libraries in the State of California, and repealing 'An act entitled "An act to provide county library systems," approved April 12, 1909, and all acts and parts of acts in conflict with this act,' " approved February 25, 1911, as amended, relating to libraries in counties of the twenty-third class.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Assembly Bill No. 1322 passed by the following vote:

AYES—Senators Allen, Baker, Breed, Carter, Christian, Cleveland, Crittenden, Deuel, Edwards, Evans, Fellom, Hays, Inman, Jones, Maloney, McKinley, Mixter, Moran, Nelson, Rich, Riley, Schottky, Sharkey, Slater, Swing, Treacy, Wagy, and Williams—28.

NOES—None.

Title read and approved.

Bill ordered transmitted to the Assembly.

Assembly Bill No. 1320—An act to amend section 16x23, Weights and Measures Act, relating to sealers of weights and measures in counties of the twenty-third class.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Assembly Bill No. 1320 passed by the following vote:

AYES—Senators Allen, Baker, Breed, Carter, Cassidy, Christian, Cleveland, Crittenden, Deuel, Edwards, Evans, Fellom, Hays, Inman, Jones, Maloney, McKinley, Mixer, Moran, Nelson, Rich, Riley, Rochester, Schottky, Sharkey, Slater, Swing, Treacy, Waggy, and Williams—30.

NOES—None.

Title read and approved.

Bill ordered transmitted to the Assembly.

Assembly Bill No. 1084—An act to regulate the location, construction, occupancy and operation of cleaning and dyeing shops or stores and spotting, sponging, and/or pressing establishments, or agencies thereof, and private schools and colleges of spotting, sponging and or pressing; providing for the registration and licensing of persons engaged in such business; providing for the enforcement thereof by the State Fire Marshal as Chief of the Bureau of Fire Safety in the Department of Industrial Relations; providing ways and means for enforcement, and providing penalties for violations.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Assembly Bill No. 1084 passed by the following vote:

AYES—Senators Allen, Baker, Carter, Christian, Cleveland, Crittenden, Deuel, Edwards, Evans, Fellom, Harper, Hays, Inman, Jones, Maloney, McKinley, Mixer, Moran, Nelson, Rich, Riley, Rochester, Schottky, Slater, Swing, Treacy, Waggy, and Williams—28.

NOES—None.

Title read and approved.

Bill ordered transmitted to the Assembly.

Assembly Bill No. 1867—An act to amend section 5 of chapter 791, Statutes of 1929, entitled "An act providing for the registration of contractors and defining the term contractor; providing the method of obtaining licenses to engage in the business of contracting, and fixing the fees for such licenses; providing the method of suspension and cancellation of such licenses; and prescribing the punishment for violation of the provisions of this act," approved June 13, 1929, relating to the licensing of contractors, and providing that this act shall take effect immediately.

Bill read third time.

URGENCY CLAUSE.

SEC. 2. Inasmuch as this act concerns and is necessary to the immediate preservation of public health and safety, for the reason that it is imperative, at the earliest possible date, to provide adequate funds for the administration and enforcement of the provisions of the act hereby amended, the present funds therefor being insufficient and the existing rate of license being inadequate, and the rate in this act fixed will make possible the accomplishment of the intended object, this act shall take effect immediately.

Urgency clause read.

The question being on the adoption of the urgency clause.

The roll was called, and the urgency clause adopted by the following vote:

AYES—Senators Allen, Baker, Breed, Bush, Carter, Christian, Cleveland, Clock, Crittenden, Deuel, Duval, Edwards, Evans, Fellom, Harper, Hays, Inman, Jones, Maloney, McKinley, Mixter, Moran, Nelson, Rich, Riley, Rochester, Slater, Swing, Treacy, Wagy, and Williams—31.

NOES—None.

The question being on the passage of the bill.

The roll was called, and Assembly Bill No. 1867 passed by the following vote:

AYES—Senators Allen, Baker, Breed, Carter, Cleveland, Crittenden, Deuel, Duval, Edwards, Evans, Fellom, Harper, Inman, Jones, Maloney, McKinley, Mixter, Moran, Nelson, Pedrotti, Rich, Riley, Rochester, Slater, Swing, Treacy, and Wagy—27.

NOES—Senator Bush—1.

Title read and approved.

Bill ordered transmitted to the Assembly.

ASSEMBLY CONCURRENT RESOLUTION No. 12.

Relative to stimulation of California industry in the interests of relief of unemployment.

WHEREAS, The Political Code of the State of California, section 3247, establishes the duty of purchasing agents of the State, and all of its political subdivisions, "where quality, price and fitness are equal" to give preference to California "goods or produce," and

WHEREAS, California producers employ California labor, thereby giving employment to hundreds and thousands of California residents and homeowners; and therefore, be it

Resolved by the Assembly of the State of California, the Senate concurring, That the press of the State be requested to give the widest possible publicity to this resolution to the end that the consumption to California "goods and produce" be increased, and be it further

Resolved, That all residents of California be urged to give to California "goods and produce" the same preference "where quality, price and fitness are equal."

Resolution read.

The question being on the adoption of the resolution.

The roll was called, and Assembly Concurrent Resolution No. 12 adopted by the following vote:

AYES—Senators Allen, Baker, Breed, Bush, Cassidy, Christian, Cleveland, Clock, Crittenden, Deuel, Duval, Edwards, Evans, Fellom, Harper, Jones, Maloney, McKinley, Mixter, Moran, Nelson, Pedrotti, Rich, Riley, Rochester, Slater, Treacy, and Wagy—28.

NOES—None.

Assembly Concurrent Resolution No. 12 ordered transmitted to the Assembly.

Assembly Bill No. 1024—An act to amend section 1204 of the Code of Civil Procedure, relating to preferred labor claims, raising the preference under assignments for the benefit of creditors and receiverships to not exceeding \$300 for each worker for work done within 90 days and providing procedure for the enforcement of such claims.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Assembly Bill No. 1024 passed by the following vote:

AYES—Senators Allen, Baker, Bush, Carter, Cassidy, Cleveland, Clock, Crittenden, Deuel, Duval, Edwards, Evans, Fellom, Harper, Hays, Inman, Jones,

Maloney, Mixer, Moran, Nelson, Pedrotti, Rich, Riley, Rochester, Schottky, Sharkey, Slater, Swing, Treacy, Wagy, and Williams—32.

NOES—None.

Title read and approved.

Bill ordered transmitted to the Assembly.

Assembly Bill No. 1025—An act to amend sections 950 and 951 of the Probate Code, relating to preferred labor claims, raising the preference in claims against the estate of deceased persons to not exceeding \$300 for each worker for work done within 90 days prior to such death and providing procedure for the enforcement of such claims.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Assembly Bill No. 1025 passed by the following vote:

AYES—Senators Allen, Baker, Breed, Bush, Carter, Cassidy, Cleveland, Clock, Crittenden, Deuel, Edwards, Evans, Fellom, Harper, Inman, Jones, Maloney, McKinley, Mixer, Moran, Nelson, Pedrotti, Riley, Rochester, Schottky, Slater, Swing, Treacy, Wagy, and Williams—30.

NOES—None.

Title read and approved.

Bill ordered transmitted to the Assembly.

Assembly Bill No. 1026—An act to amend sections 1206, 1207, and 1208 of the Code of Civil Procedure, relating to preferred labor claims, raising the preference in claims under attachments, garnishments and executions to not exceeding \$300 for each worker for work done within 90 days prior to the levy and providing procedure for the enforcement of such claims.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Assembly Bill No. 1026 passed by the following vote:

AYES—Senators Allen, Baker, Breed, Bush, Carter, Cassidy, Crittenden, Deuel, Duval, Edwards, Evans, Fellom, Harper, Inman, Jones, Maloney, McKinley, Mixer, Moran, Nelson, Pedrotti, Rich, Riley, Rochester, Schottky, Sharkey, Slater, Swing, Treacy, Wagy, and Williams—31.

NOES—None.

Title read and approved.

Bill ordered transmitted to the Assembly.

Assembly Bill No. 700—An act to amend the title of and to revise chapter 448, Statutes of 1929, entitled "An act to provide relief for owners of crops damaged by protected game animals, approved May 24, 1929," limiting the operation of this act to deer and providing an alternative method for the issuance of permits for taking deer destructive to crops.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Assembly Bill No. 700 passed by the following vote:

AYES—Senators Allen, Baker, Breed, Bush, Carter, Cassidy, Clock, Crittenden, Deuel, Edwards, Evans, Fellom, Harper, Hays, Ingels, Jones, Maloney, McKinley,

Mixer, Moran, Nelson, Pedrotti, Rich, Riley, Rochester, Schottky, Sharkey, Slater, Treacy, Waggy, and Williams—31.

NOES—Senator Swing—1.

Title read and approved.

Bill ordered transmitted to the Assembly.

Assembly Bill No. 1901—An act to provide for the creation, organization, and government of port districts; to enumerate the powers thereof; to authorize the incurring of indebtedness, the issuance of bonds and the levy and collection of taxes by such district; to authorize municipal corporations in such districts to surrender and transfer certain municipal powers and to grant certain municipal property to such districts for the purpose of carrying out the objects and purposes of this act.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Assembly Bill No. 1901 passed by the following vote:

AYES—Senators Allen, Baker, Breed, Bush, Carter, Cassidy, Christian, Crittenden, Deuel, Edwards, Evans, Fellom, Harper, Ingels, Jones, Maloney, McKinley, Mixer, Moran, Pedrotti, Rich, Riley, Rochester, Schottky, Sharkey, Slater, Swing, Treacy, Waggy, and Williams—30.

NOES—None.

Title read and approved.

Bill ordered transmitted to the Assembly.

Assembly Bill No. 186—An act amending an act entitled "An act to define and regulate the business of banking," approved March 1, 1909, as amended, designated the Bank Act, by amending section 61, relating to the purchase, holding and sale of real and personal property by savings banks.

Bill read third time.

The question being on the passage of the bill.

The roll was called and Assembly Bill No. 186 passed by the following vote:

AYES—Senators Allen, Baker, Breed, Bush, Carter, Cassidy, Christian, Crittenden, Deuel, Duval, Edwards, Evans, Fellom, Harper, Hays, Ingels, Jones, Maloney, McKinley, Mixer, Moran, Nelson, Pedrotti, Rich, Rochester, Schottky, Sharkey, Slater, Swing, Treacy, Waggy, and Williams—32.

NOES—None.

Title read and approved.

Bill ordered transmitted to the Assembly.

Assembly Bill No. 787—An act to amend an act entitled "An act providing for the disposition of fines and forfeitures collected in all prosecutions for violations of the laws of the State referring to wild birds, wild mammals and fishes," approved May 20, 1915.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Assembly Bill No. 787 passed by the following vote:

AYES—Senators Allen, Baker, Breed, Carter, Cassidy, Christian, Crittenden, Deuel, Duval, Edwards, Evans, Fellom, Harper, Hays, Ingels, Maloney, Mixer,

Moran, Pedrotti, Rich, Riley, Rochester, Schottky, Sharkey, Slater, Swing, Treacy, Tubbs, Wagy, and Williams—30.
NOES—None.

Title read and approved.

Bill ordered transmitted to the Assembly.

Assembly Bill No. 786—An act to amend section 2 of an act entitled "An act to regulate the sale and issuance of licenses to hunt, take, pursue or kill wild birds or mammals, and/or to angle for, take, catch or kill game fishes for purposes other than sale or profit in order to provide revenue therefrom for fish and game preservation, protection and restoration; defining game fishes; providing a penalty for the violation of this act and repealing all acts and parts of acts inconsistent or in conflict with this act," approved May 27, 1929, relating to the Fish and Game Commissioners.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Assembly Bill No. 786 passed by the following vote:

AYES—Senators Allen, Baker, Breed, Bush, Cassidy, Christian, Clock, Crittenden, Deuel, Duval, Edwards, Fellom, Harper, Hays, Ingels, Inman, Maloney, Mixer, Moran, Pedrotti, Rich, Rochester, Schottky, Sharkey, Slater, Swing, Treacy, Tubbs, Wagy, and Williams—30.

NOES—None.

Title read and approved.

Bill ordered transmitted to the Assembly.

Assembly Bill No. 936—An act to amend sections 788 and 878 of an act entitled "An act to provide for the organization, incorporation and government of municipal corporations," approved March 13, 1883, as amended, relating to the cities of the fifth and sixth classes.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Assembly Bill No. 936 passed by the following vote:

AYES—Senators Baker, Breed, Bush, Cassidy, Christian, Cleveland, Clock, Crittenden, Deuel, Duval, Edwards, Fellom, Harper, Hays, Ingels, Inman, Maloney, McKinley, Mixer, Moran, Nelson, Pedrotti, Rich, Rochester, Schottky, Sharkey, Slater, Swing, Treacy, Tubbs, Wagy, and Williams—32.

NOES—None.

Title read and approved.

Bill ordered transmitted to the Assembly.

Assembly Bill No. 406—An act to amend sections 765, 767, and 773 of, and to add a new section numbered 768 to chapter 49, Statutes of 1883, entitled "An act to provide for the organization, incorporation, and government of municipal corporations," approved March 13, 1883, relating to cities of the fifth class.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Assembly Bill No. 406 passed by the following vote:

AYES—Senators Allen, Baker, Breed, Bush, Cassidy, Christian, Clock, Crittenden, Deuel, Duval, Edwards, Harper, Hays, Inman, Maloney, McKinley, Mixer, Moran,

Nelson, Pedrotti, Rich, Riley, Rochester, Schottky, Slater, Swing, Treacy, Tubbs, Wagy, and Williams—30.

NOES—None.

Title read and approved.

Bill ordered transmitted to the Assembly.

Assembly Bill No. 1469—An act to amend section 1168 of the Penal Code, and to add to said code new sections 18, 18a and 1192a and to repeal present section 1192a thereof, relating to the sentencing of prisoners, terms of imprisonment, credits to prisoners and paroles of prisoners.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Assembly Bill No. 1469 passed by the following vote:

AYES—Senators Allen, Baker, Breed, Bush, Christian, Clock, Crittenden, Deuel, Duval, Edwards, Fellom, Harper, Hays, Inman, Jones, Maloney, McKinley, Mixer, Moran, Nelson, Pedrotti, Rich, Riley, Rochester, Schottky, Sharkey, Slater, Swing, Treacy, Tubbs, Wagy, and Williams—32.

NOES—None.

Title read and approved.

Bill ordered transmitted to the Assembly.

Assembly Bill No. 21—An act to amend section 1161 of the Code of Civil Procedure, relating to unlawful detainer.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Assembly Bill No. 21 passed by the following vote:

AYES—Senators Allen, Baker, Breed, Bush, Cassidy, Christian, Cleveland, Crittenden, Deuel, Edwards, Evans, Fellom, Harper, Inman, Jones, Maloney, McKinley, Mixer, Moran, Pedrotti, Rich, Riley, Rochester, Sharkey, Slater, Swing, Treacy, Tubbs, and Wagy—29.

NOES—Senator Clock—1.

Title read and approved.

Bill ordered transmitted to the Assembly.

Assembly Bill No. 32—An act to amend section 791 of the Civil Code, relating to the right of reentry by grantor or lessor.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Assembly Bill No. 32 passed by the following vote:

AYES—Senators Allen, Baker, Breed, Bush, Cassidy, Christian, Clock, Crittenden, Deuel, Duval, Edwards, Evans, Fellom, Harper, Inman, Jones, Maloney, McKinley, Mixer, Moran, Pedrotti, Rich, Riley, Rochester, Schottky, Sharkey, Slater, Treacy, Tubbs, Wagy, and Williams—31.

NOES—None.

Title read and approved.

Bill ordered transmitted to the Assembly.

Assembly Bill No. 675—An act requiring licensed contractors to report the name and address of the insurance carrier carrying workmen's compensation on their employees to the Industrial Accident Commission and send a copy of such report to the insurance carrier, requiring the said insurance carrier, including the State Compensation

Insurance Fund, to thereafter report to the same commission any cancellation or lapse of such policy of workmen's compensation insurance, and providing penalties for violation of the provisions thereof.

Bill read third time.

MOTION TO REFER TO SPECIAL COMMITTEE OF ONE.

During third reading of the bill, Senator Jones moved to refer Assembly Bill No. 675 to Senator Inman, as a Special Committee of One, to amend as follows:

AMENDMENT NUMBER ONE.

Amend the title of the printed amended bill by striking out the words "industrial accident commission", appearing in lines 4 and 5, and insert in lieu thereof the words "registrar of contractors in the department of professional and vocational standards"; also by striking out the word "commission" appearing in line 9 of the title, and insert in lieu thereof the word "department".

AMENDMENT NUMBER TWO.

On page 1, line 6, of the printed amended bill, strike out the words "industrial accident commission", and insert in lieu thereof the words "registrar of contractors".

AMENDMENT NUMBER THREE.

On page 1, line 11, of the printed amended bill, strike out the word "commission", and insert in lieu thereof the words "registrar of contractors".

AMENDMENT NUMBER FOUR.

On page 2, line 3, of the printed amended bill, following the word "standards," strike out the following of lines 3, 4 and 5: "and any insurance carrier, including the state compensation insurance fund, or agent or officer thereof."

AMENDMENT NUMBER FIVE.

On page 2, line 5, of the printed amended bill, strike out the word "wilfully".

Motion carried.

REPORT OF SPECIAL COMMITTEE OF ONE.

SENATE CHAMBER, SACRAMENTO, May 11, 1931.

MR. PRESIDENT: Your Special Committee of One, to which was referred Assembly Bill No. 675, with instructions to amend, respectfully reports the same back, amended as per instructions.

INMAN, Committee.

Report read, and on motion of Senator Jones adopted.

Bill ordered to print.

Assembly Bill No. 734—An act to establish a standard for fire hose couplings and fire hydrant fittings, to provide for alteration of such existing equipment, to prevent the sale of such equipment as does not conform with such standard, and to prescribe penalties for violations of this act.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Assembly Bill No. 734 passed by the following vote:

AYES—Senators Allen, Baker, Breed, Bush, Cassidy, Christian, Cleveland, Clock, Crittenden, Deuel, Duval, Edwards, Fellom, Harper, Inman, Jones, Maloney, McKinley, Mixer, Moran, Nelson, Pedrotti, Rich, Riley, Rochester, Schottky, Sharkey, Slater, Treacy, Tubbs, Wagy, and Williams—32.

NOES—None.

Title read and approved.

Bill ordered transmitted to the Assembly.

Assembly Bill No. 8—An act to amend section 1946 of the Civil Code, relating to the hiring of real property.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Assembly Bill No. 8 passed by the following vote:

AYES—Senators Allen, Baker, Breed, Cassidy, Christian, Cleveland, Clock, Deuel, Edwards, Fellom, Harper, Ingels, Iman, Jones, Maloney, McKinley, Mixer, Moran, Nelson, Pedrotti, Rich, Riley, Rochester, Schottky, Sharkey, Slater, Swing, Treacy, Tubbs, Waggy, and Williams—31.

NOES—None.

Title read and approved.

Bill ordered transmitted to the Assembly.

Assembly Bill No. 713—An act to add a new section to the Civil Code to be numbered 2016, defining the liability of the master to his servant when requiring such servant to wear a uniform or special dress in performing the duties of the employment.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Assembly Bill No. 713 passed by the following vote:

AYES—Senators Allen, Baker, Breed, Bush, Cassidy, Cleveland, Clock, Deuel, Duval, Edwards, Fellom, Ingels, Jones, Maloney, McKinley, Mixer, Nelson, Pedrotti, Rich, Schottky, Sharkey, Slater, Swing, Treacy, Tubbs, and Williams—27.

NOES—None.

Title read and approved.

Bill ordered transmitted to the Assembly.

Assembly Bill No. 270—An act to amend sections 1, 4 and 6 of an act entitled "An act to permit the consolidation of elections and to provide a procedure therefor," approved June 11, 1913, as amended, relating to consolidation of elections.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Assembly Bill No. 270 passed by the following vote:

AYES—Senators Baker, Breed, Bush, Cassidy, Christian, Cleveland, Clock, Deuel, Duval, Edwards, Harper, Ingels, Jones, Maloney, McKinley, Mixer, Moran, Nelson, Pedrotti, Schottky, Sharkey, Slater, Treacy, Tubbs, and Williams—25.

NOES—None.

Title read and approved.

Bill ordered transmitted to the Assembly.

Assembly Bill No. 682—An act to amend section 12 of an act entitled "An act to accept from the Veterans' Home Association the conveyance of, and to vest the title in the State of California to, the tract of land in Napa County known as the Veterans' Home, with the improvements and furnishings thereon, to make the same a State Home for United States Soldiers, Sailors and Marines, and to provide for the government thereof by the State," approved March 11, 1897, as amended.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Assembly Bill No. 682 passed by the following vote:

AYES—Senators Allen, Baker, Breed, Bush, Cassidy, Cleveland, Clock, Crittenden, Deuel, Duval, Evans, Fellom, Harper, Hays, Ingels, Iman, Jones, Maloney, McKin-

ley, Mixter, Moran, Nelson, Pedrotti, Rich, Riley, Schottky, Sharkey, Slater, Swing, Treacy, Tubbs, and Williams—32.
NOES—None.

Title read and approved.

Bill ordered transmitted to the Assembly.

Assembly Bill No. 817—An act to amend section 2 of, and to add section 7a to, the Veterans' Farm and Home Purchase Act, approved May 30, 1921, as amended, relating to farm and home aid for veterans and their widows.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Assembly Bill No. 817 passed by the following vote:

AYES—Senators Baker, Breed, Cassidy, Cleveland, Clock, Deuel, Duval, Evans, Fellom, Harper, Ingels, Inman, Jones, Maloney, McKinley, Mixter, Moran, Nelson, Riley, Schottky, Sharkey, Slater, Swing, Treacy, Tubbs, Waggy, and Williams—27.
NOES—None.

Title read and approved.

Bill ordered transmitted to the Assembly.

Assembly Bill No. 804—An act to add a new section to the School Code, to be numbered 2.657, relating to the annexation of elementary school districts to county high school districts.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Assembly Bill No. 804 passed by the following vote:

AYES—Senators Allen, Baker, Breed, Cassidy, Christian, Cleveland, Clock, Crittenden, Deuel, Evans, Harper, Hays, Ingels, Inman, Jones, Maloney, McKinley, Mixter, Moran, Nelson, Pedrotti, Riley, Sharkey, Slater, Swing, Treacy, Tubbs, Waggy, and Williams—29.
NOES—None.

Title read and approved.

Bill ordered transmitted to the Assembly.

Assembly Bill No. 242—An act to amend sections 2187, 2240 and 2255 of the Political Code, relating to county settlements with the State for maintenance of inmates in institutions and of pupils at the California School for the Deaf and the California School for the Blind.

Bill read third time.

MOTION TO REFER TO SPECIAL COMMITTEE OF ONE.

During third reading of the bill, Senator Rochester moved to refer Assembly Bill No. 242 to Senator Hays, as a Special Committee of One, to amend as follows:

AMENDMENT NUMBER ONE.

On page 2, line 51, of the printed bill, as amended in Senate May 5, 1931, after the word "certificate", insert the following: "for clothing and transportation."

AMENDMENT NUMBER TWO.

On page 2, line 51, of the printed bill, as amended in Senate May 5, 1931, strike out the word "but", and insert in lieu thereof the word "and".

AMENDMENT NUMBER THREE.

On page 2, line 52, of the printed bill, as amended in Senate May 5, 1931, strike out the comma, and insert in lieu thereof the following: "for necessary dental work, eye care, operations and hospitalization,".

AMENDMENT NUMBER FOUR.

On page 3, line 12, of the printed bill, as amended in Senate May 5, 1931, after the word "transportation", insert the following: "and other items".

AMENDMENT NUMBER FIVE.

On page 3, line 45, of the printed bill, as amended in Senate May 5, 1931, after the word "certificate", insert the following: "for clothing and transportation".

AMENDMENT NUMBER SIX.

On page 3, line 45, of the printed bill, as amended in Senate May 5, 1931, strike out the word "but", and insert in lieu thereof the word "and".

AMENDMENT NUMBER SEVEN.

On page 3, line 45, of the printed bill, as amended in Senate May 5, 1931, after the word "annum", insert the following: "for necessary dental work, eye care, operations and hospitalization,".

AMENDMENT NUMBER EIGHT.

On page 4, line 6, of the printed bill, as amended in Senate May 5, 1931, after the following: "portation", insert the following: "and other items".

Motion carried.

REPORT OF SPECIAL COMMITTEE OF ONE.

SENATE CHAMBER, SACRAMENTO, May 11, 1931.

MR. PRESIDENT: Your Special Committee of One, to which was referred Assembly Bill No. 242, with instructions to amend, respectfully reports the same back, amended as per instructions.

HAYS, Committee.

Report read, and on motion of Senator Rochester adopted.

Bill ordered to print.

Assembly Bill No. 1578—An act to amend section 2322~~x~~47 of the Political Code, relating to the office of agricultural commissioner in counties of the forty-seventh class.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Assembly Bill No. 1578 passed by the following vote:

AYES—Senators Allen, Baker, Breed, Cassidy, Christian, Cleveland, Clock, Duval, Duval, Edwards, Evans, Harper, Hays, Inman, Maloney, McKinley, Mixter, Moran, Nelson, Pedrotti, Rich, Rochester, Sharkey, Slater, Swing, Tubbs, Waggy, and Williams—28.

NOES—None.

Title read and approved.

Bill ordered transmitted to the Assembly.

Assembly Bill No. 1579—An act to add section 19~~x~~47 to the Juvenile Court Law, relating to probation officers in counties of the forty-seventh class.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Assembly Bill No. 1579 passed by the following vote:

AYES—Senators Allen, Baker, Breed, Cassidy, Cleveland, Clock, Duval, Duval, Edwards, Evans, Fellom, Harper, Hays, Inman, Maloney, McKinley, Mixter, Moran, Nelson, Pedrotti, Rich, Rochester, Schottky, Slater, Swing, Treacy, Tubbs, Waggy, and Williams—29.

NOES—None.

Title read and approved.

Bill ordered transmitted to the Assembly.

Assembly Bill No. 1577 - An act to amend section 4275 of the Political Code, relating to compensation of county and township officers in counties of the forty-sixth class.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Assembly Bill No. 1577 passed by the following vote:

AYES—Senators Allen, Baker, Breed, Christian, Clock, Duval, Edwards, Evans, Fellom, Harper, Hays, Ingels, Inman, Jones, Maloney, McKinley, Mixer, Moran, Nelson, Pedrotti, Rich, Rochester, Schottky, Slater, Treacy, Tubbs, Wagy, and Williams—28.

NOES—None.

Title read and approved.

Bill ordered transmitted to the Assembly.

Assembly Bill No. 1593—An act to amend section 2322x46 of the Political Code, relating to the office of agricultural commissioner in counties of the forty-sixth class.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Assembly Bill No. 1593 passed by the following vote:

AYES—Senators Allen, Baker, Cassidy, Christian, Cleveland, Clock, Deuel, Duval, Edwards, Evans, Fellom, Harper, Hays, Inman, Jones, Maloney, McKinley, Moran, Nelson, Pedrotti, Rochester, Schottky, Slater, Treacy, Tubbs, Wagy, and Williams—26.

NOES—None.

Title read and approved.

Bill ordered transmitted to the Assembly.

Assembly Bill No. 1581—An act to amend section 16x52 of the Weights and Measures Act, relating to sealers of weights and measures in counties of the fifty-second class.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Assembly Bill No. 1581 passed by the following vote:

AYES—Senators Allen, Baker, Cassidy, Christian, Cleveland, Deuel, Duval, Edwards, Evans, Fellom, Harper, Hays, Inman, Jones, Maloney, McKinley, Moran, Nelson, Pedrotti, Rochester, Schottky, Sharkey, Slater, Treacy, Tubbs, Wagy, and Williams—27.

NOES—None.

Title read and approved.

Bill ordered transmitted to the Assembly.

Assembly Bill No. 1582—An act to amend section 2322x52 of the Political Code, relating to the office of agricultural commissioner in counties of the fifty-second class.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Assembly Bill No. 1582 passed by the following vote:

AYES—Senators Baker, Cassidy, Christian, Cleveland, Deuel, Duval, Edwards, Evans, Fellom, Harper, Hays, Inman, Jones, Maloney, McKinley, Mixer, Moran,

Nelson, Pedrotti, Riley, Rochester, Schottky, Sharkey, Slater, Swing, Treacy, Tubbs, Wagy, and Williams—29.

NOES—None.

Title read and approved.

Bill ordered transmitted to the Assembly.

Assembly Bill No. 726—An act to amend sections 4236*b*, 4236*d*, 4236*g*, 4236*h*, 4236*l*, of the Political Code, relating to county and township officers in counties of the seventh class, the assistants, deputies, and other employees of said officers, and providing for the compensation of said officers and said assistants, deputies, and other employees.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Assembly Bill No. 726 passed by the following vote:

AYES—Senators Allen, Breed, Cassidy, Christian, Deuel, Duval, Edwards, Evans, Fellom, Harper, Hays, Inman, Jones, Maloney, McKinley, Mixter, Moran, Nelson, Pedrotti, Rich, Riley, Schottky, Sharkey, Slater, Swing, Treacy, Tubbs, Wagy, and Williams—29.

NOES—None.

Title read and approved.

Bill ordered transmitted to the Assembly.

Assembly Bill No. 1595—An act to amend sections 16*r*46 and 16*r*47 of the Weights and Measures Act, relating to sealers of weights and measures in counties of the forty-sixth and forty-seventh classes.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Assembly Bill No. 1595 passed by the following vote:

AYES—Senators Allen, Cassidy, Christian, Deuel, Duval, Edwards, Evans, Harper, Hays, Inman, Jones, Maloney, McKinley, Mixter, Moran, Nelson, Pedrotti, Rich, Riley, Schottky, Sharkey, Slater, Treacy, Tubbs, and Wagy—25.

NOES—None.

Title read and approved.

Bill ordered transmitted to the Assembly.

Assembly Bill No. 1642—An act to amend section 4258 of the Political Code, relating to compensation of county and township officers in counties of the twenty-ninth class.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Assembly Bill No. 1642 passed by the following vote:

AYES—Senators Allen, Breed, Cassidy, Christian, Clock, Crittenden, Deuel, Duval, Edwards, Evans, Fellom, Harper, Hays, Ingels, Inman, Jones, Maloney, McKinley, Mixter, Moran, Nelson, Pedrotti, Rich, Riley, Schottky, Sharkey, Slater, Swing, Treacy, Tubbs, Wagy, and Williams—32.

NOES—None.

Title read and approved.

Bill ordered transmitted to the Assembly.

Assembly Bill No. 1233—An act providing for the creation and organization of a port district, as an agency of the State of California, for the improvement, development, maintenance, control, government and operation of the harbor of San Francisco, and its authorized facil-

ities, and for the development of the commerce, navigation, and fisheries of that harbor, to be known as the Port of San Francisco, and to become the successor of the Board of State Harbor Commissioners; defining the powers, duties, and jurisdiction of said port district; providing for the qualifications, the selection, and certain powers and duties of the officers and employees of said port district; abolishing the Board of State Harbor Commissioners and offices and positions thereunder; transferring certain State property to said port district, in trust for the State, for the uses and purposes of the act; providing for the acquisition, construction, maintenance, management and operation of property by said port district; authorizing said port district to levy taxes and incur indebtedness for certain purposes, and to fix, regulate, and collect for its own purposes all charges for the use or enjoyment of public property under the jurisdiction, possession and control of said port district or managed or operated by it; authorizing the City and County of San Francisco to make contributions to said port district for certain purposes; defining the obligations and privileges of the port district with regard to certain public moneys and certain State bonds, and certain harbor improvement funds and sinking funds connected therewith; providing a procedure for determining the validity of the bonds of said port district; and providing for the extension of said port district and the acquisition of certain State property in the event of any consolidation of the City and County of San Francisco with the county of San Mateo or any part thereof.

Bill read third time previously.

MOTION TO REFER TO SPECIAL COMMITTEE OF ONE.

During third reading of the bill, Senator Fellom moved to refer Assembly Bill No. 1233 to Senator Treacy, as a Special Committee of One, to amend as follows:

AMENDMENT NUMBER ONE.

On page 27 of the printed bill, between lines 22 and 23, insert the following:

"SEC. 46a. The provisions of any act now in effect or hereafter taking effect, establishing a retirement system for persons employed by the state, and the rules and regulations of any administrative authority created by and authorized to establish such rules and regulations under the provisions of any such act, shall apply to officers and employees under the jurisdiction of the port and paid by funds controlled by the port, in the same manner and to the same extent as in the case of persons made eligible to membership in such retirement system under the provisions of the act creating such system. The port board must furnish such information concerning its officers and employees, their compensation and service, as may be required by such administrative authority. The port board must also certify to such administrative authority a designation of the disbursing officers of the port who are authorized to deduct the officers' and employees' contributions and to remit the contributions of the port to such retirement system. The funds of the port out of which compensation to officers or employees is paid shall contribute to such retirement system in the same manner and to the same extent as in the case of similar funds in the state treasury. The amounts to be deducted from compensations of officers and employees, and the amounts to be contributed by the fund or funds of the port, shall be certified to the designated disbursing officer or officers of the port in the same manner as in the case of members paid out of funds transferred and disbursed by the state controller. Such disbursing officer must thereupon pay the certified amounts into the retirement fund established by the act creating such retirement system."

AMENDMENT NUMBER TWO.

On page 25, line 21, of the printed bill, after the period, strike out the balance of the line, also strike out all of lines 22 and 23.

AMENDMENT NUMBER THREE.

On page 3, line 39, of the printed bill, following the period after the word "district", add the following words: "The governor may remove any harbor trustee from his office at any time prior to the expiration of the latter's term of office and shall appoint his successor to serve for the unexpired term of the harbor trustee so removed."

AMENDMENT NUMBER FOUR.

On page 13, line 44, of the printed bill, before the word "need", insert the words "or of any wharf or pier".

Motion carried.

REPORT OF SPECIAL COMMITTEE OF ONE.

SENATE CHAMBER, SACRAMENTO, May 11, 1931.

MR. PRESIDENT: Your Special Committee of One, to which was referred Assembly Bill No. 1233, with instructions to amend, respectfully reports the same back, amended as per instructions.

TREACY, Committee.

Report read, and on motion of Senator Fellom adopted.

Bill ordered to print.

Assembly Bill No. 1000—An act substituting for the existing title I of part IV of division I of the Civil Code of the State of California a new title I of said part IV consisting of 16 chapters which shall supersede said existing title I and sections numbered consecutively 1227 to 1235, both numbers included, of the Code of Civil Procedure of California, all relating to corporations.

Bill read third time.

MOTION TO REFER TO SPECIAL COMMITTEE OF ONE.

During third reading of the bill, Senator Nelson moved to refer Assembly Bill No. 1000 to Senator Breed, as a Special Committee of One, to amend as follows:

AMENDMENT NUMBER ONE.

On page 20 of the printed bill, as amended April 30, 1931, strike out line 52 thereof, and insert in lieu thereof the following: "such persons."

AMENDMENT NUMBER TWO.

On page 21 of the printed bill, as amended April 30, 1931, strike out all of lines 1, 2 and 3.

AMENDMENT NUMBER THREE.

On page 21 of the printed bill, as amended April 30, 1931, strike out all of line 6 thereof, and the following in line 7: "in person or by proxy,".

AMENDMENT NUMBER FOUR.

On page 49, line 31, of the printed bill, as amended April 30, 1931, insert the word "of", before the word "every".

Motion carried.

REPORT OF SPECIAL COMMITTEE OF ONE.

SENATE CHAMBER, SACRAMENTO, May 11, 1931.

MR. PRESIDENT: Your Special Committee of One, to which was referred Assembly Bill No. 1000, with instructions to amend, respectfully reports the same back, amended as per instructions.

BREED, Committee.

Report read, and on motion of Senator Nelson adopted.

Bill ordered to print.

Assembly Bill No. 1982—An act to amend section 636 of the Penal Code, relating to the protection of fish and game.

Bill read third time.

MOTION TO REFER TO SPECIAL COMMITTEE OF ONE.

During third reading of the bill, Senator Clock moved to refer Assembly Bill No. 1082 to Senator McKinley, as a Special Committee of One, to amend as follows:

AMENDMENT NUMBER ONE.

On page 6, line 7, of the printed bill, as amended, strike out the word "into", and insert in lieu thereof the following: "to the division of fish and game for deposit in".

Motion carried.

REPORT OF SPECIAL COMMITTEE OF ONE.

SENATE CHAMBER, SACRAMENTO, May 11, 1931.

MR. PRESIDENT: Your Special Committee of One, to which was referred Assembly Bill No. 1082, with instructions to amend, respectfully reports the same back, amended as per instructions.

McKINLEY, Committee.

Report read, and on motion of Senator Clock adopted.

Bill ordered to print.

Assembly Bill No. 1021—An act authorizing and empowering any county, city and county, or city, in the State of California, to donate, convey and grant to the State of California any real property owned by it, or which it may hereafter acquire, within its corporate limits, and to donate such part of its funds as deemed necessary for the purpose of assisting the State of California to purchase and acquire parks, playgrounds, recreation centers, or beaches for recreational purposes within its corporate limits.

Bill read third time.

MOTION TO REFER TO SPECIAL COMMITTEE OF ONE.

During third reading of the bill, Senator Nelson moved to refer Assembly Bill No. 1021 to Senator Breed, as a Special Committee of One, to amend as follows:

AMENDMENT NUMBER ONE.

In lines 8 and 9 of the title of the printed bill, as amended April 29, 1931, strike out the following: "within its corporate limits,".

AMENDMENT NUMBER TWO.

On page 1, line 5, of the printed bill, as amended April 29, 1931, strike out the words "within its corporate limits,".

AMENDMENT NUMBER THREE.

On page 1, line 11, of the printed bill, as amended April 29, 1931, strike out the words "within its".

AMENDMENT NUMBER FOUR.

On page 1, line 12, of the printed bill, as amended April 29, 1931, strike out the words "corporate limits".

AMENDMENT NUMBER FIVE.

On page 2, line 6, of the printed bill, as amended April 29, 1931, strike out the following: "within its corporate limits".

Motion carried.

REPORT OF SPECIAL COMMITTEE OF ONE.

SENATE CHAMBER, SACRAMENTO, May 11, 1931.

MR. PRESIDENT: Your Special Committee of One, to which was referred Assembly Bill No. 1021, with instructions to amend, respectfully reports the same back, amended as per instructions.

BREED, Committee.

Report read, and on motion of Senator Nelson adopted.

Bill ordered to print.

MESSAGES FROM THE ASSEMBLY.

The following messages from the Assembly were received and read:

ASSEMBLY CHAMBER, SACRAMENTO, May 11, 1931.

MR. PRESIDENT: I am directed to inform your honorable body that the Assembly on this day adopted Senate Joint Resolution No. 3—Relative to hours of employment of persons on interstate carriers.

ARTHUR A. OHNIMUS, Chief Clerk.
By FRED J. DESCH, Assistant Clerk.

Senate Joint Resolution No. 3 ordered to enrollment.

Also:

ASSEMBLY CHAMBER, SACRAMENTO, May 11, 1931.

MR. PRESIDENT: I am directed to inform your honorable body that the Assembly on this day adopted Senate Concurrent Resolution No. 28—Relating to a survey and an estimate of the cost of reconstructing the committee rooms in the State Capitol building.

ARTHUR A. OHNIMUS, Chief Clerk.
By FRED J. DESCH, Assistant Clerk.

Senate Concurrent Resolution No. 28 ordered to enrollment.

REPORTS OF STANDING COMMITTEES—(RESUMED).

The following reports of standing committees were received and read:

ON FEDERAL RELATIONS.

SENATE CHAMBER, SACRAMENTO, May 11, 1931.

MR. PRESIDENT: Your Committee on Federal Relations, to which was referred Assembly Joint Resolution No. 28—Memorializing the President of the United States and Congress to modify in certain particulars the Migratory Bird Treaty—has had the same under consideration, and respectfully reports the same back without recommendation, and asks that it be re-referred to Committee on Fish and Game.

Committee membership—5; committee vote: Ayes—4.

(Signed out)

SCHOTTKY, Chairman.
HARPER.
RILEY.
WAGY.

Assembly Joint Resolution No. 28 ordered re-referred to Committee on Fish and Game.

ON COUNTY GOVERNMENT.

SENATE CHAMBER, SACRAMENTO, May 11, 1931.

MR. PRESIDENT: Your Committee on County Government, to which was referred Assembly Bill No. 1278—An act to amend section 19a28 of the Juvenile Court Law, relating to the compensation of the probation officer in counties of the twenty-eighth class;

Also: Assembly Bill No. 1279—An act to add section 9a28 to an act entitled "An act to provide for the establishment and maintenance of county free libraries in the State of California, and repeal 'An act to provide county library systems,'" approved April 12, 1909, and all acts and parts of acts in conflict with this act," approved February 25, 1911, as amended, relating to the salary of county librarian in counties of the twenty-eighth class;

Also: Assembly Bill No. 1280—An act to amend section 4259 of the Political Code, relating to the salaries, fees and expenses of officers in counties of the twenty-eighth class;

Also: Assembly Bill No. 1464—An act to amend section 2322a28 of the Political Code, relating to the office of agricultural commissioner in counties of the twenty-eighth class;

Also: Assembly Bill No. 1756—An act to amend section 16a21 of the Weights and Measures Act, relating to sealers of weights and measures in counties of the twenty-first class;

Also: Assembly Bill No. 1805—An act to amend section 19a21 of the Juvenile Court Law, relating to probation officers in counties of the twenty-first class;

Has had the same under consideration, and respectfully reports the same back, and recommends that they do pass.

Committee membership—9.

(Signed out)

WAGY, Chairman.
NELSON.
RICH.
RILEY.
SCHOTTKY.
SLATER.
SWING.

Assembly Bills Nos. 1278, 1279, 1280, 1464, 1756 and 1805 ordered on file for second reading.

Also:

MR. PRESIDENT: Your Committee on County Government, to which was referred Assembly Bill No. 505—An act to amend section 2322 $\frac{1}{2}$ 30 of the Political Code, relating to the salaries of the county horticultural commissioner, deputies, inspectors, and clerks of the counties of the thirtieth class;

Also: Assembly Bill No. 623—An act to amend section 4259 of the Political Code, relating to salaries of officers of counties of the thirtieth class;

Also: Assembly Bill No. 1795—An act to amend section 16 $\frac{1}{2}$ 30 of the Weights and Measures Act, relating to sealers of weights and measures in counties of the thirtieth class;

Also: Assembly Bill No. 1849—An act to amend section 19 $\frac{1}{2}$ 30 of the Juvenile Court Law, relating to probation officers in counties of the thirtieth class;

Has had the same under consideration, and respectfully reports the same back, and recommends that they do pass.

Committee membership—9.

(Signed out)

WAGY, Chairman.
CASSIDY.
NELSON.
RICH.
RILEY.
SCHOTTKY.
SLATER.
SWING.

Assembly Bills Nos. 505, 623, 1795 and 1849 ordered on file for second reading.

ON EDUCATION.

SENATE CHAMBER, SACRAMENTO, May 11, 1931.

MR. PRESIDENT: Your Committee on Education, to which was referred Assembly Bill No. 506—An act to add a new section to the School Code to be numbered 6479, relating to the purchase and maintenance of school buses;

Also: Assembly Bill No. 126—An act authorizing certain improvements upon the grounds of the California Schools for the Deaf and the Blind at Berkeley, California;

Also: Assembly Bill No. 1183—An act to amend section 4922 of the School Code, relating to the computing of units of average daily attendance in secondary schools;

Has had the same under consideration, and respectfully reports the same back, and recommends that they do pass.

Committee membership—14; committee vote: Ayes—10; absent—4.

SLATER, Chairman.

Assembly Bills Nos. 506, 126 and 1183 ordered on file for second reading.

Also:

MR. PRESIDENT: Your Committee on Education, to which was referred Assembly Bill No. 1485—An act to repeal chapter 660, of the Statutes of 1927, entitled "An act requiring certain reports to be made concerning children with impaired hearing," approved May 20, 1927; to add a new chapter to part II of division I of the School Code to be known as chapter III, to embrace sections 1500 to 1513, both inclusive, providing for the education of minors who are deaf or have impaired hearing,—has had the same under consideration, and respectfully reports the same back with amendments, and recommends that the amendments be adopted, and that it do pass as amended.

Committee membership—14; committee vote: Ayes—10; absent—4.

SLATER, Chairman.

Assembly Bill No. 1485 ordered on file for second reading.

Also:

MR. PRESIDENT: Your Committee on Education, to which was referred Assembly Concurrent Resolution No. 30—Relative to the protection of wild vegetation—has had the same under consideration, and respectfully reports the same back, and recommends that it be re-referred to Committee on Agriculture and Live Stock.

Committee membership—14; committee vote: Ayes—10; absent—4.

SLATER, Chairman.

Assembly Concurrent Resolution No. 30 ordered re-referred to Committee on Agriculture and Live Stock.

Also:

MR. PRESIDENT: Your Committee on Education, to which was referred Assembly Bill No. 1227—An act to add a new section, to be numbered section 5a, to chapter 350, Statutes of 1907, entitled "An act to regulate the conduct of election campaigns, and repealing an act entitled 'An act to promote the purity of elections by regulating the conduct thereof, and to support the privilege of free suffrage by prohibiting certain acts and practices in relation thereto, and providing for the punishment thereof,' approved February 23, 1893," approved March 19, 1907, as amended, relating to campaign expenditures, and providing that a candidate for public office who incurs unpaid campaign expenses in excess of the legal limit set forth in the said act, shall be liable to any person, firm, association or corporation whose claim he or she is unable to meet because of the provisions of this law, for the amount that would be due such person, firm, association or corporation were it not for the provisions of this act, as a civil penalty for having exceeded the legal limit, and providing for the enforcement of such penalty—has had the same under consideration, and respectfully reports the same back, and recommends that it be re-referred to Committee on Elections.

Committee membership—14; committee vote: Ayes—10; absent—4.

SLATER, Chairman.

Assembly Bill No. 1227 ordered re-referred to Committee on Elections

ON BANKING.

SENATE CHAMBER, SACRAMENTO, MAY 11, 1931.

MR. PRESIDENT: Your Committee on Banking, to which was referred Assembly Bill No. 997—An act to amend an act entitled "An act to authorize and control the deposit in banks of money belonging to or in the custody of any county, city and county, city, town, municipality or other political subdivision within this State, and to repeal all acts or parts of acts in conflict with this act," approved May 24, 1927, by amending section 4 thereof with reference to the security to be given for such deposits—has had the same under consideration, and respectfully reports the same back, and recommends that it do pass.

Committee membership—9.

(Signed out)

JONES, Chairman.
BUSH.
D'VAL.
EDWARDS.
EVANS.
NELSON.
TUBBS.

Assembly Bill No. 997 ordered on file for second reading.

ON FEDERAL RELATIONS.

SENATE CHAMBER, SACRAMENTO, MAY 11, 1931.

MR. PRESIDENT: Your Committee on Federal Relations, to which was referred Assembly Joint Resolution No. 29—Relative to migrating birds—has had the same under consideration, and respectfully reports the same back without recommendation, and recommends that it be re-referred to Committee on Fish and Game.

Committee membership—5; committee vote: Ayes—4.

(Signed out)

SCHOTTKY, Chairman.
HARPER.
RILEY.
WAGY.

Assembly Joint Resolution No. 29 ordered re-referred to Committee on Fish and Game.

CONSIDERATION OF DAILY FILE.
SECOND READING OF ASSEMBLY BILLS.

Assembly Bill No. 985—An act providing for the establishment of a Summer School of Music.

Bill read second time, and ordered on file for third reading.

Assembly Bill No. 1572—An act to amend section 50 $\frac{1}{2}$ of an act to provide for the organization of the Railroad Commission, to define its powers and duties and the rights, remedies, powers and duties of public utilities and their officers, and the rights and remedies of patrons of public utilities, and to provide penalties for offenses by public utilities, their officers, agents and employees and by other persons and corporations, creating the Railroad Commission Fund and appropriating the moneys therein to carry out the provisions of this act, and repealing title XV of part IV of division I of the Civil Code, and all acts and parts of acts inconsistent with the provisions of this act, as amended.

COMMITTEE AMENDMENT.

During the second reading of the bill, the following committee amendment was offered.

AMENDMENT NUMBER ONE.

On page 2, line 18, of the printed bill, after the comma following the word "hearing", insert the words "to issue said certificate".

Amendment adopted.

Bill read second time, ordered to print, and on file for third reading.

Assembly Bill No. 1585—An act to amend section 2322.33 of the Political Code, relating to the office of agricultural commissioner in counties of the thirty-third class.

Bill read second time, and ordered on file for third reading.

Assembly Bill No. 1586—An act to amend section 19.33 of the Juvenile Court Law, relating to probation officers in counties of the thirty-third class.

Bill read second time, and ordered on file for third reading.

Assembly Bill No. 1599—An act to amend section 19.50 of the Juvenile Court Law, relating to probation officers in counties of the fiftieth class.

Bill read second time, and ordered on file for third reading.

Assembly Bill No. 447—An act to amend section 5.744 of the School Code, relating to the manner of paying salaries of certified employees of school districts.

COMMITTEE AMENDMENTS.

During the second reading of the bill, the following committee amendments were offered:

AMENDMENT NUMBER ONE.

In line 1 of the title of the printed bill, as amended in Assembly April 9, 1931, strike out the following: "amend section 5.744 of", and insert in lieu thereof the following: "add a new section to".

Amendment adopted.

AMENDMENT NUMBER TWO.

In line 1 of the title of the printed bill, as amended in Assembly April 9, 1931, strike out the comma, and insert in lieu thereof the following: "to be numbered 5.750 and".

Amendment adopted.

AMENDMENT NUMBER THREE.

On page 2 of the printed bill, as amended in Assembly April 9, 1931, strike out all of lines 11 and 12, and insert in lieu thereof the following:

"SECTION 1. A new section is hereby added to the School Code to be numbered 5.750 and to read as follows:".

Amendment adopted.

AMENDMENT NUMBER FOUR.

On page 2, line 2, of the printed bill, as amended in Assembly April 9, 1931, before the word "When", insert the number "5.750".

Amendment adopted.

AMENDMENT NUMBER FIVE.

On page 2 of the printed bill, as amended in Assembly April 9, 1931, strike out all of lines 19 to 24, inclusive.

Amendment adopted.

AMENDMENT NUMBER SIX.

On page 2, line 26, of the printed bill, as amended in Assembly April 9, 1931, after the word "duties", insert the following: "on account of illness for a period of more than five school months, or when a person is absent from his duties".

Amendment adopted.

Bill read second time, ordered to print, and on file for third reading.

Assembly Bill No. 1178—An act to add a new section to the School Code, to be numbered 5.805, providing for the exemption of certain persons from the benefits and burdens of part IV of division V of the School Code.

COMMITTEE AMENDMENT.

During the second reading of the bill, the following committee amendment was offered:

AMENDMENT NUMBER ONE.

On page 1, line 6, of the printed bill, beginning in said line 6, strike out the comma and the following: "or for other reasons,".

Amendment adopted.

Bill read second time, ordered to print, and on file for third reading.

Assembly Bill No. 1619—An act to amend section 2322~~r~~4 to the Political Code, relating to the office of agricultural commissioner in counties of the fourth class.

Bill read second time, and ordered on file for third reading.

Assembly Bill No. 1622—An act to amend section 19~~r~~4 of the Juvenile Court Law, relating to probation officers in counties of the fourth class.

Bill read second time, and ordered on file for third reading.

Assembly Bill No. 410—An act to amend section 4277 of the Political Code, relating to salaries and fees of officials in counties of the forty-seventh class.

COMMITTEE AMENDMENTS.

During the second reading of the bill, the following committee amendments were offered:

AMENDMENT NUMBER ONE.

In line 1 of the title of the printed bill, strike out "4277", and insert in lieu thereof: "4276 and to repeal sections 4276a and 4276b".

Amendment adopted.

AMENDMENT NUMBER TWO.

On page 1, line 1, of the printed bill, strike out "4277", and insert in lieu thereof: "4276".

Amendment adopted.

AMENDMENT NUMBER THREE.

On page 1 of the printed bill, strike out line 3, and insert in lieu thereof: "4276. In counties of the forty-seventh class, the county".

Amendment adopted.

AMENDMENT NUMBER FOUR.

On page 4 of the printed bill, after line 22, insert as a new paragraph the following:

"SEC. 2. Sections 4276a and 4276b of the Political Code are hereby repealed."

Amendment adopted.

Bill read second time, ordered to print, and on file for third reading.

Assembly Bill No. 286—An act to amend section 4280 of the Political Code, relating to the salaries and fees of officials in counties of the fifty-first class.

COMMITTEE AMENDMENTS.

During the second reading of the bill, the following committee amendments were offered:

AMENDMENT NUMBER ONE.

On page 1 of the printed bill, strike out lines 11 to 14, inclusive, and insert in lieu thereof the following: "annum, and one deputy county clerk to serve in each year, which deputy shall be employed only during that portion of the year requiring extra work, and who shall receive a salary of not to exceed".

Amendment adopted.

AMENDMENT NUMBER TWO.

On page 2 of the printed bill, after line 5, insert the following: "and one deputy as required for extra work at a salary of not to exceed five dollars per day and not to exceed five hundred dollars in any one calendar year, which salaries shall be".

Amendment adopted.

AMENDMENT NUMBER THREE.

On page 2 of the printed bill, strike out lines 16 to 23, inclusive, and insert in lieu thereof the following:

"7. The assessor, two thousand one hundred dollars per annum; he shall have one deputy assessor to be appointed by him, whose salary shall be one hundred twenty-five dollars per month; and one deputy for three months in each year during the assessing period at a salary of one hundred twenty-five dollars per month and his actual and necessary traveling expenses, which salary shall be paid in the same manner and out of the same fund as the salary of the county assessor."

Amendment adopted.

AMENDMENT NUMBER FOUR.

On page 2 of the printed bill, strike out lines 36 and 37, and insert in lieu thereof the following:

"12. In counties of this class the county surveyor".

Amendment adopted.

Bill read second time, ordered to print, and on file for third reading.

Assembly Bill No. 1825—An act to amend section 2322x26 of the Political Code, relating to the office of agricultural commissioner in counties of the twenty-sixth class.

COMMITTEE AMENDMENT.

During the second reading of the bill, the following committee amendment was offered:

AMENDMENT NUMBER ONE.

On page 2 of the printed bill, strike out all of lines 14 to 20, both inclusive.

Amendment adopted.

Bill read second time, ordered to print, and on file for third reading.

Assembly Bill No. 1545—An act to add section 4327 to the Political Code, relating to vacations and sick leaves of county officers and employees.

COMMITTEE AMENDMENTS.

During the second reading of the bill, the following committee amendments were offered:

AMENDMENT NUMBER ONE.

In line 2 of the title of the printed bill, strike out "and sick leaves".

Amendment adopted.

AMENDMENT NUMBER TWO.

On page 1, line 6, of the printed bill, strike out "Leaves of absence with", and strike out lines 7, 8 and 9 of the printed bill.

Amendment adopted.

AMENDMENT NUMBER THREE.

On page 1, line 11, of the printed bill, strike out the comma and "and such officers shall", and all of lines 12 to 15, inclusive, and insert in lieu thereof a period.

Amendment adopted.

Bill read second time, ordered to print, and on file for third reading.

Assembly Bill No. 982—An act to amend section 4260 of the Political Code, relating to compensation of county and township officers in counties of the thirty-first class.

COMMITTEE AMENDMENT.

During the second reading of the bill, the following committee amendment was offered:

AMENDMENT NUMBER ONE.

On page 5 of the printed bill, strike out lines 41 to 44, inclusive, and insert in lieu thereof the following: "both as supervisor and road commissioner. Said supervisors shall not use county owned automobiles for the performance of any of their duties as such supervisor or road commissioner, nor while traveling to and from the county seat, nor in the performance of any of their official duties."

Amendment adopted.

Bill read second time, ordered to print, and on file for third reading.

Assembly Bill No. 1542—An act to add a new section to the Political Code, to be numbered 4259a, relative to fees for official services.

COMMITTEE AMENDMENT.

During the second reading of the bill, the following committee amendment was offered:

AMENDMENT NUMBER ONE.

In line 2 of the title of the printed bill, strike out "4259a", and insert in lieu thereof "4295a".

Amendment adopted.

Bill read second time, ordered to print, and on file for third reading.

Assembly Bill No. 677—An act to amend section 4234 and to repeal section 4235a of the Political Code, relating to the compensation of county and township officers in counties of the fifth class.

Bill read second time, and ordered on file for third reading.

Assembly Bill No. 1635—An act to amend section 2322x37 of the Political Code, relating to the office of agricultural commissioner in counties of the thirty-seventh class.

Bill read second time, and ordered on file for third reading.

Assembly Bill No. 1136—An act to amend section 4236a of the Political Code, relating to county and township officers in counties of the seventh class, the assistants, deputies, and other employees of said officers, and providing for the compensation of said officers and said assistants, deputies, and other employees.

Bill read second time, and ordered on file for third reading.

Assembly Bill No. 1802—An act to amend the Political Code by adding thereto new sections to be numbered 3440a, 3440b, 3440c and 3440d, by amending sections 3512, 3513, and 3514 and by repealing sections 3422, 3423, 3424, 3425, 3426, 3427 and 3429, all relating to public lands.

Bill read second time, and ordered on file for third reading.

Assembly Bill No. 1806—An act to amend section 19x26 of the Juvenile Court Law, relating to probation officers in counties of the twenty-sixth class.

Bill read second time, and ordered on file for third reading.

Assembly Bill No. 1775—An act to amend section 2322x16 of the Political Code, relating to the salary of the county agricultural commissioner, his deputies and inspectors, in counties of the sixteenth class.

Bill read second time, and ordered on file for third reading.

Assembly Bill No. 248—An act to amend section 4283 of the Political Code, relating to compensation of county officers in counties of the fifty-fourth class.

Bill read second time, and ordered on file for third reading.

Assembly Bill No. 1531—An act to add section 19x20 to the Juvenile Court Law, relating to the compensation of the probation officers in counties of the twentieth class.

Bill read second time, and ordered on file for third reading.

Assembly Bill No. 159—An act to amend sections 1357, 1358, 1359 and 1362 and repeal sections 1360 and 1361 of the Political Code, relating to absent voters.

Bill read second time, and ordered on file for third reading.

Assembly Bill No. 1495—An act to repeal articles VII and VIII, embracing sections 2.170 to 2.187, both inclusive, of chapter II of part I of division II of the School Code and to add to chapter II of part I of division II of the School Code a new article to be known as article VII, embracing sections 2.170 to 2.179, both inclusive, relating to the suspension and lapsation of school districts.

Bill read second time, and ordered on file for third reading.

Assembly Bill No. 1665—An act to amend section 2.446 of the School Code, relating to a change of boundaries as a consequence of two or more school districts forming a union or joint union district.

Bill read second time, and ordered on file for third reading.

Assembly Bill No. 1050—An act to repeal chapter III, embracing sections 4.180 to 4.196, both inclusive, of part II of division IV of the School Code, relating to teachers' salary funds in counties or cities and counties constituting but one school district.

Bill read second time, and ordered on file for third reading.

Assembly Bill No. 1053—An act to amend sections 1, 6, 7, 9, 10 and 13 of the California Nautical School Act, approved June 3, 1929, relating to the State Nautical School.

Bill read second time, and ordered on file for third reading.

Assembly Bill No. 1094—An act to amend section 5.540 of the School Code, relating to the employment of teachers.

Bill read second time, and ordered on file for third reading.

Assembly Bill No. 1181—An act to amend section 3.24 of the School Code, relating to the maximum school day for pupils in the public schools.

Bill read second time, and ordered on file for third reading.

Assembly Bill No. 1197—An act to amend section 3.250 of the School Code, relating to the admission of minors to junior high schools.

Bill read second time, and ordered on file for third reading.

Assembly Bill No. 1266—An act to add a new section to the School Code, to be numbered 6.5, relating to the providing of a water supply for schools.

Bill read second time, and ordered on file for third reading.

Assembly Bill No. 1491—An act to add a new section to the School Code to be numbered 1.73, providing for the payment of the cost of food and lodging to secondary school pupils by governing boards of secondary school districts in lieu of the transportation of such pupils.

Bill read second time, and ordered on file for third reading.

Assembly Bill No. 446—An act to add new sections to the School Code to be numbered 5.722 and 5.723 providing for the granting of leaves of

absence to certificated employees of school districts for the purpose of permitting study or travel by such employees.

Bill read second time, and ordered on file for third reading.

Assembly Bill No. 448—An act to add a new section to the School Code to be numbered 5.721 providing for the granting of leaves with compensation to certificated employees of school districts because of accident, illness, quarantine or temporary inability to perform duties.

Bill read second time, and ordered on file for third reading.

Assembly Bill No. 530—An act to repeal article III embracing section 1.90 of chapter III of part I of division I of the School Code, and to add to chapter III of part I of division I of the School Code a new article to be known as article III, embracing section 1.90, all relating to the transportation of pupils.

Bill read second time, and ordered on file for third reading.

Assembly Bill No. 660—An act to amend chapter IV, part I, division VI of the School Code, by adding thereto a new article, to be numbered IVa, relating to the sale of buildings, structures, and other fixtures by one school district to another, where the governing boards have the same personnel.

Bill read second time, and ordered on file for third reading.

Assembly Bill No. 671—An act to add a new section to the School Code to be numbered 4.385, relating to the publication of information regarding school affairs by school boards.

Bill read second time, and ordered on file for third reading.

Assembly Bill No. 752—An act to amend section 2.970 of the School Code and to add thereto a new section to be numbered 2.971, relating to the election of members of boards of education in cities.

Bill read second time, and ordered on file for third reading.

Assembly Bill No. 1168—An act to amend sections 6.260, 6.262, 6.264 and 6.523 of, and to add sections 2.1223 and 6.561½ to the School Code, relating to the public school system.

Bill read second time, and ordered on file for third reading.

Assembly Bill No. 731—An act to add a new section to the Civil Code, to be numbered 2178, limiting the liability of steam and electric railroad common carriers and sleeping car companies of property carried in trunks, valises, suit cases, traveling bags, boxes, bundles or packages, in the event of loss of or injury to the same.

Bill read second time, and ordered on file for third reading.

ADJOURNMENT.

At five o'clock and six minutes p.m., on motion of Senator Breed, the President declared the Senate adjourned out of respect to the memory of the late Hon. William M. Finch, Presiding Justice of the District Court of Appeal, Third District, until ten o'clock a.m., Tuesday, May 12, 1931.

HAROLD J. POWERS, Minute Clerk.

IN SENATE.

SENATE CHAMBER,
SACRAMENTO, Tuesday, May 12, 1931.

The Senate met at ten o'clock a.m.

Lieutenant Governor Frank F. Merriam, President of the Senate, in the chair.

Secretary Joseph A. Beek at the desk.

ROLL CALL.

The roll was called, and the following answered to their names:

Senators Allen, Baker, Breed, Bush, Carter, Cassidy, Christian, Cleveland, Clock, Crittenden, Deuel, Duval, Edwards, Evans, Fellom, Harper, Hays, Ingels, Inman, Jones, Maloney, McCormack, McKinley, Mixer, Moran, Nelson, Pedrotti, Rich, Riley, Rochester, Schottky, Sharkey, Slater, Swing, Treacy, Tubbs, Wag, and Williams—38.

Quorum present.

PRAYER.

Prayer was offered by the Chaplain, Rev. Sherman L. Divine.

READING OF THE JOURNAL.

During the reading of the Journal of Monday, May 11, 1931, the further reading was dispensed with, on motion of Senator Slater.

PRIVILEGE OF FLOOR OF SENATE EXTENDED.

On request of Senator Slater, the privilege of the floor of the Senate Chamber for this day was unanimously extended to Mayor F. Bulotti, Councilman C. E. Cutler, and Wade Wilson of chamber of commerce, Sonoma.

On request of Senator Cleveland, the privilege of the floor of the Senate Chamber for this day was unanimously extended to H. H. Story.

On request of Senator Jones, the privilege of the floor of the Senate Chamber for this day was unanimously extended to Elk Grove Union High School pupils as follows: C. G. Winter, Merrill Adams, Marion Berwith, Vivian Venn, Violet Schmidt, Ella Busher, Dorothy Jacobsen, Sam Tsukamoto, Harry Knepple, Duan Green, Mary Foulks, Henrietta Hands, Janet Brown, Annie Perry, Mildred Porter, Agnes Lasfelt, Ruby Uchida, Dorris Johnson, Betty Yamamoto, Ailee Huakawa, Agnes Kunsburg, Lillian Frey, Norma Johnson, May Mitchell, Alfred Taukomoto, Sam Taukomoto, Margaret Havener, Louise Waterman, Dorothy Leboy, Jack Woerner, Carl Eichenberger, Arthur Shrohamer, Margaret Doty, Ray Lincoln, Elinor Jenkins, Henry Klon and Harold Carlisle.

On request of Senator Breed, the privilege of the floor of the Senate Chamber for this day was unanimously extended to Frederick Deitzmann, Past Senior Vice Commander, Grand Army of the Republic, Post No. 50 of Oakland.

On request of Senator Slater, the privilege of the floor of the Senate Chamber for this day was unanimously extended to members of the Grand Army of the Republic: G. W. Wolfe, Pasadena; R. R. Fouke, Oakland; Frederick Deitzmann, Oakland; A. F. Kenyon, Watsonville; J. W. Edwards, Fullerton; G. W. Seitz, Los Angeles; Walter B. Northern, San Diego; W. A. McDonald, Santa Ana; David Reid, Whittier; C. C. Cozad, W. J. Cozad, H. W. Cozad, Ed William, and Art Waggener

of Santa Ana; David Ballinger, Post Commander, Pomona; E. H. William, Santa Ana; and M. M. Potter, San Diego.

MESSAGES FROM THE ASSEMBLY.

The following messages from the Assembly were received and read:

ASSEMBLY CHAMBER, SACRAMENTO, May 11, 1931.

MR. PRESIDENT: I am directed to inform your honorable body that the Assembly on this day passed Senate Bill No. 708—An act to amend section 9a10 of the act entitled "An act to provide for the establishment and maintenance of county free libraries in the State of California, and repealing 'An act entitled "An act to provide county library systems," approved April 12, 1909, and all acts and parts of acts in conflict with this act," approved February 25, 1911, as amended, relating to libraries in counties of the tenth class;

Also: Senate Bill No. 710—An act to amend section 16x10 of the Weights and Measures Act, relating to sealers of weights and measures in counties of the tenth class;

Also: Senate Bill No. 711—An act to amend section 2322x10 of the Political Code, relating to the office of agricultural commissioner in counties of the tenth class;

Also: Senate Bill No. 712—An act to amend section 19x10 of the Juvenile Court Law, relating to probation officers in counties of the tenth class.

ARTHUR A. OHNIMUS, Chief Clerk.
By FRED J. DESCH, Assistant Clerk.

Senate Bills Nos. 708, 710, 711, and 712 ordered to enrollment.

Also:

ASSEMBLY CHAMBER, SACRAMENTO, May 11, 1931.

MR. PRESIDENT: I am directed to inform your honorable body that the Assembly on this day passed Senate Bill No. 883—An act to amend section 16x44 of the Weights and Measures Act, relating to sealers of weights and measures in counties of the forty-fourth class;

Also: Senate Bill No. 167—An act to amend section 498 of the Civil Code, relating to construction of street railway tracks;

Also: Senate Bill No. 671—An act to amend section 2 of chapter 12, Statutes of 1911, entitled "An act providing for the management of the California Redwood Park, and creating a board of five commissioners with power to manage said California Redwood Park," relating to compensation of wardens;

Also: Senate Bill No. 273—An act to add a new section to the Political Code of the State of California to be numbered 3476a, relating to the cancellation by boards of supervisors of assessments or portions of assessments levied by reclamation districts on the lands within said districts.

ARTHUR A. OHNIMUS, Chief Clerk.
By FRED J. DESCH, Assistant Clerk.

Senate Bills Nos. 883, 167, 671 and 273 ordered to enrollment.

Also:

ASSEMBLY CHAMBER, SACRAMENTO, May 11, 1931.

MR. PRESIDENT: I am directed to inform your honorable body that the Assembly on this day passed Senate Bill No. 877—An act to amend section 4267 of the Political Code, relating to compensation of county and township officers in counties of the thirty-eighth class;

Also: Senate Bill No. 878—An act to amend section 16x36 of the Weights and Measures Act, relating to sealers of weights and measures in counties of the thirty-sixth class;

Also: Senate Bill No. 880—An act to amend section 2322x44 of the Political Code, relating to the office of agricultural commissioner in counties of the forty-fourth class;

Also: Senate Bill No. 330—An act to amend section 457 of the Civil Code, relating to bonds of railroad corporations;

Also: Senate Bill No. 882—An act to amend section 19x44 of the Juvenile Court Law, relating to probation officers in counties of the forty-fourth class.

ARTHUR A. OHNIMUS, Chief Clerk.
By FRED J. DESCH, Assistant Clerk.

Senate Bills Nos. 877, 878, 880, 330 and 882 ordered to enrollment.

Also:

ASSEMBLY CHAMBER, SACRAMENTO, May 11, 1931.

MR. PRESIDENT: I am directed to inform your honorable body that the Assembly on this day passed Senate Bill No. 447—An act to add a new section to the Civil Code to be numbered 48a, relating to libel;

Also: Senate Bill No. 435—An act to amend section 3669c of the Political Code, relating to taxation of corporations for State purposes and to the trial of actions for the collection of State taxes;

Also: Senate Bill No. 874—An act to amend section 2322x38 of the Political Code, relating to the office of agricultural commissioner in counties of the thirty-eighth class;

Also: Senate Bill No. 876—An act to add section 9a38 to the act entitled "An act to provide for the establishment and maintenance of county free libraries in the State of California, and repealing 'An act entitled 'An act to provide county library systems,' approved April 12, 1909, and all acts and parts of acts in conflict with this act,'" approved February 25, 1911, as amended, relating to librarians in counties of the thirty-eighth class.

ARTHUR A. OHNIMUS, Chief Clerk.

By FRED J. DESCH, Assistant Clerk.

Senate Bills Nos. 447, 435, 874 and 876 ordered to enrollment.

Also:

ASSEMBLY CHAMBER, SACRAMENTO, May 11, 1931.

MR. PRESIDENT: I am directed to inform your honorable body that the Assembly on this day adopted Senate Joint Resolution No. 4—Relative to the Interstate Commerce Commission urging upon the railroad companies the necessity of through passenger car service between the Atlantic and Pacific coasts.

ARTHUR A. OHNIMUS, Chief Clerk.

By FRED J. DESCH, Assistant Clerk.

Senate Joint Resolution No. 4 ordered to enrollment.

Also:

ASSEMBLY CHAMBER, SACRAMENTO, May 11, 1931.

MR. PRESIDENT: I am directed to inform your honorable body that the Assembly on this day passed Senate Bill No. 567—An act to amend section 538 of the Civil Code, relating to malicious injury to telegraph, telephone, electric power and gas property;

Also: Senate Bill No. 304—An act to amend section 626c of the Penal Code, relating to the protection of fish and game;

Also: Senate Bill No. 690—An act to repeal chapter 413, Statutes of 1915, entitled "An act to regulate the issuance and sale of licenses for resale to hunters and anglers," approved May 20, 1915, as amended.

ARTHUR A. OHNIMUS, Chief Clerk.

By FRED J. DESCH, Assistant Clerk.

Senate Bills Nos. 567, 304 and 690 ordered to enrollment.

Also:

ASSEMBLY CHAMBER, SACRAMENTO, May 11, 1931.

MR. PRESIDENT: I am directed to inform your honorable body that the Assembly on this day passed Senate Bill No. 507—An act to amend section 626 of the Penal Code, relating to the protection of game;

Also: Senate Bill No. 752—An act to amend section 626c of the Penal Code, relating to the protection of game;

Also: Senate Bill No. 890—An act to amend section 626m of the Penal Code, relating to hunting and fishing at night;

Also: Senate Bill No. 179—An act to amend section 2322x21 of the Political Code, relating to the county agricultural commissioner, his deputies, inspectors and clerks in counties of the twenty-first class.

ARTHUR A. OHNIMUS, Chief Clerk.

By FRED J. DESCH, Assistant Clerk.

Senate Bills Nos. 507, 752, 890 and 179 ordered to enrollment.

Also:

ASSEMBLY CHAMBER, SACRAMENTO, May 11, 1931.

MR. PRESIDENT: I am directed to inform your honorable body that the Assembly on this day passed Senate Bill No. 184—An act to amend sections 1279 and 1298 of the Penal Code, relating to bail;

Also: Senate Bill No. 267—An act to amend section 19x14 of the Juvenile Court Law, relating to the salaries of the probation officer and assistants in counties of the fourteenth class;

Also: Senate Bill No. 268—An act to amend section 4243 of the Political Code, relating to salaries and compensation of officers in counties of the fourteenth class;

Also: Senate Bill No. 780—An act to amend section 2322x14 of the Political Code, relating to the office of agricultural commissioner in counties of the fourteenth class;

Also: Senate Bill No. 781—An act to amend section 16744 of the Weights and Measures Act, relating to sealers of weights and measures in counties of the fourteenth class.

ARTHUR A. OHNIMUS, Chief Clerk.
By FRED J. DESCH, Assistant Clerk.

Senate Bills Nos. 184, 267, 268, 780 and 781 ordered to enrollment.
Also:

ASSEMBLY CHAMBER, SACRAMENTO, May 11, 1931.

MR. PRESIDENT: I am directed to inform your honorable body that the Assembly on this day passed Senate Bill No. 410—An act to amend section 364a of the Political Code, relating to the creation of a Division of Immigration and Housing in the Department of Industrial Relations;

Also: Senate Bill No. 728—An act to add a new section to the Political Code, to be numbered 440, relating to the issuance of warrants and the duties and obligations of the Controller and other persons in relation thereto;

Also: Senate Bill No. 485—An act to amend sections 2 and 5½ of chapter 319, Statutes of 1913, entitled "An act to promote the better education of nurses and the better care of the sick in the State of California, to provide for and regulate the examination and registration of graduate nurses, and to provide for the issuance of certificates of registration as registered nurses to qualified applicants by the State Board of Health, and to repeal an act approved March 20, 1905, entitled 'An act to promote the better education of the practice of nursing the sick in the State of California, to provide for the issuance of certificates of registration as a registered nurse to qualified applicants of the Board of Regents of the University of California, and to provide penalties for violation thereof,'" relating to examination fees.

ARTHUR A. OHNIMUS, Chief Clerk.
By FRED J. DESCH, Assistant Clerk.

Senate Bills Nos. 410, 728 and 485 ordered to enrollment.

Also:

ASSEMBLY CHAMBER, SACRAMENTO, May 11, 1931.

MR. PRESIDENT: I am directed to inform your honorable body that the Assembly on this day passed Senate Bill No. 884—An act to amend section 19742 of the Juvenile Court Law, relating to probation officers in counties of the forty-second class;

Also: Senate Bill No. 885—An act to amend section 2322742 of the Political Code, relating to the office of agricultural commissioner in counties of the forty-second class;

Also: Senate Bill No. 886—An act to amend section 16742 of the Weights and Measures Act, relating to sealers of weights and measures in counties of the forty-second class;

Also: Senate Bill No. 869—An act to amend section 2322727 of the Political Code, relating to the office of agricultural commissioner in counties of the twenty-seventh class;

Also: Senate Bill No. 737—An act to amend section 2322724 of the Political Code, relating to the office of agricultural commissioner in counties of the twenty-fourth class.

ARTHUR A. OHNIMUS, Chief Clerk.
By FRED J. DESCH, Assistant Clerk.

Senate Bills Nos. 884, 885, 886, 869 and 737 ordered to enrollment.

Also:

ASSEMBLY CHAMBER, SACRAMENTO, May 11, 1931.

MR. PRESIDENT: I am directed to inform your honorable body that the Assembly on this day passed Senate Bill No. 739—An act to amend section 16724 of the Weights and Measures Act, relating to sealers of weights and measures in counties of the twenty-fourth class;

Also: Senate Bill No. 887—An act to amend section 4271 and to repeal section 4267a of the Political Code, relating to compensation of county and township officers in counties of the forty-second class;

Also: Senate Bill No. 919—An act to amend section 4233 and to repeal section 4233a of the Political Code, relating to the salaries, fees and expenses of officers in counties of the fourth class.

ARTHUR A. OHNIMUS, Chief Clerk.
By FRED J. DESCH, Assistant Clerk.

Senate Bills Nos. 739, 887 and 919 ordered to enrollment.

Also:

ASSEMBLY CHAMBER, SACRAMENTO, May 11, 1931.

MR. PRESIDENT: I am directed to inform your honorable body that the Assembly on this day adopted the report of the Committee on Free Conference concerning Senate Bill No. 490—An act defining the civil liability for failure to control fire.

ARTHUR A. OHNIMUS, Chief Clerk.
By C. W. BOOTH, Assistant Clerk.

CONSIDERATION OF DAILY FILE.

SECOND READING OF ASSEMBLY BILLS.

Assembly Bill No. 1649—An act to amend section 4246 of the Political Code, relating to compensation of county and township officers in counties of the seventeenth class.

Bill read second time, and ordered on file for third reading.

Assembly Bill No. 1846—An act to amend sections 19x25 and 19x41 of the Juvenile Court Law, relating to probation officers in counties of the twenty-fifth and forty-first classes.

Bill read second time, and ordered on file for third reading.

Assembly Bill No. 610—An act to amend the Political Code by repealing section 4254 thereof and adding new sections thereto, to be numbered 4254, 4254a, 4254b, 4254c, 4254d, 4254e, 4254f, 4254g, 4254h, 4254i, 4254j, 4254k, 4254l, 4254m, 4254n, 4254o, 4254p, 4254q, 4254r, 4254s, relating to county and township officers in counties of the twenty-fifth class and providing for the compensation of said officers and said assistants and deputies and other employees.

Bill read second time, and ordered on file for third reading.

Assembly Bill No. 1764—An act to amend section 16x41 of the Weights and Measures Act, relating to sealers of weights and measures in counties of the forty-first class.

Bill read second time, and ordered on file for third reading.

Assembly Bill No. 1781—An act to add a new section to be numbered 9a25 to an act entitled "An act to provide for the establishment and maintenance of county free libraries in the State of California, and repealing 'An act entitled "An act to provide county library systems," approved April 12, 1909, and all acts and parts of acts in conflict with this act,' " approved February 25, 1911, as amended, relating to libraries in the counties of the twenty-fifth class.

Bill read second time, and ordered on file for third reading.

Assembly Bill No. 1828—An act to amend sections 2322x25 and 2322x41 of the Political Code, relating to the office of agricultural commissioner in counties of the twenty-fifth and forty-first classes.

Bill read second time, and ordered on file for third reading.

Assembly Bill No. 1278—An act to amend section 19x28 of the Juvenile Court Law, relating to the compensation of the probation officer in counties of the twenty-eighth class.

Bill read second time, and ordered on file for third reading.

Assembly Bill No. 1279—An act to add section 9a28 to an act entitled "An act to provide for the establishment and maintenance of county free libraries in the State of California, and repeal an act entitled 'An act to provide county library systems,' approved April 12, 1909, and all acts

and parts of acts in conflict with this act," approved February 25, 1911, as amended, relating to the salary of county librarian in counties of the twenty-eighth class.

Bill read second time, and ordered on file for third reading.

Assembly Bill No. 1280—An act to amend section 4259 of the Political Code, relating to the salaries, fees and expenses of officers in counties of the twenty-eighth class.

Bill read second time, and ordered on file for third reading.

Assembly Bill No. 1464—An act to amend section 2322~~x~~28 of the Political Code, relating to the office of agricultural commissioner in counties of the twenty-eighth class.

Bill read second time, and ordered on file for third reading.

Assembly Bill No. 1756—An act to amend section 16~~x~~21 of the Weights and Measures Act, relating to sealers of weights and measures in counties of the twenty-first class.

Bill read second time, and ordered on file for third reading.

Assembly Bill No. 1805—An act to amend section 19~~x~~21 of the Juvenile Court Law, relating to probation officers in counties of the twenty-first class.

Bill read second time, and ordered on file for third reading.

Assembly Bill No. 505—An act to amend section 2322~~x~~30 of the Political Code, relating to the salaries of the county horticultural commissioner, deputies, inspectors, and clerks of counties of the thirtieth class.

Bill read second time, and ordered on file for third reading.

Assembly Bill No. 623—An act to amend section 4259 of the Political Code, relating to salaries of officers of counties of the thirtieth class.

Bill read second time, and ordered on file for third reading.

Assembly Bill No. 1795—An act to amend section 16~~x~~30 of the Weights and Measures Act, relating to sealers of weights and measures in counties of the thirtieth class.

Bill read second time, and ordered on file for third reading.

Assembly Bill No. 1849—An act to amend section 19~~x~~30 of the Juvenile Court Law, relating to probation officers in counties of the thirtieth class.

Bill read second time, and ordered on file for third reading.

Assembly Bill No. 506—An act to add a new section to the School Code to be numbered 6.479, relating to the purchase and maintenance of school buses.

Bill read second time, and ordered on file for third reading.

Assembly Bill No. 126—An act authorizing certain improvements upon the grounds of the California Schools for the Deaf and the Blind at Berkeley, California.

Bill read second time, and ordered on file for third reading.

Assembly Bill No. 1183—An act to amend section 4922 of the School Code, relating to the computing of units of average daily attendance in secondary schools.

Bill read second time, and ordered on file for third reading.

Assembly Bill No. 1485—An act to repeal chapter 660 of the Statutes of 1927, entitled "An act requiring certain reports to be made concerning children with impaired hearing," approved May 20, 1927; to add a new chapter to part II of division I of the School Code, to be known as chapter III, to embrace sections 1500 to 1512, both inclusive, providing for the education of minors who are deaf or have impaired hearing.

COMMITTEE AMENDMENTS.

During the second reading of the bill, the following committee amendments were offered:

AMENDMENT NUMBER ONE.

On page 2, line 2, of the printed bill, beginning in said line 2, strike out the comma and the following: "the officer in charge of the education of the deaf of the county, or, if there be no such officer, then the superintendent of schools of the county" and insert in lieu thereof the following: "and, if there be such,".

Amendment adopted.

AMENDMENT NUMBER TWO.

On page 2, line 6, of the printed bill, strike out the first comma and the following: "in the city, who shall be appointed by the superintendent," and insert in lieu thereof the following: "maintained by the district in which the child resides."

Amendment adopted.

AMENDMENT NUMBER THREE.

On page 2 of the printed bill, strike out lines 11 to 14, inclusive, and insert in lieu thereof the following: "chairman".

Amendment adopted.

Bill read second time, ordered to print, and on file for third reading.

Assembly Bill No. 997—An act to amend an act entitled "An act to authorize and control the deposit in banks of money belonging to or in the custody of any county, city and county, city, town, municipality or other political subdivision within this State, and to repeal all acts or parts of acts in conflict with this act," approved May 24, 1927, by amending section 4 thereof with reference to the security to be given for such deposits.

Bill read second time, and ordered on file for third reading.

REPORTS OF STANDING COMMITTEES.

The following reports of standing committee were received and read:

ON GOVERNMENTAL EFFICIENCY.

SENATE CHAMBER, SACRAMENTO, May 12, 1931.

MR. PRESIDENT: Your Committee on Governmental Efficiency, to which was referred Assembly Bill No. 1763—An act to amend section 737b of the Political Code, relating to the salary of the superior judge in and for the county of Alpine;

Also: Assembly Bill No. 1944—An act to amend 737ccc of the Political Code, relating to the salary of the judge of the superior court in and for the county of Yolo;

Also: Assembly Bill No. 1954—An act creating in the State Department of Penology a Division of Prison Terms and Paroles under the control of a Board of Prison Terms and Paroles, defining the powers and duties of said division and of said board, and making an appropriation therefor;

Also: Assembly Bill No. 56—An act to add a new section to the Code of Civil Procedure, to be numbered 66b, relating to the number of judges of the superior court in the county of Merced;

Has had the same under consideration, and respectfully reports the same back, and recommends that they be re-referred to the Committee on Finance.

Committee membership—11; committee vote: Ayes—8; absent—3.

CRITTENDEN, Chairman.

Assembly Bills Nos. 1763, 1944, 1954 and 56 ordered re-referred to Committee on Finance.

Also:

MR. PRESIDENT: Your Committee on Governmental Efficiency, to which was referred Assembly Bill No. 168—An act to amend section 250 of the Political Code, relating to the office of Legislative Counsel, and to repeal chapter 322, Statutes of 1913, entitled "An act to establish a Legislative Counsel Bureau and making an appropriation therefor,";

Also: Assembly Bill No. 193—An act to amend section 737^{rr} of the Political Code, relating to the salary of the superior judge in and for the county of Santa Cruz;

Also: Assembly Bill No. 194—An act to amend section 737ⁱⁱ of the Political Code, relating to the salary of the superior judge in and for the county of San Benito;

Also: Assembly Bill No. 288—An act to add a new section to the Code of Civil Procedure, to be known as 67^b, relating to the superior court of San Diego County, and increasing the number of judges thereof;

Also: Assembly Bill No. 299—An act to amend section 737^{ss} of the Political Code, relating to the salary of the judge of the superior court, Shasta county; Has had the same under consideration, and respectfully reports the same back, and recommends that they be re-referred to the Committee on Finance.

Committee membership—11; committee vote: Ayes—8; absent—3.

CRITTENDEN, Chairman.

Assembly Bills Nos. 168, 193, 194, 288 and 299 ordered re-referred to Committee on Finance.

Also:

MR. PRESIDENT: Your Committee on Governmental Efficiency, to which was referred Assembly Bill No. 1465—An act to amend section 737ⁿⁿ of the Political Code, relating to the salary of the judge of the superior court in and for the county of San Luis Obispo;

Also: Assembly Bill No. 1497—An act to add a new section to the Political Code, to be numbered section 758^a and to amend section 758 of the Political Code, relating to the creation and establishment of one additional division of the District Court of Appeal for the Second Appellate District and making an appropriation therefor;

Also: Assembly Bill No. 550—An act to amend section 385 and to repeal sections 370, 386 and 387 of the Political Code, relating to secretaries and assistants to and employees of the Governor;

Also: Assembly Bill No. 1444—An act to amend section 1 of an act entitled "An act to protect the natural resources of petroleum and gas from waste and destruction; relating to the creation of a division in the Department of Natural Resources for the prevention of such waste and destruction; providing for the appointment of a State Oil and Gas Supervisor; prescribing his duties and powers; fixing his compensation; providing for the appointment of deputies and employees; providing for their duties and compensation; providing for the inspection of petroleum and gas wells; requiring all persons operating petroleum and gas wells to make certain reports; permitting and authorizing agreements in the interests of conservation; providing for suits by the Director of the Department of Natural Resources in the name of the people of the State of California; providing procedure for arbitration of departmental rulings; creating a fund for the purposes of the act; providing for assessment of charges to be paid by operators and providing for the collection thereof; and making an appropriation for the purposes of this act," approved June 10, 1915, as amended, relating to a Division of Oil and Gas;

Has had the same under consideration, and respectfully reports the same back, and recommends that they be re-referred to the Committee on Finance.

Committee membership—11; committee vote: Ayes—8; absent—3.

CRITTENDEN, Chairman.

Assembly Bills Nos. 1465, 1497, 550 and 1444 ordered re-referred to Committee on Finance.

Also:

MR. PRESIDENT: Your Committee on Governmental Efficiency, to which was referred Assembly Bill No. 563—An act to amend section 737^{rr} of the Political Code, relating to the salary of the judge of the superior court in and for the county of Solano;

Also: Assembly Bill No. 687—An act increasing the number of judges of the superior court of the State of California, in and for the county of San Mateo, and providing for the appointment of an additional judge and for his compensation;

Also: Assembly Bill No. 751—An act to amend section 737uu of the Political Code, relating to salary of superior court judge;

Also: Assembly Bill No. 1399—An act creating an additional District Court of Appeal, to be known as the District Court of Appeal for the Fifth Appellate District, redividing the State into appellate districts, and providing for sessions of District Courts of Appeal by amending section 3 of chapter 691, Statutes of 1929, providing for the maintenance and operation of said court, and making an appropriation therefor;

Has had the same under consideration, and respectfully reports the same back, and recommends that they be re-referred to the Committee on Finance.

Committee membership—11; committee vote: Ayes—8; absent—3.

CRITTENDEN, Chairman.

Assembly Bills Nos. 563, 687, 751 and 1399 ordered re-referred to Committee on Finance.

MESSAGE FROM THE ASSEMBLY.

The following message from the Assembly was received and read:

ASSEMBLY CHAMBER, SACRAMENTO, May 11, 1931.

MR. PRESIDENT: I am directed to inform your honorable body that the Assembly amended, and on this day passed as amended, Senate Bill No. 501—An act to amend section 204 of the Code of Civil Procedure, relating to jury lists—and respectfully requests your honorable body to concur in said amendments.

ARTHUR A. OHNIMUS, Chief Clerk.

By FRED J. DESCH, Assistant Clerk.

CONSIDERATION OF ASSEMBLY AMENDMENTS.

The Senate took up for consideration Assembly amendments to Senate Bill No. 501—An act to amend section 204 of the Code of Civil Procedure, relating to jury lists.

ASSEMBLY AMENDMENTS TO SENATE BILL NUMBER FIVE HUNDRED ONE.

AMENDMENT NUMBER ONE.

On page 1, line 23, of the printed amended bill, strike out the semicolon, and insert in lieu thereof a period.

AMENDMENT NUMBER TWO.

On page 1, line 23, of the printed amended bill, strike out the word "provided", being the last word on line 23.

AMENDMENT NUMBER THREE.

On page 1 of the printed amended bill, strike out all of lines 24 to 26, both inclusive.

AMENDMENT NUMBER FOUR.

On page 2 of the printed amended bill, strike out all of lines 1 to 4, both inclusive.

The question being: Shall the Senate concur in Assembly amendments to Senate Bill No. 501?

The roll was called, and Assembly amendments to Senate Bill No. 501 concurred in by the following vote:

AYES—Senators Baker, Christian, Cleveland, Crittenden, Deuel, Duval, Edwards, Evans, Fellom, Hays, Ingels, Maloney, McCormack, McKinley, Moran, Nelson, Pedrotti, Rich, Riley, Rochester, Schottky, Sharkey, Slater, Treacy, and Waggy—25.

NOES—None.

Senate Bill No. 501 ordered to print, and enrollment.

MESSAGE FROM THE ASSEMBLY.

The following message from the Assembly was received and read:

ASSEMBLY CHAMBER, SACRAMENTO, May 11, 1931.

MR. PRESIDENT: I am directed to inform your honorable body that the Assembly amended, and on this day passed as amended, Senate Bill No. 141—An act to amend section 1 of chapter 286, Statutes of 1927, entitled "An act authorizing the Depart-

ment of Finance to appropriate waters in connection with the utilization and conservation of the water resources of the State in the development of a general or coordinated plan; authorizing the State Department of Finance to release or assign such appropriations; authorizing the State Department of Finance to request other departments of the State or State officers to furnish service or assistance to make investigations in connection with the development of a general or coordinated plan for the utilization or conservation of the water resources of the State," approved April 29, 1927, relating to appropriation of waters by the State Department of Finance—and respectfully requests your honorable body to concur in said amendments.

ARTHUR A. OHNIMUS, Chief Clerk.
By FRED J. DESCH, Assistant Clerk.

CONSIDERATION OF ASSEMBLY AMENDMENTS.

The Senate took up for consideration Assembly amendments to Senate Bill No. 141—An act to amend section 1 of chapter 286, Statutes of 1927, entitled "An act authorizing the Department of Finance to appropriate waters in connection with the utilization and conservation of the water resources of the State in the development of a general or coordinated plan; authorizing the State Department of Finance to release or assign such appropriations; authorizing the State Department of Finance to request other departments of the State or State officers to furnish service or assistance to make investigations in connection with the development of a general or coordinated plan for the utilization or conservation of the water resources of the State," approved April 29, 1927, relating to appropriation of waters by the State Department of Finance.

ASSEMBLY AMENDMENTS TO SENATE BILL NUMBER ONE HUNDRED FORTY-ONE.

AMENDMENT NUMBER ONE.

On page 2, line 17, of the printed bill, strike out the figures "1935", and insert in lieu thereof the figures "1933".

AMENDMENT NUMBER TWO.

On page 2, line 30, of the printed bill, strike out the figures "1935", and insert in lieu thereof the figures "1933".

The question being: Shall the Senate concur in Assembly amendments to Senate Bill No. 141?

The roll was called, and Assembly amendments to Senate Bill No. 141 concurred in by the following vote:

AYES—Senators Baker, Christian, Cleveland, Crittenden, Deuel, Duval, Evans, Fellom, Hays, Jones, Maloney, McCormack, McKinley, Moran, Nelson, Pedrotti, Rich, Riley, Rochester, Schottky, Sharkey, Slater, and Wagy—23.

NOES—None.

Senate Bill No. 141 ordered to print, and enrollment.

MESSAGE FROM THE ASSEMBLY.

The following message from the Assembly was received and read:

ASSEMBLY CHAMBER, SACRAMENTO, May 11, 1931.

MR. PRESIDENT: I am directed to inform your honorable body that the Assembly amended, and on this day passed as amended, Senate Bill No. 300—An act to amend section 1197 of the Political Code, relating to election ballots—and respectfully requests your honorable body to concur in said amendments.

ARTHUR A. OHNIMUS, Chief Clerk.
By FRED J. DESCH, Assistant Clerk.

CONSIDERATION OF ASSEMBLY AMENDMENT.

The Senate took up for consideration Assembly amendment to Senate Bill No. 300—An act to amend section 1197 of the Political Code, relating to election ballots,

ASSEMBLY AMENDMENT TO SENATE BILL NUMBER THREE HUNDRED.

AMENDMENT NUMBER ONE.

On page 6, line 25, of the printed bill, as amended in Senate April 16, 1931, after the word "candidate", strike out the period, and insert in lieu thereof a semicolon, and add the following: "*provided, however*, the word "incumbent" shall be used only under subsection *b* herein."

The question being: Shall the Senate concur in Assembly amendment to Senate Bill No. 300?

The roll was called, and Assembly amendment to Senate Bill No. 300 concurred in by the following vote:

AYES—Senators Baker, Christian, Cleveland, Crittenden, Deuel, Duval, Evans, Fellom, Hays, Ingels, Maloney, McKinley, Moran, Nelson, Pedrotti, Rich, Riley, Rochester, Schottky, Sharkey, Slater, Swing, Treacy, and Wagye—24.

NOES—None.

Senate Bill No. 300 ordered to print, and enrollment.

MESSAGE FROM THE ASSEMBLY.

The following message from the Assembly was received and read:

ASSEMBLY CHAMBER, SACRAMENTO, May 11, 1931.

MR. PRESIDENT: I am directed to inform your honorable body that the Assembly amended, and on this day passed as amended, Senate Bill No. 92—An act to amend section 538 of the Code of Civil Procedure, relating to affidavits of attachment—and respectfully requests your honorable body to concur in said amendment.

ARTHUR A. OHNIMUS, Chief Clerk.

By FRED J. DESCH, Assistant Clerk.

CONSIDERATION OF ASSEMBLY AMENDMENT.

The Senate took up for consideration Assembly amendment to Senate Bill No. 92—An act to amend section 538 of the Code of Civil Procedure, relating to affidavits of attachment.

ASSEMBLY AMENDMENT TO SENATE BILL NUMBER NINETY-TWO.

AMENDMENT NUMBER ONE.

On page 1, lines 19 and 20, of the printed amended bill as of March 5, 1931, strike out the words "in detail", and insert in lieu thereof the words "the character or nature of".

The question being: Shall the Senate concur in Assembly amendment to Senate Bill No. 92?

The roll was called, and Assembly amendment to Senate Bill No. 92 concurred in by the following vote:

AYES—Senators Baker, Christian, Cleveland, Crittenden, Deuel, Duval, Evans, Fellom, Hays, McCormack, McKinley, Moran, Nelson, Pedrotti, Rich, Riley, Rochester, Schottky, Sharkey, Slater, Swing, Treacy, Wagye, and Williams—24.

NOES—None.

Senate Bill No. 92 ordered to print, and enrollment.

MESSAGE FROM THE ASSEMBLY.

The following message from the Assembly was received and read:

ASSEMBLY CHAMBER, SACRAMENTO, May 11, 1931.

MR. PRESIDENT: I am directed to inform your honorable body that the Assembly amended, and on this day passed as amended, Senate Bill No. 123—An act to amend section 4250 and to repeal section 4249a of the Political Code, relating to the salaries of the county officers of counties of the twenty-first class—and respectfully requests your honorable body to concur in said amendments.

ARTHUR A. OHNIMUS, Chief Clerk.

By FRED J. DESCH, Assistant Clerk.

CONSIDERATION OF ASSEMBLY AMENDMENTS.

The Senate took up for consideration Assembly amendments to Senate Bill No. 123—An act to amend section 4250 and to repeal section 4249a of the Political Code, relating to the salaries of the county officers of counties of the twenty-first class.

ASSEMBLY AMENDMENTS TO SENATE BILL NUMBER ONE HUNDRED TWENTY-THREE.

AMENDMENT NUMBER ONE.

On page 4 of the printed bill, strike out lines 40 to 42, inclusive, and insert in lieu thereof the following: "standing that such stenographers, without extra compensation, shall take all depositions and statements and confessions".

AMENDMENT NUMBER TWO.

On page 5, line 7, of the printed bill, strike out the period, and insert in lieu thereof a comma and the following: "who shall render all stenographic services for the coroner, including the reporting of all coroner's inquests."

The question being: Shall the Senate concur in Assembly amendments to Senate Bill No. 123?

The roll was called, and Assembly amendments to Senate Bill No. 123 concurred in by the following vote:

AYES—Senators Baker, Breed, Christian, Cleveland, Crittenden, Deuel, Duval, Edwards, Evans, Hays, Ingels, Inman, Jones, McCormack, McKinley, Moran, Nelson, Pedrotti, Rich, Rochester, Schottky, Sharkey, Slater, Treacy, Waggy, and Williams—26.

NOES—None.

Senate Bill No. 123 ordered to print, and enrollment.

MESSAGE FROM THE ASSEMBLY.

The following message from the Assembly was received and read:

ASSEMBLY CHAMBER, SACRAMENTO, May 11, 1931.

MR. PRESIDENT: I am directed to inform your honorable body that the Assembly amended, and on this day passed as amended, Senate Bill No. 740—An act to amend section 4253 and to repeal section 4252a of the Political Code, relating to compensation of county and township officers in counties of the twenty-fourth class—and respectfully requests your honorable body to concur in said amendments.

ARTHUR A. OHNIMUS, Chief Clerk.

By FRED J. DESCH, Assistant Clerk.

CONSIDERATION OF ASSEMBLY AMENDMENTS.

The Senate took up for consideration Assembly amendments to Senate Bill No. 740—An act to amend section 4253 and to repeal section 4252a of the Political Code, relating to compensation of county and township officers in counties of the twenty-fourth class; and to repeal section 9a19 of chapter 68, Statutes of 1911, entitled "An act to provide for the establishment and maintenance of county free libraries in the State of California, and repealing 'An act entitled 'An act to provide county library systems,' approved April 12, 1909, and all acts and parts of acts in conflict with this act.'"

ASSEMBLY AMENDMENTS TO SENATE BILL NUMBER SEVEN HUNDRED FORTY.

AMENDMENT NUMBER ONE.

Strike out lines 3 to 9 of the title of the printed bill, and insert in lieu thereof the following: "township officers in counties of the twenty-fourth class."

AMENDMENT NUMBER TWO.

On page 6 of the printed bill, strike out lines 7 to 19, inclusive,

AMENDMENT NUMBER THREE.

On page 6, line 20, of the printed bill, strike out "Sec. 4.", and insert in lieu thereof: "Sec. 2."

The question being: Shall the Senate concur in Assembly amendments to Senate Bill No. 740?

The roll was called, and Assembly amendments to Senate Bill No. 740 concurred in by the following vote:

AYES—Senators Baker, Breed, Carter, Christian, Cleveland, Deuel, Duval, Evans, Hays, Ingels, Jones, McCormack, McKinley, Mixer, Moran, Nelson, Pedrotti, Rich, Riley, Rochester, Schottky, Sharkey, Slater, Swing, Treacy, Wagy, and Williams—27.
 NOES—None.

Senate Bill No. 740 ordered to print, and enrollment.

MESSAGE FROM THE ASSEMBLY.

The following message from the Assembly was received and read:

ASSEMBLY CHAMBER, SACRAMENTO, May 11, 1931.

MR. PRESIDENT: I am directed to inform your honorable body that the Assembly amended, and on this day passed as amended, Senate Bill No. 732—An act to amend sections 2, 3, 4, 6, 7, 8, 9, 10, 11 and 12 of, and to add new sections numbered 9a and 10a, to chapter 791, Statutes of 1929, entitled "An act providing for the registration of contractors, and defining the term contractors; providing the method of obtaining licenses to engage in the business of contracting, and fixing the fees for such licenses; providing the method of suspension and cancellation of such licenses; and prescribing the punishment for violation of the provisions of this act," approved June 13, 1929, relating to the powers and duties of the Registrar of Contractors and proceedings for revocation of licenses—and respectfully requests your honorable body to concur in said amendments.

ARTHUR A. OHNIMUS, Chief Clerk.
 By FRED J. DESCH, Assistant Clerk.

CONSIDERATION OF ASSEMBLY AMENDMENTS.

The Senate took up for consideration Assembly amendments to Senate Bill No. 732—An act to amend sections 2, 3, 4, 6, 7, 8, 9, 10, 11 and 12 of, and to add new sections numbered 9a and 10a, to chapter 791, Statutes of 1929, entitled "An act providing for the registration of contractors, and defining the term contractors; providing the method of obtaining licenses to engage in the business of contracting, and fixing the fees for such licenses; providing the method of suspension and cancellation of such licenses; and prescribing the punishment for violation of the provisions of this act," approved June 13, 1929, relating to the powers and duties of the Registrar of Contractors and proceedings for revocation of licenses.

ASSEMBLY AMENDMENTS TO SENATE BILL NUMBER SEVEN HUNDRED THIRTY-TWO.

AMENDMENT NUMBER ONE.

On page 3, line 10, of the printed bill, as amended, strike out the words "and stenographer".

AMENDMENT NUMBER TWO.

On page 3, line 16, of the printed bill, as amended, strike out the word "stenographer", and after the word "and", insert the word "two".

The question being: Shall the Senate concur in Assembly amendments to Senate Bill No. 732?

The roll was called, and Assembly amendments to Senate Bill No. 732 concurred in by the following vote:

AYES—Senators Baker, Breed, Carter, Christian, Cleveland, Duval, Edwards, Evans, Fellom, Ingels, Jones, McCormack, McKinley, Mixer, Moran, Nelson,

Pedrotti, Rich, Rochester, Schottky, Sharkey, Slater, Swing, Treacy, Wagy, and Williams—26.

NOES—None.

Senate Bill No. 732 ordered to print, and enrollment.

MESSAGE FROM THE ASSEMBLY.

The following message from the Assembly was received and read:

ASSEMBLY CHAMBER, SACRAMENTO, May 11, 1931.

MR. PRESIDENT: I am directed to inform your honorable body that the Assembly amended, and on this day passed as amended, Senate Bill No. 733—An act to amend section 3480a of the Political Code, providing a method of refunding reclamation district bonds now or hereafter issued or outstanding—and respectfully requests your honorable body to concur in said amendments.

ARTHUR A. OHNIMUS, Chief Clerk.
By FRED J. DESCH, Assistant Clerk.

CONSIDERATION OF ASSEMBLY AMENDMENTS.

The Senate took up for consideration Assembly amendments to Senate Bill No. 733—An act to amend section 3480a of the Political Code, providing a method of refunding reclamation districts bonds now or hereafter issued or outstanding.

ASSEMBLY AMENDMENTS TO SENATE BILL NUMBER SEVEN
HUNDRED THIRTY-THREE.

AMENDMENT NUMBER ONE.

On page 1, line 13, of the printed bill, as amended in Senate April 1, 1931, strike out the word "enter", at the beginning of said line, and insert in lieu thereof the word "entered".

AMENDMENT NUMBER TWO.

On page 1, line 25, of the printed bill, as amended in Senate April 1, 1931, strike out the word "is", and insert in lieu thereof the word "are".

AMENDMENT NUMBER THREE.

On page 3, line 8, of the printed bill, as amended in Senate April 1, 1931, insert after the word "original", the word "deed".

AMENDMENT NUMBER FOUR.

On page 7 of the printed bill, as amended in Senate April 1, 1931, strike out lines 35, 36, 37 and 38 thereof, and insert in lieu thereof the following: "of the sale of the refunding bonds directed to be sold. Said items (a) and (b) are hereby expressly declared to be incidental expenses of said district as incidental expenses are defined in section 3456 of the Political Code."

AMENDMENT NUMBER FIVE.

On page 7, line 48, of the printed bill, as amended in Senate April 1, 1931, insert after the word "hereinabove", the word "provided".

The question being: Shall the Senate concur in Assembly amendments to Senate Bill No. 733?

The roll was called, and Assembly amendments to Senate Bill No. 733 concurred in by the following vote:

AYES—Senators Baker, Breed, Carter, Cassidy, Christian, Cleveland, Duval, Edwards, Evans, Fellom, Ingels, Inman, Jones, Maloney, McCormack, McKinley, Mixer, Moran, Nelson, Pedrotti, Rich, Riley, Rochester, Schottky, Sharkey, Slater, Swing, Treacy, Wagy, and Williams—30.

NOES—None.

Senate Bill No. 733 ordered to print, and enrollment.

CONSIDERATION OF DAILY FILE.

THIRD READING OF ASSEMBLY BILLS.

Assembly Bill No. 616—An act to amend chapter 801, Statutes of 1929, entitled "An act regulating the practice of civil engineering," approved June 14, 1929, by amending sections 1, 11, 12, 13, 14, 15, 16.

and 17 thereof, relating to the purpose of the act and to the registration of practitioners thereunder, and by adding a new section thereto, to be numbered 1a, embracing a definition of terms.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Assembly Bill No. 616 passed by the following vote:

AYES—Senators Allen, Baker, Breed, Carter, Cassidy, Christian, Cleveland, Duval, Edwards, Evans, Fellom, Inman, Jones, Maloney, McCormack, McKinley, Mixer, Moran, Nelson, Pedrotti, Riley, Rochester, Schottky, Sharkey, Slater, Treney, Wagg, and Williams—28.

NOES—None.

Title read and approved.

Bill ordered transmitted to the Assembly.

ASSISTANT SECRETARY FRANCIS E. DALIN AT THE DESK.

ASSEMBLY CONCURRENT RESOLUTION No. 29.

Relative to the National Editorial Association.

WHEREAS, The National Editorial Association, composed of more than 2000 small city and country town newspaper editors and publishers of the United States, holds annual meetings in various parts of the nation; and

WHEREAS, It is understood that this association will be invited to meet in California in June, 1932, the invitation to be extended by the California Newspaper Publishers Association and various civic and commercial organizations throughout the State; now, therefore, be it

Resolved by the Assembly, the Senate concurring, That the State of California does hereby join in this invitation to the newspaper editors of America, assuring them that the Golden State desires to be their host during the time of their 1932 Annual Convention and Outing, and that nothing will be left undone to show this body of journalists the beauty and the prowess of our commonwealth, its commanding position in agriculture and industry, its maritime importance, its charm of mountains, sea and desert—the great Pacific Empire, builded by American brain and brawn; and be it further

Resolved, That an engrossed copy of this resolution, signed by the Speaker of the Assembly and the President of the Senate, be forwarded by the Chief Clerk of the Assembly to the President of the National Editorial Association.

Resolution read.

The question being on the adoption of the resolution.

The roll was called, and Assembly Concurrent Resolution No. 29 adopted by the following vote:

AYES—Senators Allen, Baker, Breed, Carter, Cassidy, Christian, Cleveland, Clock, Duval, Edwards, Evans, Ingels, Inman, Jones, Maloney, McCormack, McKinley, Mixer, Moran, Nelson, Pedrotti, Riley, Rochester, Schottky, Sharkey, Slater, Swing, Treney, Wagg, and Williams—30.

NOES—None.

Assembly Concurrent Resolution No. 29 ordered transmitted to the Assembly.

Assembly Bill No. 1098—An act to amend section 4 of an act entitled "An act regulating private employment agencies, providing for a license for the operation thereof and a fee therefor, providing forms of receipts and registers to be used and kept, prohibiting any charge for registering or filing application for help or employment, prohibiting the dividing of fees, providing for the refunding of fees and expenses in the event of failure to procure employment, and granting the Commissioner of the Bureau of Labor Statistics the power to prescribe rules and regulations to carry out the purpose and intent of this act," approved June 3, 1913, as amended, relating to suspension and revocation of licenses.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Assembly Bill No. 1098 passed by the following vote:

AYES—Senators Allen, Baker, Breed, Carter, Cassidy, Christian, Cleveland, Deuel, Duval, Evans, Ingels, Inman, Jones, Maloney, McKinley, Mixter, Moran, Nelson, Pedrotti, Rich, Riley, Rochester, Schottky, Sharkey, Slater, Swing, Treacy, Wagy, and Williams—29.

NOES—None.

Title read and approved.

Bill ordered transmitted to the Assembly.

Assembly Bill No. 496—An act to amend section 24 of the State Bar Act, approved March 31, 1927, as amended, relating to admission to practice law, and to repeal sections 275, 276, 276a, 277, 279, 280 of the Code of Civil Procedure.

Bill read third time.

MOTION TO REFER TO SPECIAL COMMITTEE OF ONE.

During third reading of the bill, Senator Fellom moved to refer Assembly Bill No. 496 to Senator Inman, as a Special Committee of One, to amend as follows:

AMENDMENT NUMBER ONE.

On page 1, line 18, of the printed bill, as last amended, after the word "education", insert a period, and strike out the balance of the line and all of line 19 to and including the first comma.

AYES AND NOES DEMANDED.

A roll call was demanded by Senators Fellom, Inman and Treacy, on Senator Fellom's motion to refer Assembly Bill No. 496 to Senator Inman, as a Special Committee of One, for amendment.

The roll was called, and Senator Fellom's motion to refer Assembly Bill No. 496 to Senator Inman, as a Special Committee of One, for amendment, lost by the following vote:

AYES—Senators Deuel, Fellom, Inman, Maloney, Moran, Pedrotti, Rochester, Treacy, and Williams—9.

NOES—Senators Allen, Baker, Carter, Cassidy, Christian, Cleveland, Clock, Duval, Edwards, Evans, Harper, Hays, Ingels, Jones, McCormack, McKinley, Mixter, Nelson, Rich, Riley, Schottky, Slater, Swing, and Wagy—24.

The question being on the passage of the bill.

The roll was called, and Assembly Bill No. 496 passed by the following vote:

AYES—Senators Allen, Baker, Breed, Carter, Cassidy, Christian, Clock, Duval, Edwards, Evans, Harper, Hays, Jones, McCormack, McKinley, Mixter, Nelson, Rich, Riley, Rochester, Schottky, Slater, Swing, Wagy, and Williams—25.

NOES—Senators Cleveland, Deuel, Fellom, Ingels, Inman, Maloney, Moran, Pedrotti, and Treacy—9.

Title read and approved.

Bill ordered transmitted to the Assembly.

Assembly Bill No. 1225—An act to amend section 644 of the Penal Code, relating to the punishment of habitual criminals.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Assembly Bill No. 1225 passed by the following vote:

AYES—Senators Allen, Baker, Breed, Carter, Cassidy, Christian, Cleveland, Clock, Deuel, Duval, Edwards, Evans, Fellom, Harper, Hays, Ingels, Inman, Jones, Maloney,

McConnell, McKenna, Moore, Murray, Pendergast, Rice, Riley, Rochester, Schottky, Slater, Swing, Treacy, Wagy, and Williams—28.
 Nones—None.

Title read and approved.

Bill ordered transmitted to the Assembly.

Assembly Bill No. 500—An act to amend section 2924 of the Civil Code, relating to making certain transfers a mortgage and defining the manner in which a power of sale contained in a mortgage or deed of trust may be exercised.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Assembly Bill No. 500 passed by the following vote:

AYES—Senators Allen, Carter, Cassidy, Cleveland, Clark, Donald, Duval, Edwards, Fellows, Harper, Hays, Ingels, Iman, Jones, McCormack, McKinley, Miller, Moore, Pendergast, Rice, Riley, Rochester, Schottky, Slater, Swing, Wagy, and Williams—28.
 Nones—None.

Title read and approved.

Bill ordered transmitted to the Assembly.

Assembly Bill No. 600—An act to amend sections 2319a and 2319c of the Political Code, relating to the duties of the State Commissioner of Horticulture.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Assembly Bill No. 600 passed by the following vote:

AYES—Senators Allen, Carter, Cassidy, Cleveland, Clark, Donald, Duval, Edwards, Evans, Fellows, Harper, Hays, Ingels, Iman, Jones, McCormack, McKinley, Miller, Moore, Pendergast, Rice, Riley, Rochester, Schottky, Slater, Swing, Wagy, and Williams—28.
 Nones—None.

Title read and approved.

Bill ordered transmitted to the Assembly.

Assembly Bill No. 675—An act requiring licensed contractors to report the name and address of the insurance carrier carrying workmen's compensation on their employees to the Industrial Accident Commission and send a copy of such report to the insurance carrier, requiring the said insurance carrier, including the State Compensation Insurance Fund, to thereafter report to the same commission any cancellation or lapse of such policy of workmen's compensation insurance, and providing penalties for violation of the provisions thereof.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Assembly Bill No. 675 passed by the following vote:

AYES—Senators Allen, Baker, Carter, Cassidy, Christman, Cleveland, Clark, Crittenden, Donald, Edwards, Evans, Fellows, Harper, Hays, Ingels, Iman, Jones, McCormack, McKenna, Miller, Moore, Pendergast, Rice, Riley, Rochester, Schottky, Slater, Swing, Treacy, Wagy, and Williams—32.
 Nones—None.

Title read and approved.

Bill ordered transmitted to the Assembly.

Assembly Bill No. 1662—An act to amend sections 1, 2, 3, 4 and 5 of chapter 276, Statutes of 1913, entitled "An act relating to unfair competition and discrimination, making certain unfair and discriminatory practices unlawful, defining the duties of the Attorney General in regard thereto, declaring certain contracts illegal and forbidding recovery thereon, providing for actions to enjoin unfair competition and discrimination and to recover damages therefor, making the violation of the provisions of this act a misdemeanor and providing penalties," approved June 10, 1913.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Assembly Bill No. 1662 passed by the following vote:

AYES—Senators Allen, Baker, Breed, Bush, Carter, Cassidy, Christian, Cleveland, Clock, Crittenden, Deuel, Duval, Evans, Fellom, Harper, Hays, Inman, Jones, Maloney, McCormack, McKinley, Mixter, Nelson, Pedrotti, Riley, Rochester, Schottky, Sharkey, Slater, Treacy, Wagy, and Williams—32.

NOES—Senator Rich—1.

Title read and approved.

Bill ordered transmitted to the Assembly.

Assembly Bill No. 454—An act to amend section 1160 of the Political Code, relating to the opening and closing of the polls.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Assembly Bill No. 454 passed by the following vote:

AYES—Senators Baker, Breed, Bush, Carter, Cassidy, Christian, Cleveland, Crittenden, Deuel, Duval, Edwards, Evans, Fellom, Harper, Hays, Ingels, Inman, Jones, McCormack, McKinley, Mixter, Moran, Nelson, Pedrotti, Rich, Riley, Schottky, Sharkey, Slater, Treacy, and Wagy—31.

NOES—None.

Title read and approved.

Bill ordered transmitted to the Assembly.

Assembly Bill No. 455—An act to amend section 14 of the Direct Primary Law, relating to the opening and closing of the polls at primary elections.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Assembly Bill No. 455 passed by the following vote:

AYES—Senators Breed, Carter, Cassidy, Christian, Cleveland, Clock, Crittenden, Deuel, Duval, Edwards, Fellom, Harper, Hays, Ingels, Jones, Maloney, McCormack, McKinley, Mixter, Moran, Nelson, Pedrotti, Rich, Riley, Schottky, Sharkey, Slater, Treacy, and Wagy—29.

NOES—None.

Title read and approved.

Bill ordered transmitted to the Assembly.

Assembly Bill No. 456—An act to amend section 1264 of the Political Code, relating to elections.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Assembly Bill No. 456 passed by the following vote:

AYES—Senators Allen, Baker, Bush, Carter, Cassidy, Christian, Cleveland, Clock, Crittenden, Deuel, Edwards, Fellom, Harper, Ingels, Jones, Maloney, McCormack, McKinley, Mixer, Nelson, Pedrotti, Rich, Sharkey, Slater, Treacy, Wagy, and Williams—27.

NOES—Senators Moran, and Riley—2.

Title read and approved.

Bill ordered transmitted to the Assembly.

Assembly Bill No. 1239—An act to amend chapters III and VII, part III, division V of the School Code, by adding to chapter III a new article to be numbered IV, and by adding to chapter VII a new article to be numbered Va, relating to the employment and dismissal of temporary employees requiring certification qualifications.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Assembly Bill No. 1239 passed by the following vote:

AYES—Senators Allen, Baker, Breed, Bush, Carter, Cassidy, Christian, Cleveland, Clock, Crittenden, Deuel, Duval, Edwards, Fellom, Harper, Hays, Ingels, Jones, McCormack, McKinley, Mixer, Moran, Nelson, Pedrotti, Rich, Riley, Schottky, Sharkey, Slater, Treacy, Wagy, and Williams—32.

NOES—None.

Title read and approved.

Bill ordered transmitted to the Assembly.

Assembly Bill No. 366—An act to repeal article I, embracing sections 5.500 to 5.502, both inclusive, of chapter III of part III of division V of the School Code; to repeal article II, embracing sections 5.650 and 5.651, and article III, embracing sections 5.660 to 5.670, both inclusive, of chapter VII of part III of division V of the School Code; to repeal article VI, embracing sections 5.700 and 5.701, of chapter VII of part III of division V of the School Code; to add a new article to chapter III of part III of division V thereof, to be known as article I embracing sections 5.500 to 5.504, both inclusive, and to add a new article to chapter VII of part III of division V thereof, to be known as article II, embracing sections 5.650 to 5.667, both inclusive; to add thereto a new section to be numbered 5.407; and to amend sections 5.520 and 5.681 thereof, all relating to the classification and dismissal of persons employed by school districts in positions requiring certification qualifications.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Assembly Bill No. 366 passed by the following vote:

AYES—Senators Allen, Baker, Bush, Carter, Cassidy, Christian, Clock, Deuel, Duval, Edwards, Fellom, Harper, Hays, Ingels, Jones, Maloney, McCormack, McKinley, Mixer, Moran, Nelson, Pedrotti, Rich, Riley, Schottky, Sharkey, Slater, Swing, Treacy, Wagy, and Williams—31.

NOES—None.

Title read and approved.

Bill ordered transmitted to the Assembly.

Assembly Bill No. 510—An act to revise chapter 529, Statutes of 1929, entitled "An act to provide for needy blind persons, not inmates of any institution supported in whole or in part by the State or any of its political subdivisions, making appropriation therefor and prescribing penalties for the violation of the provisions of the act," approved May 28, 1929.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Assembly Bill No. 510 passed by the following vote:

AYES—Senators Allen, Baker, Breed, Bush, Carter, Cassidy, Christian, Cleveland, Clock, Crittenden, Deuel, Duval, Edwards, Fellom, Harper, Ingels, Inman, Jones, Maloney, McCormack, McKinley, Mixter, Moran, Nelson, Rich, Riley, Schottky, Slater, Swing, Treacy, Waggy, and Williams—32.

NOES—None.

Title read and approved.

Bill ordered transmitted to the Assembly.

Assembly Bill No. 285—An act to amend section 2322.51 of the Political Code, relating to the salary of the agricultural commissioner in counties of the fifty-first class.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Assembly Bill No. 285 passed by the following vote:

AYES—Senators Allen, Baker, Breed, Bush, Carter, Cassidy, Christian, Cleveland, Clock, Crittenden, Deuel, Duval, Edwards, Fellom, Hays, Ingels, Jones, Maloney, McCormack, McKinley, Mixter, Moran, Nelson, Rich, Riley, Schottky, Slater, Swing, Treacy, Waggy, and Williams—31.

NOES—None.

Title read and approved.

Bill ordered transmitted to the Assembly.

Assembly Bill No. 1798—An act to amend section 16.51 of the Weights and Measures Act, relating to sealers of weights and measures in counties of the fifty-first class.

Bill read third time.

MOTION TO REFER TO SPECIAL COMMITTEE OF ONE.

During third reading of the bill, Senator Riley moved to refer Assembly Bill No. 1798 to Senator Slater, as a Special Committee of One, to amend as follows:

AMENDMENT NUMBER ONE.

On page 1, line 8, of the printed bill, after "annum.", insert the following: "In counties of this class the sealer of weights and measures shall be allowed such additional assistants as may be necessary, but the aggregate amount which may be expended in any one year for such additional assistants shall not exceed the sum of three hundred dollars."

Motion carried.

REPORT OF SPECIAL COMMITTEE OF ONE.

SENATE CHAMBER, SACRAMENTO, May 12, 1931.

MR. PRESIDENT: Your Special Committee of One, to which was referred Assembly Bill No. 1798, with instructions to amend, respectfully reports the same back, amended as per instructions.

SLATER, Committee.

Report read, and on motion of Senator Riley adopted.
Bill ordered to print.

Assembly Bill No. 1592—An act to amend section 19x46 of the Juvenile Court Law, relating to probation officers in counties of the forty-sixth class.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Assembly Bill No. 1592 passed by the following vote:

AYES—Senators Allen, Baker, Breed, Bush, Carter, Cassidy, Christian, Cleveland, Clock, Crittenden, Duval, Duval, Edwards, Fellom, Hays, Ingels, Jones, Maloney, McKinley, Mixter, Moran, Nelson, Rich, Riley, Schottky, Sharkey, Slater, Swing, Treacy, Wagy, and Williams—31.

NOES—None.

Title read and approved.

Bill ordered transmitted to the Assembly.

Assembly Bill No. 402—An act to add section 9a5 to an act entitled "An act to provide for the establishment and maintenance of county free libraries in the State of California, and repealing 'An act entitled "An act to provide county library systems," approved April 12, 1909, and all acts and parts of acts in conflict with this act," approved February 25, 1911, as amended, relating to libraries in counties of the fifth class.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Assembly Bill No. 402 passed by the following vote:

AYES—Senators Allen, Breed, Bush, Carter, Cassidy, Christian, Cleveland, Clock, Duval, Duval, Edwards, Evans, Fellom, Ingels, Jones, Maloney, McCormack, Mixter, Moran, Nelson, Rich, Riley, Schottky, Sharkey, Slater, Swing, Wagy, and Williams—28.

NOES—None.

Title read and approved.

Bill ordered transmitted to the Assembly.

Assembly Bill No. 403—An act to amend section 16x5 of the Weights and Measures Act, relating to sealers of weights and measures in counties of the fifth class.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Assembly Bill No. 403 passed by the following vote:

AYES—Senators Allen, Breed, Bush, Carter, Cassidy, Christian, Cleveland, Clock, Duval, Duval, Edwards, Evans, Fellom, Hays, Ingels, Inman, Jones, Maloney, McCormack, McKinley, Mixter, Moran, Nelson, Pedrotti, Rich, Riley, Schottky, Sharkey, Slater, Swing, Treacy, Wagy, and Williams—33.

NOES—None.

Title read and approved.

Bill ordered transmitted to the Assembly.

Assembly Bill No. 405—An act to amend section 19x5 of the Juvenile Court Law, relating to probation officers in counties of the fifth class.

Bill read third time.♦

The question being on the passage of the bill.

The roll was called, and Assembly Bill No. 405 passed by the following vote:

AYES—Senators Allen, Breed, Bush, Carter, Cassidy, Christian, Cleveland, Clock, Crittenden, Deuel, Duval, Edwards, Evans, Fellom, Hays, Ingels, Inman, Jones, Maloney, McCormack, McKinley, Mixer, Moran, Nelson, Rich, Riley, Schottky, Sharkey, Slater, Swing, Treacy, Wagy, and Williams—33.

NOES—None.

Title read and approved.

Bill ordered transmitted to the Assembly.

Assembly Bill No. 1292—An act to amend section 4041.13 of the Political Code, relating to powers of boards.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Assembly Bill No. 1292 passed by the following vote:

AYES—Senators Allen, Breed, Bush, Carter, Christian, Cleveland, Clock, Crittenden, Deuel, Duval, Edwards, Evans, Fellom, Harper, Hays, Ingels, Inman, Maloney, McCormack, McKinley, Mixer, Moran, Nelson, Rich, Riley, Slater, Swing, Treacy, Wagy, and Williams—30.

NOES—None.

Title read and approved.

Bill ordered transmitted to the Assembly.

Assembly Bill No. 1646—An act to amend section 2322x29 of the Political Code, relating to the office of agricultural commissioner in counties of the twenty-ninth class.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Assembly Bill No. 1646 passed by the following vote:

AYES—Senators Allen, Baker, Breed, Bush, Carter, Cassidy, Christian, Cleveland, Clock, Crittenden, Deuel, Duval, Edwards, Evans, Fellom, Harper, Hays, Ingels, Maloney, McCormack, McKinley, Mixer, Moran, Nelson, Rich, Riley, Schottky, Sharkey, Slater, Swing, Treacy, Wagy, and Williams—33.

NOES—None.

Title read and approved.

Bill ordered transmitted to the Assembly.

Assembly Bill No. 1643—An act to add section 9a29 to the act entitled "An act to provide for the establishment and maintenance of county free libraries in the State of California, and repealing 'An act entitled "An act to provide county library systems," approved April 12, 1909, and all acts and parts of acts in conflict with this act," approved February 25, 1911, as amended, relating to librarians in counties of the twenty-ninth class.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Assembly Bill No. 1643 passed by the following vote:

AYES—Senators Allen, Baker, Breed, Bush, Carter, Cassidy, Christian, Cleveland, Clock, Crittenden, Deuel, Duval, Edwards, Evans, Fellom, Harper, Hays, Ingels, Inman, Maloney, McCormack, McKinley, Mixer, Moran, Nelson, Rich, Riley, Schottky, Sharkey, Slater, Swing, Treacy, Waggy, and Williams—34.

NOES—None.

Title read and approved.

Bill ordered transmitted to the Assembly.

Assembly Bill No. 1640—An act to amend section 19x48 of the Juvenile Court Law, relating to probation officers in counties of the forty-eighth class.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Assembly Bill No. 1640 passed by the following vote:

AYES—Senators Allen, Baker, Breed, Bush, Carter, Cassidy, Christian, Cleveland, Clock, Crittenden, Deuel, Duval, Edwards, Evans, Fellom, Harper, Hays, Ingels, Maloney, McCormack, McKinley, Mixer, Moran, Nelson, Rich, Riley, Schottky, Sharkey, Slater, Swing, Treacy, Waggy, and Williams—33.

NOES—None.

Title read and approved.

Bill ordered transmitted to the Assembly.

Assembly Bill No. 1647—An act to amend section 19x29 of the Juvenile Court Law, relating to probation officers in counties of the twenty-ninth class.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Assembly Bill No. 1647 passed by the following vote:

AYES—Senators Allen, Baker, Breed, Bush, Carter, Cassidy, Christian, Cleveland, Clock, Crittenden, Deuel, Evans, Fellom, Harper, Hays, Ingels, Maloney, McCormack, McKinley, Mixer, Moran, Nelson, Rich, Riley, Schottky, Sharkey, Slater, Swing, Treacy, Waggy, and Williams—31.

NOES—None.

Title read and approved.

Bill ordered transmitted to the Assembly.

Assembly Bill No. 1645—An act to amend section 16x29 of the Weights and Measures Act, relating to sealers of weights and measures in counties of the twenty-ninth class.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Assembly Bill No. 1645 passed by the following vote:

AYES—Senators Allen, Breed, Bush, Carter, Cassidy, Christian, Cleveland, Clock, Crittenden, Evans, Harper, Hays, Ingels, Maloney, McCormack, McKinley, Mixer, Moran, Nelson, Rich, Riley, Schottky, Sharkey, Slater, Treacy, Waggy, and Williams—27.

NOES—None.

Title read and approved.

Bill ordered transmitted to the Assembly.

Assembly Bill No. 298—An act to amend section 4266 and to repeal section 4264a of the Political Code, relating to the salaries of county officers of counties of the thirty-seventh class.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Assembly Bill No. 298 passed by the following vote:

AYES—Senators Allen, Breed, Bush, Carter, Cassidy, Christian, Cleveland, Cloek, Crittenden, Deuel, Edwards, Evans, Harper, Hays, Ingels, Maloney, McCormack, McKinley, Mixer, Moran, Nelson, Rich, Riley, Sharkey, Slater, Treacy, Waggy, and Williams—28.

NOES—None.

Title read and approved.

Bill ordered transmitted to the Assembly.

Assembly Bill No. 1636—An act to amend section 4277 and to repeal section 4281a of the Political Code, relating to compensation of county and township officers and jurors in counties of the forty-eighth class.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Assembly Bill No. 1636 passed by the following vote:

AYES—Senators Allen, Breed, Bush, Carter, Cassidy, Christian, Cleveland, Deuel, Duval, Edwards, Evans, Harper, Hays, Ingels, Jones, Maloney, McCormack, McKinley, Mixer, Moran, Nelson, Rich, Riley, Sharkey, Slater, Treacy, Waggy, and Williams—28.

NOES—None.

Title read and approved.

Bill ordered transmitted to the Assembly.

Assembly Bill No. 404—An act to amend section 2322.5 of the Political Code, relating to the office of agricultural commissioner in counties of the fifth class.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Assembly Bill No. 404 passed by the following vote:

AYES—Senators Allen, Breed, Bush, Carter, Cassidy, Christian, Cleveland, Crittenden, Deuel, Duval, Edwards, Evans, Fellom, Harper, Hays, Ingels, Jones, Maloney, McCormack, McKinley, Mixer, Moran, Nelson, Rich, Riley, Sharkey, Slater, Treacy, Waggy, and Williams—30.

NOES—None.

Title read and approved.

Bill ordered transmitted to the Assembly.

Assembly Bill No. 617—An act to amend section 4232a of the Political Code, relating to fees of grand jurors and trial jurors in counties of the third class.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Assembly Bill No. 617 passed by the following vote:

AYES—Senators Allen, Breed, Bush, Carter, Cassidy, Christian, Cleveland, Deuel, Duval, Edwards, Evans, Fellom, Harper, Hays, Ingels, Jones, Maloney, McCormack,

McKinley, Mixer, Moran, Nelson, Rich, Riley, Sharkey, Slater, Treacy, Waggy, and Williams—29.

NOES—None.

Title read and approved.

Bill ordered transmitted to the Assembly.

Assembly Bill No. 1633—An act to amend section 1 of an act entitled "An act to form agricultural districts, to provide for the formation, organization and powers, of agricultural associations therein and for the management and control of the same by the State, and repealing all acts and portions of acts in conflict with this act," approved April 17, 1909, relating to county agricultural districts.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Assembly Bill No. 1633 passed by the following vote:

AYES—Senators Allen, Breed, Bush, Carter, Cassidy, Christian, Cleveland, Clock, Crittenden, Deuel, Duval, Edwards, Evans, Fellom, Harper, Hays, Ingels, Jones, Maloney, McCormack, McKinley, Mixer, Moran, Nelson, Rich, Sharkey, Slater Treacy, Waggy, and Williams—30.

NOES—None.

Title read and approved.

Bill ordered transmitted to the Assembly.

ADJOURNMENT OUT OF RESPECT.

Senator Inman moved, seconded by Senators Breed and Slater, that when adjournment for this day should be had, that such adjournment be out of respect to the memory of the late Hon. Archie E. Campbell, former State Senator from the Seventeenth District.

Motion unanimously carried.

RECESS.

On motion of Senator Breed, at one o'clock and forty-five minutes p.m., the President of the Senate declared recess until two o'clock p.m.

RECONVENED.

At two o'clock p.m., the Senate reconvened.

Lieutenant Governor Frank F. Merriam, President of the Senate, in the chair.

Secretary Joseph A. Beek at the desk.

CONSIDERATION OF DAILY FILE.

THIRD READING OF ASSEMBLY BILLS—(RESUMED).

Assembly Bill No. 1638—An act to amend section 16x48 of the Weights and Measures Act, relating to sealers of weights and measures in counties of the forty-eighth class.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Assembly Bill No. 1638 passed by the following vote:

AYES—Senators Allen, Baker, Breed, Bush, Carter, Christian, Cleveland, Deuel, Duval, Evans, Hays, Ingels, Inman, McKinley, Moran, Nelson, Pedrotti, Rich, Schotky, Slater, Waggy, and Williams—22.

NOES—None.

Title read and approved.

Bill ordered transmitted to the Assembly.

Assembly Bill No. 1639—An act to amend section 2322x48 of the Political Code, relating to the office of agricultural commissioner in counties of the forty-eighth class.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Assembly Bill No. 1639 passed by the following vote:

AYES—Senators Allen, Baker, Breed, Bush, Carter, Cassidy, Deuel, Duval, Edwards, Evans, Hays, Inman, McCormack, Moran, Nelson, Pedrotti, Rich, Schottky, Slater, Wagy, and Williams—21.

NOES—None.

Title read and approved.

Bill ordered transmitted to the Assembly.

Assembly Bill No. 1583—An act to amend section 4281 of the Political Code, relating to compensation of county and township officers in counties of the fifty-second class.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Assembly Bill No. 1583 passed by the following vote:

AYES—Senators Allen, Baker, Breed, Bush, Carter, Cassidy, Deuel, Duval, Edwards, Evans, Hays, Ingels, Inman, McCormack, McKinley, Mixter, Moran, Nelson, Pedrotti, Rich, Schottky, Slater, Wagy, and Williams—24.

NOES—None.

Title read and approved.

Bill ordered transmitted to the Assembly.

Assembly Bill No. 1584—An act to add section 19x52 to the Juvenile Court Law, relating to probation officers in counties of the fifty-second class.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Assembly Bill No. 1584 passed by the following vote:

AYES—Senators Allen, Baker, Breed, Bush, Carter, Cassidy, Christian, Deuel, Duval, Edwards, Evans, Harper, Hays, Ingels, Inman, McKinley, Mixter, Moran, Nelson, Pedrotti, Schottky, Slater, Wagy, and Williams—24.

NOES—None.

Title read and approved.

Bill ordered transmitted to the Assembly.

Assembly Bill No. 1588—An act to amend section 2322x45 of the Political Code, relating to the office of agricultural commissioner in counties of the forty-fifth class.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Assembly Bill No. 1588 passed by the following vote:

AYES—Senators Allen, Baker, Breed, Bush, Carter, Cassidy, Christian, Deuel, Duval, Edwards, Evans, Harper, Hays, Ingels, Inman, McKinley, Mixter, Moran, Nelson, Pedrotti, Riley, Schottky, Sharkey, Slater, Wagy, and Williams—26.

NOES—None.

Title read and approved.

Bill ordered transmitted to the Assembly.

Assembly Bill No. 1589—An act to amend section 4274 of the Political Code, relating to compensation of county and township officers in counties of the forty-fifth class.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Assembly Bill No. 1589 passed by the following vote:

AYES—Senators Allen, Baker, Breed, Bush, Carter, Cassidy, Christian, Clock, Deuel, Duval, Edwards, Evans, Harper, Hays, Ingels, Inman, McKinley, Mixter, Moran, Nelson, Pedrotti, Riley, Rochester, Schottky, Sharkey, Slater, Waggy, and Williams—28.

NOES—None.

Title read and approved.

Bill ordered transmitted to the Assembly.

Assembly Bill No. 1590—An act to amend section 19x45 of the Juvenile Court Law, relating to probation officers in counties of the forty-fifth class.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Assembly Bill No. 1590 passed by the following vote:

AYES—Senators Allen, Baker, Breed, Bush, Carter, Cassidy, Christian, Clock, Deuel, Edwards, Evans, Harper, Hays, Ingels, Inman, McKinley, Mixter, Moran, Nelson, Pedrotti, Riley, Rochester, Schottky, Sharkey, Slater, Waggy, and Williams—27.

NOES—None.

Title read and approved.

Bill ordered transmitted to the Assembly.

Assembly Bill No. 1591—An act to amend section 16x45 of the Weights and Measures Act, relating to sealers of weights and measures in counties of the forty-fifth class.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Assembly Bill No. 1591 passed by the following vote:

AYES—Senators Allen, Baker, Breed, Bush, Cassidy, Christian, Clock, Deuel, Edwards, Evans, Hays, Ingels, Inman, McKinley, Mixter, Moran, Nelson, Pedrotti, Riley, Rochester, Schottky, Sharkey, Slater, Waggy, and Williams—25.

NOES—None.

Title read and approved.

Bill ordered transmitted to the Assembly.

Assembly Bill No. 1793—An act to amend section 16x22 of the Weights and Measures Act, relating to sealers of weights and measures in counties of the twenty-second class.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Assembly Bill No. 1793 passed by the following vote:

AYES—Senators Allen, Baker, Breed, Bush, Cassidy, Christian, Clock, Deuel, Duval, Edwards, Evans, Harper, Hays, Inman, McCormack, McKinley, Mixter, Moran, Nelson, Pedrotti, Riley, Rochester, Sharkey, Slater, Waggy, and Williams—26.

NOES—None.

Title read and approved.

Bill ordered transmitted to the Assembly.

Assembly Bill No. 1814—An act to amend section 2322x22 of the Political Code, relating to the office of agricultural commissioner in counties of the twenty-second class.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Assembly Bill No. 1814 passed by the following vote:

AYES—Senators Allen, Baker, Breed, Bush, Carter, Cassidy, Christian, Clock, Deuel, Duval, Edwards, Evans, Harper, Hays, Inman, McKinley, Mixer, Moran, Nelson, Pedrotti, Riley, Rochester, Schottky, Sharkey, Slater, and Wagy—26.

NOES—None.

Title read and approved.

Bill ordered transmitted to the Assembly.

Assembly Bill No. 1380—An act to amend section 42x47 of the Political Code, relating to the salaries, fees, and expenses of officers and their deputies and assistants in counties of the eighteenth class.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Assembly Bill No. 1380 passed by the following vote:

AYES—Senators Allen, Baker, Breed, Bush, Cassidy, Christian, Clock, Deuel, Duval, Edwards, Harper, Hays, Inman, Maloney, McCormack, McKinley, Mixer, Moran, Nelson, Pedrotti, Rich, Riley, Rochester, Schottky, Sharkey, Slater, and Wagy—27.

NOES—None.

Title read and approved.

Bill ordered transmitted to the Assembly.

Assembly Bill No. 1641—An act to amend section 19x37 of the Juvenile Court Law, relating to probation officers in counties of the thirty-seventh class.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Assembly Bill No. 1641 passed by the following vote:

AYES—Senators Allen, Baker, Breed, Bush, Cassidy, Christian, Clock, Deuel, Edwards, Evans, Harper, Hays, Inman, Maloney, McCormack, McKinley, Mixer, Moran, Nelson, Pedrotti, Rich, Rochester, Schottky, Sharkey, Slater, Swing, Treacy, and Wagy—28.

NOES—None.

Title read and approved.

Bill ordered transmitted to the Assembly.

Assembly Bill No. 1632—An act to add a new section to be numbered 9a37 to the act entitled "An act to provide for the establishment and maintenance of county free libraries in the State of California, and repealing 'An act entitled 'An act to provide county library systems,'" approved April 12, 1909, and all acts and parts of acts in conflict with this act," approved February 25, 1911, as amended, relating to libraries in counties of the thirty-seventh class.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Assembly Bill No. 1632 passed by the following vote:

AYES—Senators Allen, Baker, Breed, Bush, Cassidy, Christian, Clock, Crittenden, Deuel, Duval, Edwards, Evans, Harper, Hays, Inman, Maloney, McKinley, Mixer, Moran, Nelson, Pedrotti, Rich, Rochester, Schottky, Sharkey, Slater, Swing, Treacy, and Wagy—29.

NOES—None.

Title read and approved.

Bill ordered transmitted to the Assembly.

MINUTE CLERK HAROLD J. POWERS AT THE DESK.

Assembly Bill No. 1634—An act to amend section 16.37 of the Weights and Measures Act, relating to sealers of weights and measures in counties of the thirty-seventh class.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Assembly Bill No. 1634 passed by the following vote:

AYES—Senators Allen, Baker, Bush, Cassidy, Christian, Clock, Crittenden, Deuel, Duval, Edwards, Evans, Harper, Hays, Ingels, Inman, Jones, Maloney, McCormack, McKinley, Mixer, Moran, Pedrotti, Rich, Riley, Rochester, Schottky, Sharkey, Slater, Swing, Treacy, and Wagy—31.

NOES—None.

Title read and approved.

Bill ordered transmitted to the Assembly.

Assembly Bill No. 6—An act to amend section 720 of and to add a new section to be numbered 723 to the Code of Civil Procedure, relating to proceedings supplemental to execution, and to the qualifications and powers of referees in such proceedings.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Assembly Bill No. 6 passed by the following vote:

AYES—Senators Allen, Baker, Breed, Bush, Carter, Cassidy, Christian, Clock, Crittenden, Deuel, Duval, Edwards, Harper, Hays, Ingels, Inman, Maloney, McCormack, McKinley, Mixer, Moran, Nelson, Pedrotti, Riley, Rochester, Schottky, Sharkey, Slater, Swing, Treacy, and Williams—32.

NOES—None.

Title read and approved.

Bill ordered transmitted to the Assembly.

Assembly Bill No. 587—An act to add a new section to the Civil Code to be numbered 3342, relating to liability of the State to persons aggrieved by reason of acts of officers under unconstitutional statutes, authorizing the bringing of suits and making judgments recovered legal debts of the State.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Assembly Bill No. 587 passed by the following vote:

AYES—Senators Allen, Breed, Bush, Carter, Cassidy, Christian, Clock, Crittenden, Deuel, Duval, Evans, Harper, Hays, Ingels, Inman, Jones, Maloney, McCormack,

McKinley, Mixer, Moran, Nelson, Pedrotti, Rich, Riley, Rochester, Schottky, Sharkey, Slater, Swing, Treacy, Wagy, and Williams—33.

NOES—None.

Title read and approved.

Bill ordered transmitted to the Assembly.

Assembly Bill No. 458—An act to amend section 3051a of the Civil Code, relating to the amount recoverable on personal property liens.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Assembly Bill No. 458 passed by the following vote:

AYES—Senators Allen, Baker, Breed, Bush, Carter, Cassidy, Christian, Clock, Crittenden, Deuel, Evans, Harper, Hays, Ingels, Inman, Jones, Maloney, McKinley, Mixer, Moran, Nelson, Pedrotti, Riley, Rochester, Schottky, Sharkey, Slater, Swing, Treacy, Wagy, and Williams—31.

NOES—None.

Title read and approved.

Bill ordered transmitted to the Assembly.

SECRETARY JOSEPH A. BEEK AT THE DESK.

Assembly Bill No. 1000—An act substituting for the existing title I of part IV of division I of the Civil Code of the State of California a new title I of said part IV consisting of 16 chapters which shall supersede said existing title I and sections numbered consecutively 1227 to 1235, both numbers included, of the Code of Civil Procedure of California, all relating to corporations.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Assembly Bill No. 1000 passed by the following vote:

AYES—Senators Allen, Baker, Breed, Bush, Carter, Cassidy, Christian, Clock, Crittenden, Deuel, Duval, Evans, Harper, Hays, Ingels, Maloney, McCormack, McKinley, Mixer, Moran, Nelson, Pedrotti, Rochester, Schottky, Sharkey, Slater, Swing, Treacy, Wagy, and Williams—30.

NOES—None.

Title read and approved.

Bill ordered transmitted to the Assembly.

Assembly Bill No. 27—An act to amend section 1859 of the Civil Code, relating to the liability of innkeepers, hotel keepers, furnished apartment house keepers, furnished bungalow court keepers and boarding house or lodging house keepers.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Assembly Bill No. 27 passed by the following vote:

AYES—Senators Allen, Baker, Breed, Bush, Carter, Cassidy, Christian, Crittenden, Edwards, Evans, Harper, Ingels, Maloney, McCormack, McKinley, Mixer, Moran, Nelson, Pedrotti, Riley, Rochester, Schottky, Sharkey, Slater, Swing, Treacy, Wagy, and Williams—28.

NOES—None.

Title read and approved.

Bill ordered transmitted to the Assembly.

Assembly Bill No. 1003—An act to amend section 411 of the Code of Civil Procedure, relating to service of summons.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Assembly Bill No. 1003 passed by the following vote:

AYES—Senators Allen, Baker, Breed, Bush, Carter, Cassidy, Christian, Crittenden, Duval, Edwards, Evans, Harper, Hays, Ingels, Maloney, McCormack, McKinley, Mixer, Moran, Nelson, Pedrotti, Rich, Riley, Rochester, Sharkey, Slater, Swing, Treacy, Waggy, and Williams—31.

NOES—None.

Title read and approved.

Bill ordered transmitted to the Assembly.

Assembly Bill No. 1004—An act to repeal chapter 34, Statutes of 1921, entitled "An act concerning corporations of this State and the issue to employees and to persons actively engaged in the conduct of their business of their stock," approved April 2, 1921, relating to the issue of shares of stock to employees.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Assembly Bill No. 1004 passed by the following vote:

AYES—Senators Allen, Baker, Breed, Bush, Carter, Cassidy, Christian, Clock, Crittenden, Duval, Edwards, Evans, Harper, Hays, Maloney, McCormack, McKinley, Mixer, Moran, Nelson, Pedrotti, Rich, Riley, Sharkey, Slater, Swing, Treacy, Waggy, and Williams—29.

NOES—None.

Title read and approved.

Bill ordered transmitted to the Assembly.

Assembly Bill No. 1927—An act to add a new section to be numbered 6½ to an act entitled "California Canned Fruit Standardization Act," approved May 23, 1925, as amended, providing for the use of United States Department of Agriculture markings on canned products.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Assembly Bill No. 1927 passed by the following vote:

AYES—Senators Allen, Breed, Bush, Carter, Cassidy, Christian, Clock, Duval, Edwards, Harper, Hays, Ingels, Inman, Maloney, McCormack, McKinley, Mixer, Nelson, Pedrotti, Rich, Schottky, Slater, Swing, Treacy, Waggy, and Williams—27.

NOES—Senator Moran—1.

Title read and approved.

Bill ordered transmitted to the Assembly.

Assembly Bill No. 1623—An act repealing chapter 677, Statutes of 1911, entitled "An act to regulate the public service of stallions and jacks in the State of California," approved May 1, 1911, as amended.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Assembly Bill No. 1623 passed by the following vote:

AYES—Senators Allen, Breed, Bush, Carter, Cassidy, Christian, Deuel, Duval, Harper, Hays, Ingels, Inman, Maloney, McCormack, McKinley, Mixer, Moran, Nelson, Pedrotti, Rich, Riley, Schottky, Slater, Swing, Treacy, Wagy, and Williams—27.
NOES—None.

Title read and approved.

Bill ordered transmitted to the Assembly.

Assembly Bill No. 11—An act to add section 384b to the Penal Code, relating to the protection of vegetation.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Assembly Bill No. 11 refused passage by the following vote:

AYES—Senators Ingels, McKinley, Pedrotti, and Schottky—4.

NOES—Senators Allen, Breed, Carter, Clock, Deuel, Harper, Inman, Maloney, McCormack, Mixer, Moran, Nelson, Rich, Riley, Slater, Treacy, and Wagy—17.

Assembly Bill No. 1600—An act to add a new section, to be numbered 9a50, to an act entitled "An act to provide for the establishment and maintenance of county free libraries in the State of California, and repealing 'An act entitled "An act to provide county library systems," approved April 12, 1909, and all acts and parts of acts in conflict with this act,' " approved February 25, 1911, as amended, relating to libraries in counties of the fiftieth class.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Assembly Bill No. 1600 passed by the following vote:

AYES—Senators Baker, Breed, Carter, Cassidy, Clock, Crittenden, Deuel, Duval, Edwards, Evans, Harper, Ingels, Inman, Jones, Maloney, McCormack, McKinley, Mixer, Moran, Nelson, Pedrotti, Rich, Schottky, Slater, Treacy, and Wagy—26.

NOES—None.

Title read and approved.

Bill ordered transmitted to the Assembly.

Assembly Bill No. 1602—An act to amend section 16x50, Weights and Measures Act, relating to sealers of weights and measures in counties of the fiftieth class.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Assembly Bill No. 1602 passed by the following vote:

AYES—Senators Allen, Baker, Breed, Bush, Carter, Cassidy, Christian, Clock, Crittenden, Deuel, Duval, Edwards, Evans, Harper, Hays, Ingels, Inman, Jones, Maloney, McCormack, McKinley, Mixer, Nelson, Pedrotti, Rich, Riley, Rochester, Schottky, Slater, Treacy, and Wagy—31.

NOES—None.

Title read and approved.

Bill ordered transmitted to the Assembly.

Assembly Bill No. 1603—An act to amend section 2322x50 of the Political Code, relating to the office of agricultural commissioner in counties of the fiftieth class.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Assembly Bill No. 1603 passed by the following vote:

AYES—Senators Allen, Baker, Breed, Bush, Carter, Cassidy, Christian, Clock, Crittenden, Duval, Edwards, Evans, Harper, Hays, Ingels, Inman, Jones, Maloney, McCormack, McKinley, Mixer, Nelson, Pedrotti, Rich, Riley, Rochester, Schottky, Slater, Treacy, and Wagy—31.

NOES—None.

Title read and approved.

Bill ordered transmitted to the Assembly.

Assembly Bill No. 1605—An act to amend section 4262 and to repeal section 4257a of the Political Code, relating to compensation of county and township officers in counties of the thirty-third class.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Assembly Bill No. 1605 passed by the following vote:

AYES—Senators Allen, Baker, Breed, Bush, Carter, Cassidy, Christian, Clock, Duval, Edwards, Harper, Hays, Ingels, Inman, Jones, Maloney, McCormack, McKinley, Mixer, Nelson, Pedrotti, Rich, Riley, Schottky, Slater, and Treacy—26.

NOES—None.

Title read and approved.

Bill ordered transmitted to the Assembly.

Assembly Bill No. 1606—An act to amend section 16x33, Weights and Measures Act, relating to sealers of weights and measures in counties of the thirty-third class.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Assembly Bill No. 1606 passed by the following vote:

AYES—Senators Allen, Baker, Breed, Bush, Carter, Cassidy, Christian, Clock, den, Duval, Edwards, Evans, Harper, Hays, Ingels, Inman, Jones, Maloney, McCormack, McKinley, Mixer, Nelson, Pedrotti, Rich, Riley, Rochester, Schottky, Slater, Swing, and Treacy—30.

NOES—None.

Title read and approved.

Bill ordered transmitted to the Assembly.

Assembly Bill No. 1705—An act to amend section 19x31 of the Juvenile Court Law, relating to probation officers in counties of the thirty-first class.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Assembly Bill No. 1705 passed by the following vote:

AYES—Senators Allen, Baker, Bush, Carter, Cassidy, Christian, Clock, Crittenden, Duval, Edwards, Evans, Harper, Hays, Ingels, Inman, Jones, Maloney, McCormack, McKinley, Mixer, Moran, Nelson, Pedrotti, Rich, Riley, Schottky, Slater, Swing, and Treacy—29.

NOES—None.

Title read and approved.

Bill ordered transmitted to the Assembly.

Assembly Bill No. 1706—An act to amend section 16~~r~~31, Weights and Measures Act, relating to sealers of weights and measures in counties of the thirty-first class.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Assembly Bill No. 1706 passed by the following vote:

AYES—Senators Allen, Baker, Bush, Carter, Cassidy, Christian, Crittenden, Duval, Edwards, Evans, Harper, Hays, Ingels, Inman, Jones, Maloney, McCormack, McKinley, Mixer, Moran, Nelson, Pedrotti, Rich, Riley, Schottky, Slater, Swing, and Treacy—28.

NOES—None.

Title read and approved.

Bill ordered transmitted to the Assembly.

Assembly Bill No. 1707—An act to add a new section, to be numbered 9a31, to the act entitled "An act to provide for the establishment and maintenance of county free libraries in the State of California, and repealing 'An act entitled "An act to provide county library systems," approved April 12, 1909, and all acts and parts of acts in conflict with this act,' " approved February 25, 1911, as amended, relating to libraries in counties of the thirty-first class.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Assembly Bill No. 1707 passed by the following vote:

AYES—Senators Allen, Baker, Carter, Cassidy, Christian, Crittenden, Deuel, Duval, Edwards, Evans, Harper, Hays, Ingels, Inman, Maloney, McCormack, McKinley, Mixer, Moran, Nelson, Rich, Riley, Schottky, Slater, Swing, and Treacy—26.

NOES—None.

Title read and approved.

Bill ordered transmitted to the Assembly.

ASSISTANT SECRETARY FRANCIS E. DALIN AT THE DESK.

Assembly Bill No. 1704—An act to amend section 2322~~r~~31 of the Political Code, relating to the office of agricultural commissioner in counties of the thirty-first class.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Assembly Bill No. 1704 passed by the following vote:

AYES—Senators Allen, Baker, Breed, Bush, Carter, Cassidy, Christian, Crittenden, Deuel, Duval, Edwards, Evans, Fellom, Harper, Hays, Ingels, Inman, Maloney, McCormack, McKinley, Mixer, Moran, Nelson, Pedrotti, Riley, Schottky, Slater, Swing, and Treacy—29.

NOES—None.

Title read and approved.

Bill ordered transmitted to the Assembly.

Assembly Bill No. 445—An act to amend section 311 of the Penal Code, relating to lewd conduct or acts and providing penalties therefor.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Assembly Bill No. 445 passed by the following vote:

AYES—Senators Allen, Baker, Breed, Bush, Cassidy, Christian, Crittenden, Deuel, Evans, Fellom, Harper, Hays, Ingels, Maloney, McCormack, Mixter, Moran, Rich, Riley, Schottky, Slater, Swing, and Treacy—23.

NOES—None.

Title read and approved.

Bill ordered transmitted to the Assembly.

Assembly Bill No. 247—An act to amend sections 542a, 542b, 544 and 560 of the Code of Civil Procedure, relating to attachment.

Bill read third time.

MOTION TO REFER TO SPECIAL COMMITTEE OF ONE.

During third reading of the bill, Senator McKinley moved to refer Assembly Bill No. 247 to Senator Edwards, as a Special Committee of One, to amend as follows:

AMENDMENT NUMBER ONE.

On page 2, line 16, of the printed bill, strike out "of", before "garnishment", and insert in lieu thereof "or".

Motion carried.

REPORT OF SPECIAL COMMITTEE OF ONE.

SENATE CHAMBER, SACRAMENTO, May 12, 1931.

MR. PRESIDENT: Your Special Committee of One, to which was referred Assembly Bill No. 247, with instructions to amend, respectfully reports the same back, amended as per instructions.

EDWARDS, Committee.

Report read, and on motion of Senator McKinley adopted.

Bill ordered to print.

ASSEMBLY JOINT RESOLUTION No. 18.

Relating to an immediate survey of forest insect conditions and for the control of forest insects.

WHEREAS, The forests of California are seriously threatened with great losses due to the activities of bark beetles and other forest insects; and

WHEREAS, In parts of California forest insects have killed over one-half of all commercial timber with annual losses in excess of ten per cent of the entire stand, and

WHEREAS, Forest insects also threaten timber of high value in recreational areas, having in past years killed all timber on some 20,000 acres within the Yosemite National Park, and

WHEREAS, Forest insect losses are always greatest in years of deficient rainfall, and

WHEREAS, California is now confronted with a year of subnormal precipitation, and

WHEREAS, In past years funds for forest insect control have been largely diverted to use in other states in protecting timber of less value than timber in California, and

WHEREAS, The United States owns many millions of acres of timberland in California, upon which lands the insects are causing heavy losses to timber, and

WHEREAS, The owners of private lands adjoining such federal lands are unable to control forest insects unless the federal government also carries on control work, and

WHEREAS, For the control of forest insects there are now available federal funds that have not yet been allotted to other states; it is

Resolved by the Assembly and the Senate, jointly, That \$100,000 of the Federal Fund should be allotted to California for making an immediate survey of forest insect conditions and for the control of forest insects where the survey shows the work to be most needed; and be it further

Resolved, That the Chief Forester of the United States, who has the authority to make the above allotment, be, and hereby is, urged to make the allotment to California; and be it further

Resolved, That a copy of this resolution be sent to the President of the United States, and to the Secretary of the Department of Agriculture and to the Chief Forester of the United States.

Resolution read.

The question being on the adoption of the resolution.

The roll was called, and Assembly Joint Resolution No. 18 adopted by the following vote:

AYES—Senators Allen, Baker, Breed, Bush, Carter, Cassidy, Christian, Cleveland, Crittenden, Deuel, Duval, Edwards, Evans, Fellom, Harper, Hays, Inman, Maloney, McCormack, McKinley, Mixter, Moran, Nelson, Pedrotti, Rich, Schottky, Slater, Swing, and Treacy—29.

NOES—None.

Assembly Joint Resolution No. 18 ordered transmitted to the Assembly.

ASSEMBLY JOINT RESOLUTION No. 21.

Relative to memorializing Congress to provide compensation, in lieu of taxes, for certain lands of the United States within the borders of the several states.

WHEREAS, The United States government has withdrawn and set apart within permanent national parks or forests, enormous tracts of land, approximately 19,000,000 acres in the State of California alone; and

WHEREAS, Among other reasons, this has been made possible by the owners of timber land trading in their "cut-over" lands to the government for selected "cuttings"; and

WHEREAS, The United States government pays no taxes on such lands, resulting in throwing a heavy tax burden on privately owned property in the same political subdivision; now, therefore, be it

Resolved by the Assembly and Senate, jointly, That Congress is urgently requested to appropriate sufficient money so that a sum of five cents per acre per year may be paid, in lieu of taxes, to the political subdivisions in which such lands belonging to the United States are situated.

Resolved, That a copy of this resolution be sent to the President of the United States, the Vice President, the Speaker of the House of Representatives and each of the members from California of the Senate and House of Representatives of the United States.

Resolution read.

The question being on the adoption of the resolution.

The roll was called, and Assembly Joint Resolution No. 21 adopted by the following vote:

AYES—Senators Allen, Baker, Breed, Bush, Carter, Cassidy, Christian, Cleveland, Crittenden, Deuel, Edwards, Evans, Fellom, Harper, Hays, Inman, Jones, Maloney, McCormack, McKinley, Mixter, Moran, Nelson, Pedrotti, Rich, Riley, Schottky, Slater, Swing, and Treacy—30.

NOES—None.

Assembly Joint Resolution No. 21 ordered transmitted to the Assembly.

ASSEMBLY JOINT RESOLUTION No. 22.

Relative to memorializing and petitioning the President of the United States and Congress to take steps to prevent the importation into the United States of products produced by Russian convict labor.

WHEREAS, There is at this time being imported into the United States large quantities of a variety of products produced by Russian convict labor; and

WHEREAS, The importation and distribution of such products is extremely detrimental to the sale of American free labor produced products in the United States; and

WHEREAS, As a result, the economic and financial stability of some of the leading American industries and interests are being threatened; now, therefore, be it

Resolved by the Assembly and Senate, jointly, That we, the members of the Legislature of the State of California, urgently request the President of the United States and Congress to take steps to prevent the importation of products produced by Russian convict labor, and to that end, place an embargo upon the importation of such products into the United States; and be it further

Resolved, That a copy of this resolution be sent to the President of the United States, the Vice President, the Speaker of the House of Representatives and each of

the Journals from California of the Senate and House of Representatives of the United States.

Resolution read.

The question being on the adoption of the resolution.

The roll was called, and Assembly Joint Resolution No. 22 adopted by the following vote:

AYES—Senators Allen, Baker, Breed, Bush, Carter, Cassidy, Cleveland, Crittenberger, James, Jones, Edwards, Evans, Fellom, Hays, Inman, Jones, Maloney, McCormack, McKelvey, Mixer, Moran, Peckham, Roth, Rossiter, Schenck, Shinn, and Treacy—27.

NAES—None.

Assembly Joint Resolution No. 22 ordered transmitted to the Assembly.

ASSEMBLY JOINT RESOLUTION No. 25.

Relative to requesting the Secretary of the Navy to name the aircraft ZR85 to be stationed at the Sunnyvale air base, "Palo Alto."

WHEREAS, The federal Government proposes to acquire at Congress is to erect at Sunnyvale, California, a naval aircraft base at which will be stationed the Navy aircraft ZR85; and

WHEREAS, It is desirable that a name be selected for the aircraft ZR85 to be stationed at the said base, that will be typical of California and in harmony with the location of the base; and

WHEREAS, It is the opinion of the Legislature of the State of California that "Palo Alto" would be a fitting and proper name to carry out the sentiment heretofore expressed, now therefore, be it

Enacted by the Assembly and Senate, jointly, That the Secretary of the Navy is respectfully urged and requested to name the aircraft ZR85 to be stationed at the Sunnyvale aircraft base, "Palo Alto," and be it further

Enacted, That the Governor is respectfully requested to forward a copy of this resolution to the President of the United States, Vice President, Secretary of the Navy and to all Senators and Representatives of California in Congress.

Resolution read.

The question being on the adoption of the resolution.

The roll was called, and Assembly Joint Resolution No. 25 adopted by the following vote:

AYES—Senators Baker, Breed, Bush, Carter, Cassidy, Cleveland, Clark, Crittenberger, James, Jones, Edwards, Evans, Fellom, Hays, Inman, Jones, Maloney, McCormack, McKelvey, Mixer, Moran, Peckham, Roth, Ross, Rossiter, Schenck, Shinn, and Treacy—30.

NAES—None.

Assembly Joint Resolution No. 25 ordered transmitted to the Assembly.

Assembly Bill No. 779—An act to amend the title and sections 1, 2 and 7 of chapter 779, Statutes of 1929, entitled "An act to provide for the protection and preservation of shade and ornamental trees growing and to be grown upon the roads, highways, grounds and property within the State of California; and for the planting, care, protection and preservation of shade and ornamental trees, hedges, lawns, shrubs and flowers growing and to be grown in and upon such roads, highways, grounds and property; and to create county boards of forestry for such purposes; and to prescribe the duties and powers of such boards; and to authorize such boards to appoint county foresters; and to prescribe the duties and fix the compensation of county forester, and to empower such boards to enforce all laws and adopt and enforce any and all lawful and reasonable rules for the protection, planting, regulation, preservation, care and control of such shade and ornamental trees, hedges, lawns, shrubs and flowers," approved April 2^d 1929, as amended, relating to

protection from fire, diseases, pests, or any other dangers, of any nature, to the safety and encouragement of such growths.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Assembly Bill No. 799 passed by the following vote:

AYES—Senators Allen, Baker, Breed, Carter, Cassidy, Christian, Cleveland, Clock, Duval, Duval, Edwards, Evans, Harper, Hays, Inman, Maloney, McCormack, McKinley, Mixer, Moran, Pedrotti, Rich, Riley, Rochester, Schottky, Slater, Swing, and Treacy—28.

NOES—None.

Title read and approved.

Bill ordered transmitted to the Assembly.

Assembly Bill No. 1190—An act to add a new section to the Penal Code, to be numbered 396a, to regulate the operation of motor propelled boats in waters used by bathers.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Assembly Bill No. 1190 passed by the following vote:

AYES—Senators Allen, Baker, Breed, Carter, Cassidy, Cleveland, Clock, Crittenden, Duval, Duval, Edwards, Evans, Fellom, Hays, Inman, Maloney, McCormack, McKinley, Mixer, Moran, Pedrotti, Rich, Riley, Rochester, Schottky, Slater, Swing, and Williams—28.

NOES—None.

AMENDMENT TO TITLE.

The following amendment to the title of Assembly Bill No. 1190 was offered, and its adoption moved, by Senator McKinley.

AMENDMENT NUMBER ONE.

In line 3 of the title of the printed bill, after the word "bathers", strike out the period, and insert the following: "and adjacent to landings."

Amendment adopted.

Title, as amended, read and approved.

Bill ordered to print, and transmitted to the Assembly.

Assembly Bill No. 1539—An act granting certain tidelands and submerged lands of the State of California to the county of Santa Barbara in said State upon certain trusts and conditions.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Assembly Bill No. 1539 passed by the following vote:

AYES—Senators Allen, Baker, Breed, Bush, Carter, Cassidy, Clock, Crittenden, Duval, Duval, Edwards, Evans, Fellom, Harper, Hays, Inman, Maloney, McCormack, McKinley, Mixer, Moran, Pedrotti, Rich, Riley, Rochester, Schottky, Slater, Swing, Treacy, and Williams—30.

NOES—None.

Title read and approved.

Bill ordered transmitted to the Assembly.

Assembly Bill No. 238—An act to amend section 11 of an act entitled "An act to provide an institution for the confinement, cure, care, and rehabilitation of drug addicts to be known as the State Narcotic Hospital; to provide for the government and maintenance thereof; to provide for admission and commitment of such addicts, and to prescribe

penalties for unlawfully or improperly contriving to have persons adjudged drug addicts under this act; to provide penalties for procuring the escape, or aiding or advising in the escape of inmates, or concealing inmates thereof," approved April 9, 1927, relating to payment of expenses of persons committed to State Narcotic Hospital.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Assembly Bill No. 238 passed by the following vote:

AYES—Senators Baker, Breed, Bush, Carter, Cassidy, Cleveland, Clock, Crittenden, Deuel, Duval, Edwards, Evans, Harper, Hays, Inman, Maloney, Mixter, Morau, Pedrotti, Rich, Rochester, Schottky, Slater, Treacy, and Williams—25.

NOES—None.

Title read and approved.

Bill ordered transmitted to the Assembly.

Assembly Bill No. 239—An act to amend section 31 of an act entitled "An act to be known as the 'Pacific Colony Act,' to establish an institution for the care, confinement and instruction of feeble-minded and epileptic persons, to provide for government and maintenance thereof, and for the study of mental deficiency and related problems, to provide for admission and commitment to such institution and to prescribe penalty for unlawfully or improperly contriving to have persons adjudged feeble-minded under this act, to provide for the sterilization of inmates of such institution, to prescribe penalties for procuring the escape or aiding or advising in the escape of inmates or concealing inmates thereof, to provide a contingent fund for the use of such institution and to make an appropriation therefor," approved June 1, 1917, as amended, requiring counties to pay the State for the proper part of each month.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Assembly Bill No. 239 passed by the following vote:

AYES—Senators Allen, Baker, Breed, Bush, Cassidy, Cleveland, Clock, Crittenden, Deuel, Duval, Edwards, Evans, Harper, Hays, Maloney, Mixter, Moran, Pedrotti, Rich, Rochester, Schottky, Slater, Treacy, and Williams—24.

NOES—None.

Title read and approved.

Bill ordered transmitted to the Assembly.

Assembly Bill No. 240—An act to amend section 2167*b* of the Political Code, relating to the residence and cost of maintenance of psychopathic parole patients, and to add to the Political Code a new section to be designated section 2167*c* to provide for the admission of voluntary patients to the psychopathic hospital or ward maintained by the county, pursuant to section 2167, Political Code.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Assembly Bill No. 240 passed by the following vote:

AYES—Senators Allen, Breed, Bush, Cassidy, Christian, Cleveland, Clock, Crittenden, Deuel, Duval, Edwards, Evans, Fellom, Harper, Hays, Ingels, Maloney,

Mixter, Moran, Pedrotti, Rich, Rochester, Schottky, Slater, Treacy, and Williams—26.

NOES—None.

Title read and approved.

Bill ordered transmitted to the Assembly.

Assembly Bill No. 1222—An act to amend sections 664, 666, 667 and 669 of the Penal Code, relating to sentences and terms of imprisonment.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Assembly Bill No. 1222 passed by the following vote:

AYES—Senators Allen, Breed, Bush, Carter, Cassidy, Christian, Cleveland, Deuel, Duval, Edwards, Evans, Hays, Inman, Jones, Maloney, McCormack, Mixter, Moran, Pedrotti, Rich, Rochester, Slater, Treacy, and Williams—24.

NOES—None.

Title read and approved.

Bill ordered transmitted to the Assembly.

Assembly Bill No. 4—An act granting certain tidelands and submerged lands of the State of California to the city of Huntington Beach upon certain trusts and conditions.

Bill read third time.

MOTION TO REFER TO SPECIAL COMMITTEE OF ONE.

During third reading of the bill, Senator Inman moved to refer Assembly Bill No. 4 to Senator Jones, as a Special Committee of One, to amend as follows:

AMENDMENT NUMBER ONE.

On page 1, line 20, of the printed bill, strike out the period, and insert in lieu thereof the following: “; *provided, however,* that nothing contained herein shall be construed as granting to municipalities the right to lease tidelands or submerged lands for the purpose of production or of exploration for minerals, oil, gas or other hydrocarbon substances.”

AYES AND NOES DEMANDED.

A roll call was demanded by Senators Inman, Williams, and Fellom, on Senator Inman's motion to refer Assembly Bill No. 4 to Senator Jones, as a Special Committee of One, for amendment.

The roll was called, and Senator Inman's motion to refer Assembly Bill No. 4 to Senator Jones, as a Special Committee of One, for amendment, lost by the following vote:

AYES—Senators Fellom, Inman, Maloney, and Treacy—4.

NOES—Senators Allen, Bush, Carter, Cassidy, Christian, Cleveland, Clock, Crittenden, Deuel, Duval, Edwards, Evans, Harper, Hays, Ingels, McCormack, McKinley, Mixter, Moran, Pedrotti, Rich, Riley, Slater, Swing, and Williams—25.

The question being on the passage of the bill.

The roll was called, and Assembly Bill No. 4 passed by the following vote:

AYES—Senators Allen, Baker, Bush, Carter, Cassidy, Christian, Cleveland, Clock, Crittenden, Deuel, Duval, Edwards, Evans, Fellom, Harper, Hays, Ingels, Maloney, McCormack, McKinley, Mixter, Moran, Pedrotti, Rich, Riley, Slater, Swing, Treacy, and Williams—29.

NOES—None.

Title read and approved.

Bill ordered transmitted to the Assembly.

Assembly Bill No. 1690—An act to add a new section to the Penal Code, to be numbered 648a, relating to circulating slugs of the same dimension as United States coins.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Assembly Bill No. 1690 passed by the following vote:

AYES—Senators Allen, Bush, Carter, Cassidy, Christian, Cleveland, Clock, Crittenden, Deuel, Edwards, Evans, Fellom, Harper, Hays, Ingels, Inman, Jones, Maloney, McCormack, McKinley, Mixer, Moran, Pedrotti, Rich, Riley, Rochester, Slater, Swing, Treacy, Wagy, and Williams—31.

NOES—None.

Title read and approved.

Bill ordered transmitted to the Assembly.

Assembly Bill No. 761—An act creating a game refuge within a certain fish and game district in El Dorado County, providing for the protection thereof and providing penalties for violations of this act.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Assembly Bill No. 761 passed by the following vote:

AYES—Senators Allen, Breed, Bush, Cassidy, Christian, Cleveland, Clock, Crittenden, Deuel, Edwards, Evans, Fellom, Harper, Hays, Ingels, Inman, Maloney, McCormack, McKinley, Mixer, Moran, Pedrotti, Rich, Riley, Rochester, Schottky, Slater, Treacy, Wagy, and Williams—30.

NOES—None.

Title read and approved.

Bill ordered transmitted to the Assembly.

Assembly Bill No. 1195—An act to amend section 4 of an act entitled "An act to divide the State of California into fish and game districts and to repeal an act entitled 'An act to divide the State of California into fish and game districts and to repeal an act entitled "An act to divide the State of California into six fish and game districts," approved March 21, 1911, and all acts or parts of acts inconsistent herewith," approved May 15, 1915," approved May 28, 1917, as amended, relating to fish and game districts.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Assembly Bill No. 1195 passed by the following vote:

AYES—Senators Allen, Cassidy, Christian, Cleveland, Clock, Deuel, Duval, Edwards, Evans, Fellom, Harper, Hays, Ingels, Maloney, McCormack, McKinley, Mixer, Moran, Pedrotti, Riley, Rochester, Schottky, Slater, Treacy, Wagy, and Williams—26.

NOES—None.

Title read and approved.

Bill ordered transmitted to the Assembly.

Assembly Bill No. 735—An act to amend sections 2, 5, and 6 of chapter 550, Statutes of 1919, entitled "An act empowering the State Fish and Game Commission to collect statistical data of the commercial fisheries and to make investigations for the purpose of gaining knowledge for the conservation of the fisheries: providing a system for

obtaining an accurate record of each variety of fish caught; providing for the registration of fishing boats and their fishing equipment, and providing penalties for violations of this act," approved May 25, 1919, and to add a new section, to be numbered 4a, thereto, relating to commercial fisheries.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Assembly Bill No. 735 passed by the following vote:

AYES—Senators Allen, Cassidy, Christian, Cleveland, Clock, Deuel, Duval, Edwards, Evans, Harper, Hays, Ingels, Maloney, McCormack, McKinley, Mixer, Moran, Pedrotti, Rich, Riley, Rochester, Schottky, Slater, Wagy, and Williams—25.

NOES—None.

Title read and approved.

Bill ordered transmitted to the Assembly.

Assembly Bill No. 597—An act to regulate the importation and keeping of wild species of birds and animals and providing a penalty for the violation of the provisions hereof.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Assembly Bill No. 597 passed by the following vote:

AYES—Senators Allen, Breed, Cassidy, Christian, Cleveland, Deuel, Duval, Edwards, Evans, Harper, Ingels, Maloney, McCormack, McKinley, Mixer, Moran, Pedrotti, Rich, Rochester, Schottky, Slater, Wagy, and Williams—23.

NOES—None.

Title read and approved.

Bill ordered transmitted to the Assembly.

Assembly Bill No. 909—An act to add a new section to the Political Code to be numbered 3236, relating to preference on public contracts and furnishing supplies.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Assembly Bill No. 909 passed by the following vote:

AYES—Senators Allen, Baker, Breed, Cassidy, Christian, Cleveland, Edwards, Evans, Fellom, Harper, Ingels, Maloney, McCormack, McKinley, Mixer, Moran, Pedrotti, Rich, Rochester, Schottky, Slater, and Wagy—22.

NOES—None.

Title read and approved.

Bill ordered transmitted to the Assembly.

Assembly Bill No. 1059—An act to amend section 7 of chapter 21, Statutes of 1883, entitled "An act to establish and support a Bureau of Labor Statistics," approved March 3, 1883, as amended, relating to the powers and duties of the commissioner and providing penalties for violation of the said section.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Assembly Bill No. 1059 passed by the following vote:

AYES—Senators Allen, Baker, Breed, Cassidy, Christian, Cleveland, Duval, Edwards, Evans, Fellom, Harper, Ingels, Maloney, McCormack, McKinley, Mixer,

Moran, Pedrotti, Rich, Rochester, Schottky, Slater, Wagy, and Williams—24.
NOES—None.

Title read and approved.

Bill ordered transmitted to the Assembly.

Assembly Bill No. 200—An act to amend sections 7, 7a and 7b of an act entitled "An act authorizing the establishment of municipal courts, prescribing their constitution, regulation, government, procedure and jurisdiction, and providing for the election and appointment of the judges, clerks and other attaches of such courts, their terms of office, qualification and compensation and for the selection of jurors therein," approved May 23, 1925, as amended, relating to the organization of municipal courts in cities or cities and counties of the first and one-half class; to provide for the number of judges, clerks, marshals and other officers and attaches of such municipal courts and their deputies; to fix the compensation therefor.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Assembly Bill No. 200 passed by the following vote:

AYES—Senators Allen, Baker, Breed, Cassidy, Christian, Cleveland, Duval, Edwards, Evans, Fellom, Harper, Hays, Ingels, Inman, Maloney, McCormack, McKinley, Mixer, Moran, Pedrotti, Rich, Rochester, Schottky, Sharkey, Slater, Wagy, and Williams—27.

NOES—None.

Title read and approved.

Bill ordered transmitted to the Assembly.

Assembly Bill No. 1110—An act repealing article XIX of chapter 3 of title 1 of part III of the Political Code, embracing sections 695 to 715, inclusive, and relating to the continuance in effect of certain acts mentioned in said article.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Assembly Bill No. 1110 passed by the following vote:

AYES—Senators Allen, Baker, Breed, Cassidy, Christian, Cleveland, Edwards, Evans, Fellom, Harper, Hays, Ingels, Inman, Maloney, McCormack, McKinley, Mixer, Moran, Pedrotti, Rich, Schottky, Sharkey, Slater, Wagy, and Williams—25.

NOES—None.

Title read and approved.

Bill ordered transmitted to the Assembly.

Assembly Bill No. 1214—An act to repeal "An act authorizing and empowering the Department of Natural Resources to acquire tax-deeded lands for the use of said department and making an appropriation therefor," approved June 4, 1929, relating to the acquisition of tax-deeded lands.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Assembly Bill No. 1214 passed by the following vote:

AYES—Senators Allen, Baker, Breed, Cassidy, Christian, Cleveland, Edwards, Evans, Fellom, Harper, Hays, Ingels, Inman, Maloney, McKinley, Mixter, Moran, Pedrotti, Rich, Rochester, Schottky, Slater, Wagy, and Williams—24.

NOES—None.

Title read and approved.

Bill ordered transmitted to the Assembly.

Assembly Bill No. 531—An act authorizing the Director of the Department of Finance to lease certain lands situated in Siskiyou County.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Assembly Bill No. 531 passed by the following vote:

AYES—Senators Allen, Baker, Breed, Bush, Cassidy, Christian, Cleveland, Edwards, Evans, Fellom, Harper, Hays, Ingels, Inman, Maloney, McKinley, Mixter, Moran, Pedrotti, Rich, Rochester, Schottky, Sharkey, Slater, Treacy, Wagy, and Williams—27.

NOES—None.

Title read and approved.

Bill ordered transmitted to the Assembly.

Assembly Bill No. 776—An act to adopt the California valley quail as the official State bird and avifaunal emblem of this State.

Bill read third time.

The question being on the passage of the bill.

The roll was called.

CALL OF THE SENATE.

Pending the announcement of the vote, Senator Breed moved a call of the Senate.

Motion carried.

The Secretary was directed to call the roll.

The roll was called, and the following answered to their names:

Senators Allen, Baker, Breed, Carter, Christian, Cleveland, Edwards, Evans, Fellom, Harper, Hays, Inman, Maloney, McKinley, Mixter, Moran, Pedrotti, Rich, Riley, Rochester, Schottky, Sharkey, Slater, Treacy, Wagy, and Williams—26.

The Secretary announced the absentees.

Time, four o'clock and twenty-five minutes p.m.

The President directed the Sergeant-at-Arms to close the doors.

The Sergeant-at-Arms, having been furnished with the names of the absentees, was directed to bring them to the bar of the Senate.

PROCEEDINGS UNDER CALL OF THE SENATE.

Assembly Bill No. 1746—An act to amend section 1 of an act entitled "An act to establish a Legislative Counsel Bureau and making an appropriation therefor," approved May 23, 1913, as amended, relating to the Legislative Counsel of California.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Assembly Bill No. 1746 passed by the following vote:

AYES—Senators Allen, Baker, Breed, Cassidy, Cleveland, Clock, Deuel, Edwards, Evans, Fellom, Harper, Hays, Inman, Maloney, McKinley, Mixter, Moran, Pedrotti, Rich, Riley, Rochester, Schottky, Sharkey, Slater, Treacy, Wagy, and Williams—27.
NOES—None.

Title read and approved.

Bill ordered transmitted to the Assembly.

Assembly Bill No. 548—An act to amend section 453a and section 462 of the Political Code, relating to funds in the State Treasury, and to provide for the transfer of special deposits made to the general fund.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Assembly Bill No. 548 passed by the following vote:

AYES—Senators Allen, Baker, Breed, Carter, Cassidy, Christian, Cleveland, Clock, Deuel, Duval, Edwards, Evans, Harper, Hays, Ingels, Inman, Jones, McCormack, McKinley, Mixter, Moran, Pedrotti, Rich, Riley, Rochester, Schottky, Sharkey, Slater, Treacy, Wagy, and Williams—31.
NOES—None.

Title read and approved.

Bill ordered transmitted to the Assembly.

FURTHER PROCEEDINGS UNDER CALL OF THE SENATE DISPENSED WITH.

At four o'clock and thirty-five minutes p.m., further proceedings under the call of the Senate were dispensed with, on motion of Senator Breed.

The Secretary was directed to call the roll.

The roll was called, and Assembly Bill No. 776 passed by the following vote:

AYES—Senators Allen, Baker, Breed, Carter, Cassidy, Clock, Deuel, Duval, Edwards, Evans, Harper, Ingels, Inman, Jones, Maloney, McCormack, McKinley, Mixter, Moran, Pedrotti, Riley, Schottky, Sharkey, Slater, Wagy, and Williams—26.
NOES—Senators Christian, Cleveland, Fellom, Hays, Rich, Rochester, and Treacy—7.

NOTICE OF MOTION TO RECONSIDER.

Senator Moran gave notice that on the next legislative day he would move to reconsider the vote by which Assembly Bill No. 776 was passed.

Assembly Bill No. 1242—An act to amend section 2 of chapter 213, Statutes of 1901, entitled "An act to create a State Board of Accountancy and prescribe its duties and powers; to provide for the examination of and issuance of certificates to qualified applicants, with the designation of certified public accountant; and to provide the grade of penalty for violations of the provisions hereof," approved March 23, 1901, as amended, relating to the State Board of Accountancy and the powers and duties thereof.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Assembly Bill No. 1242 passed by the following vote:

AYES—Senators Allen, Baker, Breed, Cleveland, Clock, Deuel, Duval, Edwards, Evans, Fellom, Harper, Hays, Ingels, Inman, Jones, McCormack, McKinley, Mixter,

Moran, Pedrotti, Rich, Riley, Schottky, Sharkey, Slater, Treacy, Wagy, and Williams—28.

NOES—None.

Title read and approved.

Bill ordered transmitted to the Assembly.

Assembly Bill No. 1682—An act to amend sections 8 and 10 of chapter 323, Statutes 1927, entitled "An act to insure the better education of practitioners of veterinary medicine, and to regulate the practice of veterinary medicine in the State of California, to provide for the creation of a board of five members who shall act under and in accordance with the provisions of this act; to provide for their appointment and define their powers, duties and compensation, to define offenses committed by acts done contrary to the provisions of this act, and providing penalties for the violation thereof; providing for the revocation or suspension, in certain cases, of licenses issued hereunder, and to repeal an act entitled 'An act to regulate the practice of veterinary medicine and surgery in the State of California,' approved March 23, 1893, and all other acts and parts of acts in conflict herewith," approved May 5, 1927, relating to license fees.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Assembly Bill No. 1682 passed by the following vote:

AYES—Senators Allen, Baker, Breed, Carter, Cassidy, Cleveland, Clock, Deuel, Duval, Edwards, Evans, Fellom, Harper, Hays, Ingels, Inman, Maloney, McCormack, McKinley, Mixer, Moran, Pedrotti, Rich, Riley, Schottky, Sharkey, Slater, Treacy, Wagy, and Williams—30.

NOES—None.

Title read and approved.

Bill ordered transmitted to the Assembly.

Assembly Bill No. 1899—An act authorizing and directing the Director of Education, with the approval of the Director of Finance, to grant to the Central Pacific Railway Company certain lands belonging to the State of California situated in Siskiyou County; and to repeal an act entitled "An act authorizing the State Department of Education, with the approval of the State Board of Control, to grant to the California Highway Commission certain lands belonging to the State of California situated in Siskiyou County," approved June 3, 1927.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Assembly Bill No. 1899 passed by the following vote:

AYES—Senators Allen, Baker, Breed, Carter, Cleveland, Clock, Deuel, Duval, Edwards, Evans, Harper, Hays, Ingels, Inman, Maloney, McCormack, McKinley, Mixer, Moran, Pedrotti, Rich, Riley, Schottky, Slater, Treacy, and Williams—26.

NOES—None.

Title read and approved.

Bill ordered transmitted to the Assembly.

Assembly Bill No. 1124—An act to amend sections 3, 4, 5, 6, 8, 9, 10, and 12 of chapter 612 of the Statutes of 1911, entitled "An act relating

to lakes and streams, the waters of which contain minerals in commercial quantities; withdrawing State lands within the meander lines thereof from sale; prescribing conditions for taking such minerals from said waters and lands, and providing for the leasing of lands uncovered by the recession of the waters of such lakes and streams," approved April 27, 1911.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Assembly Bill No. 1124 passed by the following vote:

AYES—Senators Allen, Baker, Breed, Carter, Cassidy, Christian, Cleveland, Clock, Duval, Duval, Edwards, Evans, Felton, Harper, Hays, Inman, Maloney, McCormack, McKinley, Mixer, Moran, Pedrotti, Rich, Riley, Schottky, Slater, Treacy, and Williams—28.

NOES—None.

Title read and approved.

Bill ordered transmitted to the Assembly.

Assembly Bill No. 1168—An act to amend sections 6.260, 6.262, 6.264 and 6.523 of, and to add sections 2.1223 and 6.561½ to the School Code, relating to the public school system.

Bill read third time.

MOTION TO REFER TO SPECIAL COMMITTEE OF ONE.

During third reading of the bill, Senator Inman moved to refer Assembly Bill No. 1168 to Senator Sharkey, as a Special Committee of One, to amend as follows:

AMENDMENT NUMBER ONE.

Strike out line 2 of the title of the printed bill, and insert in lieu thereof the following: "to add sections 2.1223, 6.274, 6.275, 6.276 and 6.561½ to the School Code,".

AMENDMENT NUMBER TWO.

On page 2 of the printed bill, strike out lines 3 to 9, inclusive, and insert in lieu thereof the following:

"6.260. The state board of education shall adopt and may cause to be published by the superintendent of state printing, one or more textbooks and teachers manuals, as it may deem necessary, in each of the studies prescribed for the elementary schools of this state, or it shall adopt and may cause to be published by the superintendent of state printing two or more textbooks and teachers manuals, as it may deem necessary, in each of the studies prescribed for the elementary schools of this state, wherein any book to supplement the basic text is used. The studies above mentioned shall not include morals and manners and art, for each of which a teachers manual may be adopted. Nothing in this".

AMENDMENT NUMBER THREE.

On page 3 of the printed bill, after line 5 thereof, insert the following:

"SEC. 7. A new section is hereby added to the School Code, to be numbered 6.274, and to read as follows:

6.274. The state board of education, before purchasing textbooks from any source other than the superintendent of state printing must file with the department of finance a statement showing: (1) the price which will be paid for the books; (2) the cause preventing its production by the superintendent of state printing; (3) evidence that will support the fact that the publisher actually refused to lease copyright matter, if such refusal is assigned as a cause preventing the production of the book by the state printer; and (4) the particular advantages of the textbook proposed to be purchased as compared generally with other textbooks on the same subject.

SEC. 8. A new section is hereby added to the School Code, to be numbered 6.275, and to read as follows:

6.275. Whenever the state board of education files a statement such as is described in the last section the superintendent of state printing may also file with the department of finance a statement showing the names of textbooks which he is able to publish, the cost of publishing the same, the names of their authors, and, if they have been published previously, the names of their publishers.

SEC. 9. A new section is hereby added to the School Code, to be numbered 6.276, and to read as follows:

6.276. The information contained in the statements described in the two preceding sections shall be open and available to the public."

Motion carried.

REPORT OF SPECIAL COMMITTEE OF ONE.

SENATE CHAMBER, SACRAMENTO, May 12, 1931.

MR. PRESIDENT: Your Special Committee of One, to which was referred Assembly Bill No. 1168, with instructions to amend, respectfully reports the same back, amended as per instructions.

SHARKEY, Committee.

Report read, and on motion of Senator Inman adopted.

Bill ordered to print.

Assembly Bill No. 1665—An act to amend section 2.446 of the School Code, relating to a change of boundaries as a consequence of two or more school districts forming a union or joint union district.

Bill read third time.

MOTION TO REFER TO SPECIAL COMMITTEE OF ONE.

During third reading of the bill, Senator Ingels moved to refer Assembly Bill No. 1665 to Senator Hays, as a Special Committee of One, to amend as follows:

AMENDMENT NUMBER ONE.

In line 11 of the printed bill, following the word "union", in said line, insert the word "elementary".

AMENDMENT NUMBER TWO.

In line 11 of the printed bill, following the word "district", in said line, insert the following: "or the annexation of an elementary school district to a union or joint union elementary school district".

Motion carried.

REPORT OF SPECIAL COMMITTEE OF ONE.

SENATE CHAMBER, SACRAMENTO, May 11, 1931.

MR. PRESIDENT: Your Special Committee of One, to which was referred Assembly Bill No. 1665, with instructions to amend, respectfully reports the same back, amended as per instructions.

HAYS, Committee.

Report read, and on motion of Senator Ingels adopted.

Bill ordered to print.

Assembly Bill No. 1683—An act to amend sections 3 and 7 of chapter 598, Statutes 1913, entitled "An act to regulate the practice of optometry; to provide for the appointment of a Board of Optometry, define its duties and powers and prescribing a penalty for the violation of this act," approved June 16, 1913, relating to the term of office, renewal period and disposition of fees.

Bill read third time.

MOTION TO REFER TO SPECIAL COMMITTEE OF ONE.

During third reading of the bill, Senator Christian moved to refer Assembly Bill No. 1683 to Senator Cleveland, as a Special Committee of One, to amend as follows:

AMENDMENT NUMBER ONE.

On page 1, line 12, of the printed bill, strike out "Each", and insert in lieu thereof the following: "Except as herein provided, each".

AMENDMENT NUMBER TWO.

On page 1 of the printed bill, strike out lines 14 to 21, inclusive, and insert in lieu thereof the following: "appointed and qualified. The terms of the members of the board in office when this amendment takes effect shall expire as follows: one member, September 15, 1931; one member, January 15, 1933; one member, January 15, 1934. The members on such board when this amendment takes effect shall determine by lot the order of expiration of their terms. The term commencing September 15, 1931, shall expire January 15, 1935. Vacancies occurring under the provisions of this section shall be filled by appointment for the unexpired term. No person shall".

Motion carried.

REPORT OF SPECIAL COMMITTEE OF ONE.

SENATE CHAMBER, SACRAMENTO, May 12, 1931.

MR. PRESIDENT: Your Special Committee of One, to which was referred Assembly Bill No. 1683, with instructions to amend, respectfully reports the same back, amended as per instructions.

CLEVELAND, Committee.

Report read, and on motion of Senator Christian adopted.
Bill ordered to print.

Assembly Bill No. 397—An act to add two new sections to be numbered 865 and 1532½ to the Probate Code, relating to dedication of real property for street or highway purposes by executors, administrators and guardians.

Bill read third time.

MOTION TO REFER TO SPECIAL COMMITTEE OF ONE.

During third reading of the bill, Senator McKinley moved to refer Assembly Bill No. 397 to Senator Edwards, as a Special Committee of One, to amend as follows:

AMENDMENT NUMBER ONE.

In line 1 of the title of the printed bill, as amended May 6, 1931, strike out "865 and 1532½", and insert in lieu thereof "587 and 1515".

AMENDMENT NUMBER TWO.

On page 1, line 1, of the printed amended bill, strike out the numerals "865", and insert in lieu thereof "587".

AMENDMENT NUMBER THREE.

On page 1, line 3, of the printed amended bill, strike out the numerals "865", and insert in lieu thereof "587".

AMENDMENT NUMBER FOUR.

On page 1, line 14, of the printed amended bill, strike out the numerals "1532½", and insert in lieu thereof "1515".

AMENDMENT NUMBER FIVE.

On page 1, line 16, of the printed amended bill, strike out the numerals "1532½", and insert in lieu thereof "1515".

Motion carried.

REPORT OF SPECIAL COMMITTEE OF ONE.

SENATE CHAMBER, SACRAMENTO, May 12, 1931.

MR. PRESIDENT: Your Special Committee of One, to which was referred Assembly Bill No. 397, with instructions to amend, respectfully reports the same back, amended as per instructions.

EDWARDS, Committee.

Report read, and on motion of Senator McKinley adopted.
Bill ordered to print.

Assembly Bill No. 426—An act to add section 7½ to chapter 763, Statutes of 1927, entitled "An act to provide that the Department of

Natural Resources, through the State Park Commission, shall have control of the State park system; to establish and define the State park system; to define certain powers and duties of the State Park Commissioner; to make an appropriation for carrying out the purposes of this act; and to establish a contingent fund and a revolving fund," approved May 25, 1927, relating to the Seashore Parks Fund, creating the same and providing for its use.

Bill read third time.

MOTION TO REFER TO SPECIAL COMMITTEE OF ONE.

During third reading of the bill, Senator Duval moved to refer Assembly Bill No. 426 to Senator McCormack, as a Special Committee of One, to amend as follows:

AMENDMENT NUMBER ONE.

On page 2, line 12, of the printed bill, strike out "half", and insert in lieu thereof the following: "quarter".

Motion carried.

REPORT OF SPECIAL COMMITTEE OF ONE.

SENATE CHAMBER, SACRAMENTO, May 12, 1931.

MR. PRESIDENT: Your Special Committee of One, to which was referred Senate Bill No. 426, with instructions to amend, respectfully reports the same back, amended as per instructions.

MCCORMACK, Committee.

Report read, and on motion of Senator Duval adopted.

Bill ordered to print.

Assembly Bill No. 1126—An act to amend sections 4 and 6 of chapter 493, Statutes of 1917, entitled "An act providing for the leasing of certain State lands and making an appropriation for the purposes of this act," approved May 17, 1917, relating to the termination of leases on State lands.

Bill read third time.

MOTION TO REFER TO SPECIAL COMMITTEE OF ONE.

During third reading of the bill, Senator Edwards moved to refer Assembly Bill No. 1126 to Senator McKinley, as a Special Committee of One, to amend as follows:

AMENDMENT NUMBER ONE.

In line 5 of the title of the printed bill, after the word "lands", insert "and to add new sections thereto to be known as section 4a and 10, authorizing the correction of errors and the amendment of descriptions and applying the provisions hereof to certain lands".

AMENDMENT NUMBER TWO.

On page 1 of the printed bill, after line 26, insert the following:

"SEC. 2. A new section to be known as section 4a is hereby added to said act to read as follows:

Sec. 4a. Any error in the description of any lease may with the consent of the holder thereof be corrected or any description amended by the surveyor general or chief of the division of state lands when in his judgment it is to the best interests of the state so to do."

AMENDMENT NUMBER THREE.

On page 2, line 1, of the printed bill, change "2", to "3".

AMENDMENT NUMBER FOUR.

On page 2 of the printed bill, after line 21, add the following:

"SEC. 4. A new section to be known as section 10 is hereby added to said act to read as follows:

Sec. 10. The provisions hereof shall also apply to all lands of the state other than school lands and the term leases shall include permits or licenses but nothing

herein contained shall authorize the granting of any permits or leases on the tide or submerged lands of the state or upon any river bed or lake bed belonging thereto."

Motion carried.

REPORT OF SPECIAL COMMITTEE OF ONE.

SENATE CHAMBER, SACRAMENTO, May 12, 1931.

MR. PRESIDENT: Your Special Committee of One, to which was referred Assembly Bill No. 1126, with instructions to amend, respectfully reports the same back, amended as per instructions.

McKINLEY, Committee.

Report read, and on motion of Senator Edwards adopted.

Bill ordered to print.

MESSAGES FROM THE ASSEMBLY.

The following messages from the Assembly were received and read:

ASSEMBLY CHAMBER, SACRAMENTO, May 12, 1931.

MR. PRESIDENT: I am directed to inform your honorable body that the Assembly on this day passed the following, under provisions of Assembly Rule No. 43:

Assembly Bill No. 1442—An act to add a new section numbered 55½ to and to amend sections 4, 6, 7, 12, 23, 28, 30, 40, 47, 55, 58, and 68, and to repeal sections 17 and 70 of an act entitled "An act to divide the State of California into fish and game districts and to repeal an act entitled 'An act to divide the State of California into fish and game districts and to repeal an act entitled 'An act to divide the State of California into six fish and game districts,' approved March 21, 1911, and all acts or parts of acts inconsistent herewith," approved May 19, 1915, as amended."

Also: Assembly Bill No. 1314—An act amending section 7 of an act entitled "An act providing for the formation, government and operation of harbor districts for the improvement or development of harbors, the calling and conducting of elections in such districts, the issuance and disposal of the bonds thereof, and the assessment and levy of taxes for the payment of such bonds, principal and interest, and for the ordinary expenses of such districts;

Also: Assembly Bill No. 1388—An act to add a new section, to be numbered 110a, to the Code of Civil Procedure, relating to salaries of justices of the peace in townships of 30,000 population or more in counties of the first class, and the determination of such population.

ARTHUR A. OHNIMUS, Chief Clerk.

By A. W. ENGELKE, Assistant Clerk.

Assembly Bill No. 1442 read first time, and referred to Committee on Fish and Game.

Assembly Bill No. 1314 read first time, and referred to Committee on Commerce and Navigation.

Assembly Bill No. 1388 read first time, and referred to Committee on Judiciary.

Also:

ASSEMBLY CHAMBER, SACRAMENTO, May 12, 1931.

MR. PRESIDENT: I am directed to inform your honorable body that the Assembly on this day concurred in Senate amendments to Assembly Bill No. 804—An act to add a new section to the School Code to be numbered 2657 and to repeal section 2630 thereof, both relating to the annexation of elementary school districts to high school districts:

Also: Assembly Bill No. 713—An act to add a new section to the Civil Code to be numbered 2016, defining the liability of the master to his servant when requiring such servant to wear a uniform or special dress in performing the duties of the employment;

Also: Assembly Bill No. 786—An act to amend section 5 of an act entitled "An act creating a game refuge to be known as the Huntington Lake Game Refuge providing for the conservation and protection of game within such district, and providing penalties for violation of the act," approved April 7, 1931, relating to the disposition of fines collected for violation of the act.

ARTHUR A. OHNIMUS, Chief Clerk.

By A. W. ENGELKE, Assistant Clerk.

Also:

ASSEMBLY CHAMBER, SACRAMENTO, May 12, 1931.

MR. PRESIDENT: I am directed to inform your honorable body that the Assembly on this day concurred in Senate amendments to Assembly Bill No. 1901—An act to provide for the creation, organization, and government of port districts; to enumer-

ate the powers thereof; to authorize the incurring of indebtedness, the issuance of bonds and the levy and collection of taxes by such district; to authorize municipal corporations in such districts to surrender and transfer certain municipal powers and to grant certain municipal property to such districts for the purpose of carrying out the objects and purposes of this act;

Also: Assembly Bill No. 936—An act to amend sections 788 and 878 of an act entitled "An act to provide for the organization, incorporation and government of municipal corporations," approved March 13, 1883, as amended, relating to the cities of the fifth and sixth classes;

Also: Assembly Bill No. 8—An act to amend section 1946 of the Civil Code, relating to the hiring of real property;

Also: Assembly Bill No. 682—An act to amend section 12 of an act entitled "An act to accept from the Veterans' Home Association the conveyance of, and to vest the title in the State of California to, the tract of land in Napa County known as the Veterans' Home, with the improvements and furnishings thereon, to make the same a State Home for United States Soldiers, Sailors and Marines, and to provide for the government thereof by the State," approved March 11, 1897, as amended;

Also: Assembly Bill No. 817—An act to amend section 2 of, and to add section 7a to, the Veterans' Farm and Home Purchase Act, approved May 30, 1921, as amended, relating to farm and home aid for veterans and their widows.

ARTHUR A. OHNIMUS, Chief Clerk.

By A. W. ENGELKE, Assistant Clerk.

Also:

ASSEMBLY CHAMBER, SACRAMENTO, May 12, 1931.

MR. PRESIDENT: I am directed to inform your honorable body that the Assembly on this day concurred in Senate amendments to Assembly Bill No. 1867—An act to amend section 5 of chapter 791, Statutes of 1929, entitled "An act providing for the registration of contractors, and defining the term contractor; providing the method of obtaining licenses to engage in the business of contracting, and fixing the fees for such licenses; providing the method of suspension and cancellation of such licenses; and prescribing the punishment for violation of the provisions of this act," approved June 13, 1929, relating to the licensing of contractors, and providing that this act shall take effect immediately;

Also: Assembly Bill No. 1322—An act to add a new section to be numbered 9a23 to the act entitled "An act to provide for the establishment and maintenance of county free libraries in the State of California, and repealing 'An act entitled "An act to provide county library systems," approved April 12, 1909, and all acts and parts of acts in conflict with this act," approved February 25, 1911, as amended, relating to libraries in counties of the twenty-third class;

Also: Assembly Bill No. 362—An act to amend section 4252 of the Political Code, relating to compensation of county officers and employees in counties of the twenty-third class;

Also: Assembly Bill No. 1095—An act to amend sections 2, 3, 4, 5, and add a new section to be known as section 6½ of the Pure Milk Law of California, approved June 3, 1927;

Also: Assembly Bill No. 1320—An act to amend section 16a23 of the Weights and Measures Act, relating to sealers of weights and measures in counties of the twenty-third class.

ARTHUR A. OHNIMUS, Chief Clerk.

By A. W. ENGELKE, Assistant Clerk.

Also:

ASSEMBLY CHAMBER, SACRAMENTO, May 12, 1931.

MR. PRESIDENT: I am directed to inform your honorable body that the Assembly on this day concurred in Senate amendments to Assembly Bill No. 950—An act to amend section 5.1043 of the School Code, relating to the payment of contributions to the Public School Teachers Permanent Fund;

Also: Assembly Bill No. 1026—An act to amend sections 1206, 1207 and 1208 of the Code of Civil Procedure, relating to preferred labor claims, raising the preference in claims under attachments, garnishments and executions to not exceeding \$200 for each worker for work done within 90 days prior to the levy and providing procedure for the enforcement of such claims;

Also: Assembly Bill No. 1025—An act to amend sections 950 and 951 of the Probate Code, relating to preferred labor claims, raising the preference in claims against the estate of deceased persons to not exceeding \$200 for each worker for work done within 90 days prior to such death and providing procedure for the enforcement of such claim;

Also: Assembly Bill No. 1024—An act to amend section 1204 of the Code of Civil Procedure, relating to preferred labor claims, raising the preference under assignments for the benefit of creditors and receiverships to not exceeding \$200 for each worker for work done within 90 days and providing procedure for the enforcement of such claims;

Also: Assembly Bill No. 1023—An act to amend sections 653bb, 653cc, 653hh, 653ii, 653jj, 653kk, 653mm, 653qq, 653tt and 653vv of title XXIII of part IV of division I of the Civil Code of the State of California, relating to nonprofit cooperative marketing associations, and to add to said title XXIII new sections to be known as section 653hh (1), section 653hh (2) and section 653yy of the Civil Code of the State of California.

ARTHUR A. OHNIMUS, Chief Clerk.
By A. W. ENGELKE, Assistant Clerk.

Also:

ASSEMBLY CHAMBER, SACRAMENTO, May 12, 1931.

MR. PRESIDENT: I am directed to inform your honorable body that the Assembly on this day adopted Senate Constitutional Amendment No. 3—A resolution to propose to the people of the State of California an amendment to section 1 of article IV of the constitution of said State, relating to the submission of drafts of initiative and referendum measures to the Attorney General, and to the filing of initiative or referendum petition;

Also: Senate Constitutional Amendment No. 6—A resolution to propose to the people of the State of California an amendment to the constitution of said State by amending section 1½ of article XIII, relating to exemptions of property on account of military service.

ARTHUR A. OHNIMUS, Chief Clerk.
By A. W. ENGELKE, Assistant Clerk.

Senate Constitutional Amendments Nos. 3 and 6 ordered to enrollment.

Also:

ASSEMBLY CHAMBER, SACRAMENTO, May 12, 1931.

MR. PRESIDENT: I am directed to inform your honorable body that the Assembly on May 11, 1931, passed Senate Bill No. 692—An act to amend sections 2, 5, 6, and 8 of an act entitled "An act to regulate the sale and issuance of licenses to hunt, take, pursue, or kill wild birds or mammals, and or to angle for, take, catch or kill game fishes for purposes other than sale or profit in order to provide revenue therefrom for fish and game preservation, protection and restoration; defining game fishes; providing a penalty for the violation of this act and repealing all acts and parts of acts inconsistent or in conflict with this act," relating to the issuing of, accounting for, compensation for issuing, duration of, and mode of applying for hunting and fishing licenses and the definition of game fishes.

ARTHUR A. OHNIMUS, Chief Clerk.
By A. W. ENGELKE, Assistant Clerk.

Senate Bill No. 692 ordered to enrollment.

Also:

ASSEMBLY CHAMBER, SACRAMENTO, May 12, 1931.

MR. PRESIDENT: I am directed to inform your honorable body that the Assembly on this day adopted Senate Concurrent Resolution No. 38—Providing for the appointment of a joint committee on water resources.

ARTHUR A. OHNIMUS, Chief Clerk.
By A. W. ENGELKE, Assistant Clerk.

Senate Concurrent Resolution No. 38 ordered to enrollment.

REPORTS OF STANDING COMMITTEES.

The following reports of standing committees were received and read:

ON JUDICIARY.

SENATE CHAMBER, SACRAMENTO, May 12, 1931.

MR. PRESIDENT: Your Committee on Judiciary, to which was referred Assembly Bill No. 1547—An act amending section 4021a of the Political Code and adding sections 4021b, 4021c, 4021d, 4021e, 4021f, 4021g, 4021h, 4021i, 4021j, 4021k, 4021l, 4021m, 4021n, 4021o, 4021p, 4021q and 4021r, relating to the recall of county officers—has had the same under consideration, and respectfully reports the same back, and recommends that it be re-referred to the Committee on Elections.

Committee membership—17; committee vote: Ayes—17.

CHRISTIAN, Chairman.

Assembly Bill No. 1547 ordered re-referred to Committee on Elections.

Also:

MR. PRESIDENT: Your Committee on Judiciary, to which was referred Assembly Bill No. 319—An act defining runners and cappers and prohibiting the solicitation of business by runners and cappers for attorneys at law; providing that contracts secured by them shall be void, and providing penalties for any violation of this act;

Also: Assembly Bill No. 1080—An act to amend section 1033 of the Code of Civil Procedure, relating to the filing of and affidavit to bill of costs;

Also: Assembly Bill No. 1288—An act to revise title XII of part IV of division I of the Civil Code, embracing sections 593 to 606, inclusive, relating to nonprofit corporations;

Also: Assembly Bill No. 1173—An act to amend section 631 of the Code of Civil Procedure, relating to waiver of trial by jury;

Also: Assembly Bill No. 1941—An act to amend section 2290 of the Political Code, relating to children of parents who have been committed to a State hospital or to prison;

Has had the same under consideration, and respectfully reports the same back, and recommends that they do pass.

Committee membership—17; committee vote: Ayes—15; absent—2.

CHRISTIAN, Chairman.

Assembly Bills Nos. 319, 1080, 1288, 1173 and 1941 ordered on file for second reading.

Also:

MR. PRESIDENT: Your Committee on Judiciary, to which was referred Assembly Bill No. 542—An act to amend section 2924 of the Civil Code, relating to making certain transfers a mortgage and defining the manner in which a power of sale contained in a mortgage or deed of trust may be exercised, and to add a new section thereto to be numbered 2924b, relating to sales under mortgages, deeds of trust and other transfers of interest in property—has had the same under consideration, and respectfully reports the same back with amendments, and recommends that the amendments be adopted and that it do pass as amended.

Committee membership—17; committee vote: Ayes—9; noes—3; absent—5.

CHRISTIAN, Chairman.

Assembly Bill No. 542 ordered on file for second reading.

Also:

MR. PRESIDENT: Your Committee on Judiciary, to which was referred Assembly Bill No. 17—An act to add section 189 to the Code of Civil Procedure, relating to justices' court records, papers, and exhibits—has had the same under consideration, and respectfully reports the same back, and recommends that it do pass.

Committee membership—17; committee vote: Ayes—8; noes—3; absent—6.

CHRISTIAN, Chairman.

Assembly Bill No. 17 ordered on file for second reading.

Also:

MR. PRESIDENT: Your Committee on Judiciary, to which was referred Assembly Bill No. 771—An act to amend sections 24 and 38 of the State Bar Act, relating to the admission of applicants—has had the same under consideration, and respectfully reports the same back with amendments, and recommends that the amendments be adopted, and that it do pass as amended.

Committee membership—17; committee vote: Ayes—9; noes—3; absent—5.

CHRISTIAN, Chairman.

Assembly Bill No. 771 ordered on file for second reading.

Also:

MR. PRESIDENT: Your Committee on Judiciary, to which was referred Assembly Bill No. 1301—An act permitting persons, firms and certain corporations to furnish information and clerical services relating to corporate organization, qualification, maintenance and/or administration to persons lawfully engaged in the practice of law—has had the same under consideration, and respectfully reports the same back with amendments, and recommends that the amendments be adopted, and the bill be re-referred to this committee.

Committee membership—17; committee vote: Ayes—17.

CHRISTIAN, Chairman.

SECOND READING OF ASSEMBLY BILL NUMBER ONE THOUSAND THREE
HUNDRED ONE.

Assembly Bill No. 1301—An act permitting persons, firms and certain corporations to furnish information and clerical services relating to corporate organization, qualification, maintenance and/or administration to persons lawfully engaged in the practice of law.

COMMITTEE AMENDMENTS.

During the second reading of the bill, the following committee amendments were offered:

AMENDMENT NUMBER ONE.

Strike out all of the title of the printed bill, and insert in lieu thereof the following:

"An act to amend section 718 of the Civil Code, relating to the leasing of municipal property."

Amendment adopted.

AMENDMENT NUMBER TWO.

On page 1 of the printed bill, strike out lines 1 to 18, inclusive; also strike out all of page 2, and insert in lieu thereof the following:

"SECTION 1. Section 718 of the Civil Code of California is hereby amended to read as follows:

718. No lease or grant of any town or city lot for a longer period than ninety-nine years, in which shall be reserved any rent or service of any kind, shall be valid; *provided*, that the property of any municipality or any minor or incompetent person, shall not be leased for a longer period than ten years, excepting that water from the municipal water system, or the property and/or equipment used in treating or disposing of sewage and/or the sewer farm of a municipality, or belonging to a municipality, or property owned or under the control of a municipality used for airport purposes may be leased for a period not exceeding twenty-five years; *provided, however*, that sewage or sewage effluent may be leased by a municipality for a period not exceeding fifty years; and excepting that municipalities may lease to the county, state or any political subdivision thereof land for fair or exhibition purposes for a period not to exceed fifty years; and excepting that the tidelands and submerged lands granted to any city by the state, may be leased for a period not exceeding fifty years, if the grant from the State of California of the use of said tidelands and submerged lands does not provide specifically for a term of years for which said lands may be leased; and excepting that tidelands and submerged lands owned or controlled by any city, together with the wharves, docks, piers or other structures or improvements thereon, and so much of the uplands abutting thereon as may in the judgment of the city council, or other governing body, of the city be necessary for the proper development and use of its water front or harbor facilities, may be leased for a period not exceeding fifty years; and excepting that the property of any municipality not acquired for park purposes may be leased for the production of minerals, oil and gas or other hydrocarbon substances for a period not to exceed thirty-five years. Said tidelands, submerged lands or uplands may be leased only for industrial purposes, the purpose of improvement and development of the harbor of said city, and the construction and maintenance of wharves, docks, piers or bulkhead piers or for other public uses and purposes consistent with the requirements of commerce or navigation at said harbor.

Uplands abutting on tidelands granted to a municipal corporation by the state may be leased with such tidelands for the same time and under the same conditions. Whenever in the judgment of the governing body of a municipal corporation to which has been granted tidelands by the State of California the use of such tidelands and uplands abutting thereon for industrial uses shall be inimical to the best interest of such city, said governing body may lease such lands for any other purpose which is not inconsistent with the trusts imposed upon the tidelands by the constitution of the State of California. Any lease of any property of any municipality must be recorded in the county recorder's office of the county in which said property is located."

Amendment adopted.

Bill read second time, ordered to print, and re-referred to Committee on Judiciary.

Also:

MR. PRESIDENT: Your Committee on Judiciary, to which was referred Assembly Bill No. 561—An act to amend sections 602 and 627 of the Penal Code, relating to

trespass—has had the same under consideration, and respectfully reports the same back with amendments, and recommends that the amendments be adopted, and that it do pass as amended.

Committee membership—17; committee vote: Ayes 9; noes 6; absent 2.

CHRISTIAN, Chairman.

Assembly Bill No. 561 ordered on file for second reading.

ON FINANCE.

SENATE CHAMBER, SACRAMENTO, MAY 12, 1931.

MR. PRESIDENT: Your Committee on Finance, to which was referred Assembly Bill No. 1534—An act to amend section 737ddd of the Political Code, relating to the salary of the judge of the superior court in and for the county of Ventura;

Also: Assembly Bill No. 431—An act making an appropriation for the purchase of land for the Santa Barbara State Teachers College;

Also: Assembly Bill No. 1298—An act making an appropriation to defray the expenses of the winter sports program to be held in connection with the Olympic Games in the State of California;

Has had the same under consideration, and respectfully reports the same back with amendments, and recommends that the amendments be adopted, and that they do pass as amended.

Committee membership 18; committee vote: Ayes—16; absent 2.

SWING, Chairman.

Assembly Bills Nos. 1534, 431 and 1298 ordered on file for second reading.

Also:

MR. PRESIDENT: Your Committee on Finance, to which was referred Assembly Bill No. 315—An act relating to the judges of the superior court in and for the county of Santa Barbara, increasing the number and prescribing the salaries thereof;

Also: Assembly Bill No. 582—An act to amend section 737g of the Political Code, relating to the salaries of judges of the superior court in and for the county of Contra Costa;

Also: Assembly Bill No. 688—An act to amend section 737jj of the Political Code, relating to the annual salary of judges of the superior court in and for the county of San Bernardino;

Also: Assembly Bill No. 750—An act to amend sections 737d, 737r, 737ec, 737ec, 737ff, 737tt, 737yy, 737fff, 737t, 737v, and 737x of the Political Code, relating to salaries of judges of the superior court;

Also: Assembly Bill No. 1240—An act to amend section 737p of the Political Code, relating to the salary of the judge of the superior court in and for the county of Kings;

Also: Assembly Bill No. 1374—An act to amend section 737uec of the Political Code, relating to the salary of the superior judges in and for the county of Sonoma;

Also: Assembly Bill No. 1422—An act to amend section 737mm of the Political Code, relating to the salaries of the judges of the superior court in and for the county of San Joaquin;

Also: Assembly Bill No. 1817—An act to amend section 737f of the Political Code, relating to the salary of the superior judge in and for the county of Colusa;

Also: Assembly Bill No. 1892—An act to amend section 737u of the Political Code, relating to the salary of the judge of the superior court in and for the county of Marin;

Also: Assembly Bill No. 1763—An act to amend section 737b of the Political Code, relating to the salary of the superior judge in and for the county of Alpine;

Also: Assembly Bill No. 554—An act to amend section 2 of chapter 462 of the Statutes of 1929, entitled "An act to accept the provisions and benefits of an act passed by the Senate and House of Representatives of the United States of America in Congress assembled, and approved February 5, 1929, to provide for the further development of vocational education; to create a Vocational Educational Fund and making an appropriation therefor," approved May 24, 1929, relating to an appropriation for vocational education;

Also: Assembly Bill No. 614—An act making an appropriation for painting portraits of Governors of California, and directing the State Department of Finance to carry out the provisions thereof;

Also: Assembly Bill No. 1889—An act to abolish the Board of Pharmacy Fine Fund and the Pharmacy Board Poison Law Fund and to transfer the money in the State treasury to the credit of said funds to the Pharmacy Board Contingent Fund in the State treasury;

Also: Assembly Bill No. 1692—An act providing for the exhibit of the products and resources of the State of California at the Chicago World's Fair Centennial Celebration to be held at Chicago, Illinois, in 1933, creating the California World's

Fair Centennial Celebration Commission and defining its powers and duties, and making an appropriation therefor;

Also: Assembly Bill No. 123—An act making an appropriation for repairs, improvements, equipment and furnishing of the gubernatorial mansion in Sacramento;

Also: Assembly Bill No. 154—An act providing for the preparation and printing of a cumulative supplement to the Index of the Laws of California and a statutory record, and making an appropriation therefor;

Also: Assembly Bill No. 477—An act to create a State Medical Library under the direction of the Regents of the University of California, providing for the establishment of branches of said library and for the administration, maintenance, and support of the same, and making an appropriation therefor;

Also: Assembly Bill No. 1150—An act making an appropriation for the construction and equipment of an armory at the city of San Jose;

Also: Assembly Bill No. 1271—An act creating the California Polytechnic School Project Revolving Fund and making an appropriation therefor; providing for the expenditure and replenishment thereof, declaring the urgency thereof and providing that this act shall take effect immediately;

Also: Assembly Bill No. 1728—An act providing for the retirement of funded debt bonds of 1873, and making an appropriation therefor;

Also: Assembly Bill No. 1729—An act to amend section 6 and section 24 of the State Medical Practice Act, approved June 2, 1913, as amended, relating to report of receipts, title of act, and penalties and disposition of fines;

Has had the same under consideration, and respectfully reports the same back, and recommends that they do pass.

Committee membership—18; committee vote: Ayes—16; absent—2.

SWING, Chairman.

Assembly Bills Nos. 315, 582, 688, 750, 1240, 1374, 1422, 1817, 1892, 1763, 554, 614, 1889, 1692, 123, 154, 477, 1150, 1271, 1728 and 1729 ordered on file for second reading.

ON PUBLIC UTILITIES.

SENATE CHAMBER, SACRAMENTO, May 12, 1931.

MR. PRESIDENT: Your Committee on Public Utilities, to which was referred Assembly Bill No. 508—An act to define motor carrier transportation agent; to provide for the regulation, supervision and licensing thereof, and to provide for the enforcement of said act and penalties for the violation thereof—has had the same under consideration, and respectfully reports the same back, and recommends that it do pass.

Committee membership—11.

(Signed out)

CARTER, Chairman.
CHRISTIAN.
DEUEL.
DUVAL.
MIXTER.
NELSON.

Assembly Bill No. 508 ordered on file for second reading.

ON BUILDING AND LOAN ASSOCIATIONS.

SENATE CHAMBER, SACRAMENTO, May 11, 1931.

MR. PRESIDENT: Your Committee on Building and Loan Associations, to which was referred Assembly Bill No. 476—An act to provide for the salaries and expenses of the Building and Loan Commissioner, his attorney, deputies, examiners, accountants, appraisers and other assistants; to provide for the disposition of moneys in the Building and Loan Inspection Fund created by Chapter 354 of the Statutes of 1911, as amended; and of moneys collected under the Building and Loan Association Act; and otherwise relating to the Building and Loan Commissioner, his assistants and employees, and to the regulation of building and loan associations—has had the same under consideration, and respectfully reports the same back with amendments, and recommends that the amendments be adopted, and the bill be re-referred to the Committee on Finance.

Committee membership—11; committee vote: Ayes—7; absent—4.

INMAN, Chairman.

SECOND READING OF ASSEMBLY BILL NUMBER FOUR HUNDRED SEVENTY-SIX.

Assembly Bill No. 476—An act to provide for the salaries and expenses of the Building and Loan Commissioner, his attorney, deputies, examiners, accountants, appraisers and other assistants; to provide for the disposition of moneys in the Building and Loan Inspection Fund

created by chapter 354 of the Statutes of 1911, as amended; and of moneys collected under the Building and Loan Association Act; and otherwise relating to the Building and Loan Commissioner, his assistants and employees, and to the regulation of building and loan associations.

COMMITTEE AMENDMENT.

During the second reading of the bill, the following committee amendment was offered:

AMENDMENT NUMBER ONE.

On page 1, line 9, of the printed bill, strike out the word "ten", and insert in lieu thereof "six".

Amendment adopted.

Bill ordered to print, and re-referred to Committee on Finance.

Also:

MR. PRESIDENT: Your Committee on Building and Loan Associations, to which was referred Assembly Bill No. 335—An act appropriating moneys to the use of the Building and Loan Inspection Fund, and providing for the return of said moneys to the general fund—has had the same under consideration, and respectfully reports the same back, and recommends that it do pass, and be re-referred to the Committee on Finance.

Committee membership—11; committee vote: Ayes—6; absent—5.

INMAN, Chairman.

Assembly Bill No. 335 ordered re-referred to Committee on Finance.

ON PUBLIC HEALTH AND QUARANTINE.

SENATE CHAMBER, SACRAMENTO, May 11, 1931.

MR. PRESIDENT: Your Committee on Public Health and Quarantine, to which was referred Assembly Bill No. 331—An act to amend section 347b of the Penal Code, relative to alcoholic solutions containing deleterious or poisonous substances:

Also: Assembly Bill No. 1501—An act to amend an act entitled "An act to regulate the practice of pharmacy in the State of California and to provide a penalty for the violation thereof; and for the appointment of a board to be known as the California State Board of Pharmacy," approved March 20, 1905, as amended, by adding thereto a new section numbered 3½, relating to the registration of licentiate in pharmacy:

Also: Assembly Bill No. 1932—An act to amend the title and sections 1 and 3, and to repeal sections 2 and 4 of an act entitled "An act providing for the sanitation, healthfulness and cleanliness and safety of swimming pools, public bathhouses, swimming and bathing places; regulating the granting and revocation of permits therefor from the State Board of Health; providing for the inspection of such places; declaring places and things in violation of this act to be nuisances dangerous to health and providing for the abatement of the same; making violations of this act misdemeanors; and providing for the punishment of the same," approved April 6, 1917, relating to supervision over and regulation of public swimming pools, bathhouses, and swimming and bathing places:

Has had the same under consideration, and respectfully reports the same back, and recommends that they do pass.

Committee membership—7; committee vote: Ayes—4; absent—3.

WILLIAMS, Chairman.

Assembly Bills Nos. 331, 1501 and 1932 ordered on file for second reading.

ON CONSERVATION.

SENATE CHAMBER, SACRAMENTO, May 11, 1931.

MR. PRESIDENT: Your Committee on Conservation, to which was referred Assembly Bill No. 678—An act to amend an act, entitled "An act to provide for the formation, organization and government of storm-water districts, for the purpose of protecting the land therein from damage from storm water and from the waters of any innavigable stream, watercourse, canyon or wash, for the construction of the necessary works of protection by said district, and for the levying of taxes and assessments to pay for the cost of constructing, repairing and maintaining such improvements," approved March 13, 1909, as amended, by amending section 25 and section 26 thereof to provide that where any new or additional improvements have been constructed other than those which have been constructed under the first proceedings had for that purpose, that all moneys required for the maintenance and

repair of such improvements shall be chargeable to the land which originally bore the cost of such improvements, and also, to provide that any damages caused the district or any part thereof by reason of such additional improvements shall be charged against the land which originally bore the cost of such improvements;

Also: Assembly Bill No. 781—An act to authorize counties to dispose of material removed from stream beds which belong to the State, when making improvements thereof;

Also: Assembly Bill No. 1067—An act to repeal an act entitled "An act declaring the existence of inflammable vegetable matter constituting a fire menace to be a public nuisance; providing for its abatement, and prescribing the manner of collecting the expense thereof," approved June 3, 1921;

Has had the same under consideration, and respectfully reports the same back, and recommends that they do pass.

Committee membership—7; committee vote: Ayes—6; absent—1.

(Signed out)

EVANS, Chairman.
CASSIDY.
DEUEL.
MIXTER.
SHARKEY.
WILLIAMS.

Assembly Bills Nos. 678, 781 and 1067 ordered on file for second reading.

ON MOTOR VEHICLES.

SENATE CHAMBER, SACRAMENTO, May 12, 1931.

MR. PRESIDENT: Your Committee on Motor Vehicles, to which was referred Assembly Bill No. 914—An act to amend section 30 of the California Vehicle Act, relating to the appointment of inspectors, captains, traffic officers and clerks—has had the same under consideration, and respectfully reports the same back with amendments, and recommends that the amendments be adopted, and that it be sent out for reprint and be re-referred to committee.

Committee membership—17; committee vote: Ayes—14; absent—3.

BAKER, Chairman.

SECOND READING OF ASSEMBLY BILL NUMBER NINE HUNDRED FOURTEEN.

Assembly Bill No. 914—An act to amend section 30 of the California Vehicle Act, relating to the appointment of inspectors, captains, traffic officers and clerks.

COMMITTEE AMENDMENTS.

During the second reading of the bill, the following committee amendments were offered:

AMENDMENT NUMBER ONE.

In line 1 of the title of the printed bill, as amended, strike out "30", and insert in lieu thereof "360c", and strike out the following: "California vehicle act", and insert in lieu thereof the following: "Political Code".

Amendment adopted.

AMENDMENT NUMBER TWO.

In line 3 of the title of the printed bill, as amended, after the word "clerks", insert the following: "in the division of enforcement of the department of motor vehicles".

Amendment adopted.

AMENDMENT NUMBER THREE.

On page 1, line 1, of the printed bill, as amended, strike out "30", and insert in lieu thereof the following: "360c", and strike out the words "California vehicle act", and insert in lieu thereof the following: "Political Code".

Amendment adopted.

AMENDMENT NUMBER FOUR.

On page 1 of the printed bill, as amended, strike out all of lines 3 to 22, inclusive, and insert in lieu thereof the following:

"360c. (a) The division of enforcement, to be known as the California patrol, shall be conducted under the control of a chief of said division to be known as the chief of the California highway patrol, which office is hereby created. The chief of the California highway patrol shall be appointed by and hold office at the pleasure of

the director, subject to the approval of the governor, and shall receive an annual salary of seven thousand two hundred dollars. Before entering upon the duties of his office, the chief of the California highway patrol shall execute an official bond to the State of California in the penal sum of twenty-five thousand dollars.

(b) The chief of the California highway patrol with the approval of the director may appoint one assistant chief and such deputy chiefs of the California highway patrol, as may be necessary, which offices are hereby created. The assistant chief shall serve at the pleasure of the chief of the California highway patrol and his salary and the salaries of the deputy chiefs shall be fixed by the director, with the approval of the department of finance. The chief of the California highway patrol may appoint a secretary and a stenographer whose salaries shall be fixed by the director, with the approval of the department of finance. The positions of assistant chief and secretary are and such investigators as are necessary hereby declared to be exempt from the provisions of the civil service law. The chief and assistant chief of the California highway patrol shall succeed to and be vested with all the duties, responsibilities, powers and jurisdiction and shall exercise all powers and jurisdiction of the superintendent and assistant superintendent of the California highway patrol.

(c) The chief of the California highway patrol, with the approval of the director, shall appoint, in accordance with the provisions of the civil service act, all necessary inspectors, deputy chiefs, captains, traffic officers, traffic clerks, and other employees, for the purpose of enforcing the provisions of the California vehicle act, with such salaries as may be fixed by the director, with the approval of the department of finance.

(d) The director of the department of motor vehicles, the chief, assistant chief and deputy chiefs of the California highway patrol, and the inspectors, captains and traffic officers as provided herein shall constitute the California highway patrol and are hereby vested with the authority of peace officers for the purpose of enforcing the provisions of the California vehicle act in any part of the state, and shall also have the power of serving warrants relating to the enforcement of the provisions of the California vehicle act, issued by any court of this state in any portion thereof.

(e) The division shall in counties having charters, other than counties of the first and second class, and may from time to time, in such localities in the rural portions of the state as it shall deem most suitable, establish headquarters or substations for the efficient performance of the duties of the California highway patrol and for that purpose may lease or purchase lands and buildings.

(f) The division is hereby authorized to:

(1) Establish a school for the training and education of the members of the California highway patrol in traffic regulation, their duties and the proper enforcement of the California vehicle act.

(2) Create districts within the state in the organization of the California highway patrol.

(3) Adopt rules covering the policy, procedure, regulation and administration of all activities of the California highway patrol.

(g) The division shall issue to each member of the California highway patrol a badge of authority with the words "California highway patrol" encircling the same, the seal of the State of California in the center thereof, and below the designation of the office held by each member thereof.

(h) Any person who without authority wears the badge of a member of the California highway patrol or a badge of similar design which would tend to deceive anyone shall be guilty of a misdemeanor.

(i) Any person who impersonates a member of the California highway patrol with the intention to deceive anyone shall be guilty of a misdemeanor.

(j) Applicants for examination for captains, traffic officers, and traffic clerks, shall be limited to citizens of the United States who shall have for at least one year immediately preceding the date of any such examination maintained a bona fide residence within one of the counties in which the highway patrol is established.

Promotional examinations shall be as provided in section 13 of the civil service act, *provided, however*, that any candidate for promotion shall have served at least one year in the next lower grade.

(k) The chief of the division is hereby authorized to assign the members of the California highway patrol for service in any portion of the state.

(l) The chief of the division shall make adequate provision for the patrol of the highways both day and night.

(m) Members of the California highway patrol guilty of any of the offenses or violations set forth in section 14 of the civil service act, or the rules and regulations of the division of enforcement, shall be subject to the penalties set forth in said section 14 of the civil service act, after trial and hearing by a trial board of three officers of equal or superior rank, who shall be designated as such by the chief of the division of enforcement.

(n) Members of the California highway patrol shall not be subject to the penalties set forth in section 14 of the civil service act until after a fair and impartial trial before the trial board upon a verified complaint filed with such board setting forth specifically the acts complained of, and after such reasonable notice to them as to

the time and place of hearing as such board may, by rule, prescribe. The hearing shall be held at a place to be designated by the chief of the division within the county in which the offense charged is alleged to have been committed. The accused shall be entitled, upon hearing, to appear personally or with counsel and to have a public trial.

(c) The findings of the trial board shall be submitted to the chief of the division of enforcement for his decision, and such decision, when approved by the civil service commission, shall be final."

Amendment adopted.

Bill ordered to print, and re-referred to Committee on Motor Vehicles.

ON MOTOR VEHICLES.

SENATE CHAMBER, SACRAMENTO, May 12, 1931.

MR. PRESIDENT: Your Committee on Motor Vehicles, to which was referred Assembly Bill No. 1947—An act to amend section 367d of the Penal Code, relating to the operation of automobiles, motorcycles or other motor vehicles—has had the same under consideration, and respectfully reports the same back, and recommends that it do pass.

Committee membership—17; committee vote: Ayes—14; absent—3.

BAKER, Chairman.

Assembly Bill No. 1947 ordered on file for second reading.

Also:

MR. PRESIDENT: Your Committee on Motor Vehicles, to which was referred Assembly Bill No. 661—An act to add a new section to the California Vehicle Act, to be numbered 51½, relating to the display of registration plates—has had the same under consideration, and respectfully reports the same back with amendments, and recommends that the amendments be adopted, and that it do pass as amended.

Committee membership—17; committee vote: Ayes—14; absent—3.

BAKER, Chairman.

Assembly Bill No. 661 ordered on file for second reading.

ON AGRICULTURE AND LIVE STOCK.

SENATE CHAMBER, SACRAMENTO, May 12, 1931.

MR. PRESIDENT: Your Committee on Agriculture and Live Stock, to which was referred Assembly Concurrent Resolution No. 30—Relative to the protection of wild vegetation—has had the same under consideration, and respectfully reports the same back, and recommends that it be adopted.

Committee membership—13.

(Signed out)

DUVAL, Chairman.

CASSIDY.

McCORMACK.

MIXTER.

MORAN.

SCHOTTKY.

SLATER.

WAGY.

Assembly Concurrent Resolution No. 30 ordered on file.

Also:

MR. PRESIDENT: Your Committee on Agriculture and Live Stock, to which was referred Assembly Bill No. 648—An act to provide for the elimination of camel's thorn and to provide an appropriation therefor:

Also: Assembly Bill No. 1137—An act to provide for the investigation and study of the control and suppression of blackbirds, coots, linnets, horned larks and other birds or animals in relation to damage to agricultural crops and making an appropriation therefor:

Also: Assembly Bill No. 1876—An act to provide for the investigation and study of methods for the control of pear blight (*bacillus amylovorus*) under the direction of the Regents of the University of California, and for the dissemination of the knowledge gained through such investigation and study, and making an appropriation therefor;

Has had the same under consideration, and respectfully reports the same back, and recommends that they do pass, and be re-referred to the Committee on Finance.

Committee membership -13; committee vote: Ayes—10; absent—3.

DUVAL, Chairman.

Assembly Bills Nos. 648, 1137 and 1876 ordered re-referred to Committee on Finance.

Also:

MR. PRESIDENT: Your Committee on Agriculture and Live Stock, to which was referred Assembly Bill No. 148—An act to amend sections 1 and 2 of chapter 197, Statutes of 1901, entitled "An act relating to estrays, providing for taking them up and giving a lien on them for all damages, costs, and expenses incurred by reason of taking them up, and repealing all other acts and parts of acts now in force relating to estrays," approved March 23, 1901, as amended, relating to taking up estrays and to the description of the property where estrays are retained—has had the same under consideration, and respectfully reports the same back, and recommends that it do pass.

Committee membership -13; committee vote: Ayes -10; absent -3.

DUVAL, Chairman.

Assembly Bill No. 148 ordered on file for second reading.

ON GOVERNMENTAL EFFICIENCY.

SENATE CHAMBER, SACRAMENTO, May 12, 1931.

MR. PRESIDENT: Your Committee on Governmental Efficiency, to which was referred Assembly Bill No. 1733—An act to amend section 3 of the California Nautical School Act, relating to members of the board of governors of the California Nautical School;

Also: Assembly Bill No. 1742—An act to amend section 2 of the State Civil Service Act, relating to the State Civil Service Commission;

Also: Assembly Bill No. 1088—An act to amend section 3692 of the Political Code, relating to the powers and duties of the State Board of Equalization; Has had the same under consideration, and respectfully reports the same back, and recommends that they do pass.

Committee membership -11; committee vote: Ayes -8; absent -3.

CRITTENDEN, Chairman.

Assembly Bills Nos. 1733, 1742 and 1088 ordered on file for second reading.

Also:

MR. PRESIDENT: Your Committee on Governmental Efficiency, to which was referred Assembly Bill No. 1521—An act to amend section 3 of "An act to regulate the practice of optometry; to provide for the appointment of a Board of Optometry, define its duties and powers and prescribing a penalty for the violation of this act," approved June 16, 1913, as amended, relating to the tenure of office of the members of the State Board of Optometry;

Also: Assembly Bill No. 1522—An act to amend section 5 of "An act to regulate the practice of pharmacy in the State of California, and to provide a penalty for the violation thereof; and for the appointment of a board to be known as the California State Board of Pharmacy," approved March 20, 1905, as amended, relating to the tenure of office of the members of the State Board of Pharmacy;

Also: Assembly Bill No. 1523—An act to amend section 1 of "An act to insure the better education of practitioners of veterinary medicine, and to regulate the practice of veterinary medicine in the State of California, to provide for the creation of a board of five members who shall act under and in accordance with the provisions of this act; to provide for their appointment and define their powers, duties and compensation, to define offenses committed by acts done contrary to the provisions of this act, and providing penalties for the violation thereof; providing for the revocation or suspension, in certain cases, of licenses issued hereunder, and to repeal an act entitled 'An act to regulate the practice of veterinary medicine and surgery in the State of California,' approved March 23, 1893, and all other acts or parts of acts in conflict herewith," approved May 5, 1921, relating to the tenure of office of the members of the Board of Examiners in Veterinary Medicine;

Also: Assembly Bill No. 1731—An act to amend section 1 of an act entitled "An act relating to the board of trustees of the California Institution for Women and the appointment and terms of office of the members of said board," approved May 24, 1929, relating to trustees of such institution;

Has had the same under consideration, and respectfully reports the same back, and recommends that they do pass.

Committee membership—11; committee vote: Ayes—8; absent—3.

CRITTENDEN, Chairman.

Assembly Bills Nos. 1521, 1522, 1523 and 1731 ordered on file for second reading.

Also:

MR. PRESIDENT: Your Committee on Governmental Efficiency, to which was referred Assembly Bill No. 1517—An act to amend section 4 of the "Act concerning cosmetology," relating to the tenure of office of the members of the Board of Cosmetology;

Also: Assembly Bill No. 1518—An act to amend section 2 of "An act to insure the better education of dental surgeons and to regulate the practice of dentistry in the State of California, providing penalties for the violation hereof," approved May 21, 1915, as amended, relating to the tenure of office of the members of the Board of Dental Examiners;

Also: Assembly Bill No. 1519—An act to amend section 1 of "An act regulating the business of embalmers and funeral directors and the transportation of and traffic in dead human bodies, creating a State board therefor, providing penalties for violations thereof, and repealing the act entitled 'An act to establish a State Board of Embalmers, defining the duties thereof, providing for the better protection of life and health, preventing the spread of contagious disease, regulating the practice of embalming in connection with the care and disposition of the dead and providing penalties for the violation thereof,' approved April 16, 1915, as amended," approved April 20, 1929, as amended, relating to the tenure of office of the members of the State Board of Embalmers and Funeral Directors;

Also: Assembly Bill No. 1520—An act to amend section 1 of the State Medical Practice Act, relating to the tenure of office of the members of the Board of Medical Examiners;

Has had the same under consideration, and respectfully reports the same back, and recommends that they do pass.

Committee membership—11; committee vote: Ayes—8; absent—3.

CRITTENDEN, Chairman.

Assembly Bills Nos. 1517, 1518, 1519 and 1520 ordered on file for second reading.

Also:

MR. PRESIDENT: Your Committee on Governmental Efficiency, to which was referred Assembly Bill No. 1205—An act to add a new section to the Political Code, to be numbered 880, relating to officers appointed by the Governor or by the Governor with the consent of the Senate, and their tenure of office;

Also: Assembly Bill No. 1448—An act to amend section 364c of the Political Code, relating to the members of the Industrial Welfare Commission;

Also: Assembly Bill No. 1449—An act to amend section 364b of the Political Code, relating to the Industrial Accident Commission;

Also: Assembly Bill No. 1513—An act to amend section 1 of "An act to create a State Board of Accountancy and prescribe its duties and powers; to provide for the examination of and issuance of certificates to qualified applicants, with the designation of certified public accountant; and to provide for the grade of penalty for violations of the provisions hereof," approved March 23, 1901, as amended, relating to tenure of office of board members;

Also: Assembly Bill No. 1514—An act to amend section 1 of "An act to regulate the practice of architecture," approved March 23, 1901, relating to tenure of office of board members;

Also: Assembly Bill No. 1516—An act to amend section 2 of "An act regulating the practice of civil engineering," relating to the tenure of office of the members of the Board of Registration of Civil Engineers;

Has had the same under consideration, and respectfully reports the same back, and recommends that they do pass.

Committee membership—11; committee vote: Ayes—8; absent—3.

CRITTENDEN, Chairman.

Assembly Bills Nos. 1205, 1448, 1449, 1513, 1514 and 1516 ordered on file for second reading.

Also:

MR. PRESIDENT: Your Committee on Governmental Efficiency, to which was referred Assembly Bill No. 1905—An act to add a new section to the Political Code,

to be numbered 2521a, relating to the Board of State Harbor Commissioners, and repealing section 12 of chapter 183, Statutes of 1907;

Also: Assembly Bill No. 1451—An act to amend section 2 of the Building and Loan Commission Act, relating to the tenure of office of the Building and Loan Commissioner;

Also: Assembly Bill No. 512—An act to amend section 2 of an act entitled "An act creating a State Bureau of Criminal Identification and Investigation, providing for its organization and defining its powers and duties and making an appropriation to carry out the provisions hereof, and repealing an act entitled 'An act to create a State Bureau of Criminal Identification, and providing for the appointment of a director of said bureau, defining his duties and qualifications and powers; providing for the appointment of a clerk of said bureau and fixing his qualifications; fixing compensation of said director and clerk, providing for the manner of paying the same and providing for the expense of conducting the office,' approved March 20, 1905, as amended," relating to the Board of Managers of the State Bureau of Criminal Identification and Investigation;

Also: Assembly Bill No. 878—An act to amend sections 2.1370 and 2.1371 of the School Code, relating to the State Board of Education;

Has had the same under consideration, and respectfully reports the same back, and recommends that they do pass.

Committee membership—11; committee vote: Ayes—8; absent—3.

CRITTENDEN, Chairman.

Assembly Bills Nos. 1905, 1451, 512 and 878 ordered on file for second reading.

ON COUNTY GOVERNMENT.

SENATE CHAMBER, SACRAMENTO, May 12, 1931.

MR. PRESIDENT: Your Committee on County Government, to which was referred Assembly Bill No. 1745—An act to amend section 4240 of the Political Code, relating to salaries of officers and employees of counties of the eleventh class;

Also: Assembly Bill No. 1774—An act to add a new section to be numbered 9a12 to the act entitled "An act to provide for the establishment and maintenance of county free libraries in the State of California, and repealing 'An act entitled 'An act to provide county library systems,' approved April 12, 1909, and all acts and parts of acts in conflict with this act,'" approved February 25, 1911, as amended, relating to libraries in counties of the twelfth class;

Also: Assembly Bill No. 1755—An act to amend section 16r12 of the Weights and Measures Act, relating to sealers of weights and measures in counties of the twelfth class;

Also: Assembly Bill No. 1811—An act to amend section 19r12 of the Juvenile Court Law, relating to probation officers in counties of the twelfth class;

Also: Assembly Bill No. 1821—An act to amend section 2322r13 of the Political Code, relating to the office of agricultural commissioner in counties of the thirteenth class;

Also: Assembly Bill No. 1822—An act to amend section 2322r12 of the Political Code, relating to the office of agricultural commissioner in counties of the twelfth class;

Has had the same under consideration, and respectfully reports the same back, and recommends that they do pass.

Committee membership—9.

(Signed out)

WAGY, Chairman.
CASSIDY.
NELSON.
RICH.
RILEY.
SLATER.
SWING.

Assembly Bills Nos. 1745, 1774, 1755, 1811, 1821 and 1822 ordered on file for second reading.

ON JUDICIARY.

SENATE CHAMBER, SACRAMENTO, May 12, 1931.

MR. PRESIDENT: Your Committee on Judiciary, to which was referred Assembly Bill No. 739—An act to amend sections 1 and 5, of an act entitled "An act to provide indemnity to persons erroneously convicted of felonies in the State of California," approved May 24, 1913, relating to the indemnification of persons erroneously convicted—has had the same under consideration, and respectfully reports the same back with amendments, and recommends that the amendments be adopted, and that it do pass as amended.

Committee membership—17; committee vote: Ayes—17.

CHRISTIAN, Chairman.

Assembly Bill No. 739 ordered on file for second reading.

ON MOTOR VEHICLES.

SENATE CHAMBER, SACRAMENTO, May 12, 1931.

MR. PRESIDENT: Your Committee on Motor Vehicles, to which was referred Assembly Concurrent Resolution No. 37—Relative to the revision of the Motor Vehicle Laws of California—has had the same under consideration, and respectfully reports the same back, and recommends that it be adopted.

Committee membership—17.

(Signed out)

BAKER, Chairman.
CRITTENDEN.
FELLOM.
INMAN.
MALONEY.
PEDROTTI.
RILEY.
SHARKEY.
TREACY.
WILLIAMS.

Assembly Concurrent Resolution No. 37 ordered on file.

ON EDUCATION.

SENATE CHAMBER, SACRAMENTO, May 12, 1931.

MR. PRESIDENT: Your Committee on Education, to which was referred Assembly Bill No. 1851—An act providing for the sale or trade of property used by the California Polytechnic School and providing for the purchase of property for the use of said school—has had the same under consideration, and respectfully reports the same back, and recommends that it do pass, with favorable recommendation.

Committee membership—14; committee vote: Ayes—7; absent—7.

SLATER, Chairman.

Assembly Bill No. 1851 ordered on file for second reading.

Also:

MR. PRESIDENT: Your Committee on Education, to which was referred Assembly Bill No. 470—An act to amend section 3,673 of the School Code and to repeal section 3,674 thereof, relating to vacation schools;

Also: Assembly Bill No. 1335—An act to add a new section to the School Code to be numbered 2,990, relating to the powers and duties of governing boards of school districts;

Has had the same under consideration, and respectfully reports the same back with amendments, and recommends that the amendments be adopted, and that they do pass as amended, with favorable recommendation.

Committee membership—14; committee vote: Ayes—7; absent—7.

SLATER, Chairman.

Assembly Bills Nos. 470 and 1335 ordered on file for second reading.

ON ROADS AND HIGHWAYS.

SENATE CHAMBER, SACRAMENTO, May 12, 1931.

MR. PRESIDENT: Your Committee on Roads and Highways, to which was referred Assembly Concurrent Resolution No. 34—Relative to a coordinated State-wide plan for highway beautification—has had the same under consideration, and respectfully reports the same back, and recommends that it do pass.

Committee membership—14.

(Signed out)

EDWARDS, Chairman.
ALLEN.
BREED.
DEUEL.
FELLOM.
HARPER.
INGELS.
McCORMACK.
RILEY.
SLATER.
TREACY.
WILLIAMS.

Assembly Concurrent Resolution No. 34 ordered on file.

Also:

MR. PRESIDENT: Your Committee on Roads and Highways, to which was referred Assembly Bill No. 1117—An act authorizing the Director of Institutions, with the approval of the Director of Finance, to grant to the State Highway Commission a right of way over certain lands belonging to the State of California for state highway purposes—has had the same under consideration, and respectfully reports the same back, and recommends that it do pass.

Committee membership—14.

(Signed out)

EDWARDS, Chairman.
ALLEN.
BREED.
DEUEL.
FELLOM.
HARPER.
INGELS.
McCORMACK.
RILEY.
SLATER.
TREACY.
WILLIAMS.

Assembly Bill No. 1117 ordered on file for second reading.

Also:

MR. PRESIDENT: Your Committee on Roads and Highways, to which was referred Assembly Bill No. 1494—An act authorizing the Director of Finance to deed certain property of the State to the city of Santa Barbara for street and highway purposes—has had the same under consideration, and respectfully reports the same back, and recommends that it do pass.

Committee membership—14.

(Signed out)

EDWARDS, Chairman.
ALLEN.
BREED.
DEUEL.
FELLOM.
HARPER.
INGELS.
McCORMACK.
RILEY.
SLATER.
TREACY.
WILLIAMS.

Assembly Bill No. 1494 ordered on file for second reading.

ON RULES.

SENATE CHAMBER, SACRAMENTO, May 11, 1931.

MR. PRESIDENT: Your Committee on Rules, to which was referred Assembly Concurrent Resolution No. 24—Relative to amendment of the Joint Rules of Senate and Assembly—has had the same under consideration, and respectfully reports the same back, and recommends that same be adopted.

Committee membership—5; committee vote: Ayes—5.

BREED, Chairman.

Assembly Concurrent Resolution No. 24 ordered on file.

ADJOURNMENT.

At five o'clock and twenty-four minutes p.m., on motion of Senator Breed, the President declared the Senate adjourned out of respect to the memory of the late Hon. Archie E. Campbell, former State Senator from the Seventeenth District, until ten o'clock a.m., Wednesday, May 13, 1931.

HAROLD J. POWERS, Minute Clerk.

IN SENATE.

SENATE CHAMBER,
SACRAMENTO, Wednesday, May 13, 1931.

The Senate met at ten o'clock a.m.

Lieutenant Governor Frank F. Merriam, President of the Senate, in the chair.

Secretary Joseph A. Beek at the desk.

ROLL CALL.

The roll was called, and the following answered to their names:

Senators Allen, Baker, Breed, Bush, Carter, Cassidy, Christian, Cleveland, Clock, Crittenden, Deuel, Duval, Edwards, Evans, Fellom, Harper, Hays, Ingels, Inman, Jones, Maloney, McCormack, McKinley, Mixer, Moran, Nelson, Pedrotti, Rich, Riley, Rochester, Schottky, Sharkey, Slater, Swing, Treacy, Tubbs, Waggy, and Williams—39.

Quorum present.

PRAYER.

Prayer was offered by the Chaplain, Rev. Sherman L. Divine.

READING OF THE JOURNAL.

During the reading of the Journal of Tuesday, May 12, 1931, the further reading was dispensed with, on motion of Senator Slater.

PRIVILEGE OF FLOOR OF SENATE EXTENDED.

On request of Senator Sharkey, the privilege of the floor of the Senate Chamber for this day was unanimously extended to Mr. and Mrs. D. D. Watson of Brentwood.

On request of Senator Bush, the privilege of the floor of the Senate Chamber for this day was unanimously extended to Mrs. Mina Cain, Miss Elsie Schuller and Myron Moyde of Oakdale.

On request of Senator Clock, the privilege of the floor of the Senate Chamber for this day was unanimously extended to Miss Myrtelle Gun-sul and Miss Nell Short of Long Beach, California.

On request of Senator Jones, the privilege of the floor of the Senate Chamber for this day was unanimously extended to Winfield S. Winter, adjutant Sheridan Dix Post No. 7 G. A. R., San Jose, California; Mrs. Dora Winter of Sheridan Dix W. R. C., San Jose, California; Mrs. Gertrude E. Salisbury, press correspondent Federation No. 9 of Woman's Relief Corps, member of States Committee on Narcotics for W. R. C. of California and Nevada.

On request of Senator McCormack, the privilege of the floor of the Senate Chamber for this day was unanimously extended to the history club of the Woodland High School, Woodland, California, as follows: Bill Eddy, John Cost, Louis Henigan, Gerald Freeman, Frederick G. Plocher, Laurence Franceschi, George Berrittoni, Robert Coons, Elwood Williams, Marjorie Praet, Robert Doty, and Miss Viola Barak and Mr. W. R. Dawson, advisors.

MESSAGES FROM THE ASSEMBLY.

The following messages from the Assembly were received and read:

ASSEMBLY CHAMBER, SACRAMENTO, May 12, 1931.

MR. PRESIDENT: I am directed to inform your honorable body that the Assembly on this day passed Senate Bill No. 801—An act to add section 19x54 to the Juvenile Court Law, relating to probation officers in counties of the fifty-fourth class;

Also: Senate Bill No. 802—An act to amend section 2322~~5~~54 of the Political Code, relating to the office of agricultural commissioner in counties of the fifty-fourth class;

Also: Senate Bill No. 803—An act to amend section 16~~5~~54 of the Weights and Measures Act, relating to sealers of weights and measures in counties of the fifty-fourth class;

Also: Senate Bill No. 805—An act to add a new section to be numbered 9a54 to the act entitled "An act to provide for the establishment and maintenance of county free libraries in the State of California, and repealing 'An act entitled "An act to provide county library systems," approved April 12, 1909, and all acts and parts of acts in conflict with this act," approved February 25, 1911, as amended, relating to libraries in counties of the fifty-fourth class.

ARTHUR A. OHNIMUS, Chief Clerk.

By A. W. ENGELKE, Assistant Clerk.

Senate Bills Nos. 801, 802, 803 and 805 ordered to enrollment.

Also:

ASSEMBLY CHAMBER, SACRAMENTO, May 12, 1931.

MR. PRESIDENT: I am directed to inform your honorable body that the Assembly on this day passed Senate Bill No. 808—An act to amend sections 1094 and 1096 of the Political Code, relating to elections;

Also: Senate Bill No. 565—An act granting certain lands and salt marsh and tidelands of the State of California to the city of Oakland, including the management, use and control thereof;

Also: Senate Bill No. 343—An act to add a new section to be known as section 751a of the Code of Civil Procedure, relating to a person who has received or taken title to real property in a certain name and thereafter disposes of it in a different name than the name in which it was received;

Also: Senate Bill No. 399—An act to amend section 25 of the Civil Code, relating to who are minors;

Also: Senate Bill No. 702—An act to repeal chapter 353, Statutes of 1913, entitled "An act to define investment companies, investment brokers, and agents; to provide for the regulation, supervision and licensing thereof; to provide penalties for the violation thereof; to create the office of Commissioner of Corporations, and making an appropriation therefor," approved May 28, 1913;

Also: Senate Bill No. 686—An act to amend section 30 of and to add a new section to be numbered 15e to the California Irrigation District Act, relating to the powers and duties of the board of directors.

ARTHUR A. OHNIMUS, Chief Clerk.

By A. W. ENGELKE, Assistant Clerk.

Senate Bills Nos. 808, 565, 343, 399, 702 and 686 ordered to enrollment.

Also:

ASSEMBLY CHAMBER, SACRAMENTO, May 12, 1931.

MR. PRESIDENT: I am directed to inform your honorable body that the Assembly on this day passed Senate Bill No. 468—An act to make an appropriation for the construction of jetties at the mouth of the Russian River;

Also: Senate Bill No. 939—An act to add a new section to the Political Code, to be numbered 695, relating to a Bureau of Publications and Documents in the Department of Finance;

Also: Senate Bill No. 944—An act to amend an act entitled "An act to authorize the counties of the State of California to establish retirement systems for their employees," approved May 20, 1919, by adding a new section thereto to be designated section 3½, relating to the exclusion of certain employees;

Also: Senate Bill No. 419—An act to add a new section, to be numbered 10, to chapter 326, Statutes of 1925, entitled "An act to authorize and empower the State Director of Education, with the approval of the State Board of Control, to sell and convey the lands and buildings of the San Diego State Teachers College, and from the proceeds of such sale to purchase and improve a new and suitable site for said school, to erect and construct upon the site so purchased buildings and other structures and improvements necessary and proper for said school; to purchase furniture, fixtures, apparatus, and other things necessary for said school, and to rent such temporary buildings and grounds as may be necessary for the use of said school until the completion of the new school buildings," providing for a readjustment of the western boundary of the site of the San Diego State Teachers College;

Also: Senate Bill No. 280—An act to amend section 6.4 of the School Code, relating to the payment of assessments levied against real property owned by, or under the control of, boards of school trustees and city boards of education.

ARTHUR A. OHNIMUS, Chief Clerk.
By A. W. ENGELKE, Assistant Clerk.

Senate Bills Nos. 468, 939, 944, 419 and 280 ordered to enrollment.
Also:

ASSEMBLY CHAMBER, SACRAMENTO, May 12, 1931.

MR. PRESIDENT: I am directed to inform your honorable body that the Assembly on this day passed Senate Bill No. 311—An act to provide for the impounding and utilization of the waters of the American River for flood control, river flow control and equitation, domestic use, irrigation, reclamation, power development, or any one or more of such or other public uses; authorizing the State Department of Finance to acquire for the State property useful in connection therewith; defining the powers and duties of State officers and departments and of public and private agencies in relation thereto; authorizing the leasing of property of the State for any one or more of such uses and specifying certain terms and conditions to which said lease shall be subject;

Also: Senate Bill No. 751—An act to create a fund to be known as the State Highway General Fund and providing for expenditures therefrom;

Also: Senate Bill No. 415—An act making an appropriation to pay the claim of Southern Pacific Company, a corporation, against the State of California;

Also: Senate Bill No. 185—An act to amend section 9 of chapter 34, Statutes of 1927, entitled The State Bar Act, approved March 31, 1927, as amended, relating to the Board of Governors;

Also: Senate Bill No. 505—An act to amend section 626c of the Penal Code and to add two new sections to the Penal Code to be numbered 626e and 626f, relating to the protection of game.

ARTHUR A. OHNIMUS, Chief Clerk.
By A. W. ENGELKE, Assistant Clerk.

Senate Bills Nos. 311, 751, 415, 185 and 505 ordered to enrollment.
Also:

ASSEMBLY CHAMBER, SACRAMENTO, May 12, 1931.

MR. PRESIDENT: I am directed to inform your honorable body that the Assembly on this day passed Senate Bill No. 682—An act to amend section 374b of the Penal Code, and to add a new section thereto to be numbered section 375, relating to the deposit of noxious, offensive or injurious substances in places of public assemblage or the manufacture thereof with the intent so to deposit;

Also: Senate Bill No. 290—An act to amend section 13 of chapter 267, Statutes of 1923, entitled "An act to regulate and license the business of producing, refining or distributing gasoline, distillate and other motor vehicle fuels, providing for the collection and distribution of license taxes, prescribing penalties for violation of the provisions of said act, and repealing all acts and parts of acts inconsistent herewith," approved May 30, 1923, as amended;

Also: Senate Bill No. 263—An act to amend section 138 of the Civil Code, relating to orders respecting custody and maintenance of minor children of the marriage in actions for divorce.

Also: Senate Bill No. 812—An act to amend section 3489 of, and to add section 3489b to the Political Code, relating to the reorganization of, and the inclusion of lands in, swamp land or reclamation districts;

Also: Senate Bill No. 689—An act to add a new section to the Political Code to be numbered 3480c, providing, under the supervision of the State Reclamation Board for the formulation and carrying out of the plans to reorganize, refund and adjust the finances and obligations of reclamation districts.

ARTHUR A. OHNIMUS, Chief Clerk.
By A. W. ENGELKE, Assistant Clerk.

Senate Bills Nos. 682, 290, 263, 812 and 689 ordered to enrollment.
Also:

ASSEMBLY CHAMBER, SACRAMENTO, May 12, 1931.

MR. PRESIDENT: I am directed to inform your honorable body that the Assembly on this day passed Senate Bill No. 734—An act regulating the sale of grain in sacks, defining the term grain, providing that the sacks shall be sold and purchased as part of the same transaction;

Also: Senate Bill No. 810—An act to amend section 365f of the Political Code, relating to the power of the California Highway Commission to acquire lands for highway and other purposes and to construct and maintain State highways and other improvements incident thereto;

Also: Senate Bill No. 555—An act to amend section 27 of the Workmen's Compensation, Insurance and Safety Act of 1917, as amended, by extending the limitation of time for the filing of proceedings for compensation where a release or compromise agreement has not been approved by the commission;

Also: Senate Bill No. 558—An act to amend section 29 of the Workmen's Compensation, Insurance and Safety Act of 1917, as amended, by providing that in prosecutions for violations of said act under this section, the burden of proof shall rest upon the defendant to show compliance with said act;

Also: Senate Bill No. 902—An act to amend section 8 of the Workmen's Compensation, Insurance and Safety Act of 1917, relating to and defining employees and excluding from the provisions of the act any person engaged in selling, offering for sale or delivering to the public any newspaper, magazine or periodical.

ARTHUR A. OHNIMUS, Chief Clerk.

By A. W. ENGELKE, Assistant Clerk.

Senate Bills Nos. 734, 810, 555, 558 and 902 ordered to enrollment.

REPORTS OF STANDING COMMITTEES.

The following report of standing committee was received and read:

ON MILITARY AFFAIRS.

SENATE CHAMBER, SACRAMENTO, May 13, 1931.

MR. PRESIDENT: Your Committee on Military Affairs, to which was referred Assembly Bill No. 1461—An act to amend section 3898b of the Political Code, relating to and providing educational opportunities for children of veterans, defining the powers and duties of the Veterans Welfare Board in relation thereto and making an appropriation therefor—has had the same under consideration, and respectfully reports the same back with amendments, and recommends that the amendments be adopted, and that it do pass as amended.

Committee membership—11; committee vote: Ayes—7; absent—4.

HAYS, Chairman.

SECOND READING OF ASSEMBLY BILL NUMBER ONE THOUSAND FOUR HUNDRED SIXTY-ONE.

Assembly Bill No. 1461—An act to amend section 3898b of the Political Code, relating to and providing educational opportunities for children of veterans, defining the powers and duties of the Veterans Welfare Board in relation thereto and making an appropriation therefor.

COMMITTEE AMENDMENTS.

During the second reading of the bill, the following committee amendments were offered:

AMENDMENT NUMBER ONE.

On page 2, line 41, of the printed bill, as amended, strike out the comma after the word "states", and the rest of the words in the line, and strike out all of line 42, and insert a period after the word "states", in line 41.

Amendment adopted.

AMENDMENT NUMBER TWO.

On page 2, line 48, of the printed bill, as amended, strike out the words "twelve months", and insert in lieu thereof the following: "five years".

Amendment adopted.

Bill read second time, ordered to print, and on file for third reading.

REPORTS OF STANDING COMMITTEES—(RESUMED).

The following report of standing committee was received and read:

ON JUDICIARY.

SENATE CHAMBER, SACRAMENTO, May 13, 1931.

MR. PRESIDENT: Your Committee on Judiciary, to which was referred Assembly Bill No. 131—An act to amend section 537 of the Penal Code, relating to defrauding proprietors of hotels, inns, restaurants, boarding houses, lodging houses, furnished apartment houses, or furnished bungalow courts;

Also: Assembly Bill No. 901—An act to amend section 197 of the Penal Code, defining justifiable homicide;

Also: Assembly Bill No. 1428—An act to add a new section to the Civil Code to be numbered 712, relating to restrictions;
Has had the same under consideration, and respectfully reports the same back, and recommends that they do pass.

Committee membership—17; committee vote: Ayes—16; absent—1.

CHRISTIAN, Chairman.

SECOND READING OF ASSEMBLY BILLS.

Assembly Bill No. 131—An act to amend section 537 of the Penal Code, relating to defrauding proprietors of hotels, inns, restaurants, boarding houses, lodging houses, furnished apartment houses, or furnished bungalow courts.

Bill read second time, and ordered on file for third reading.

Assembly Bill No. 901—An act to amend section 197 of the Penal Code, defining justifiable homicide.

Bill read second time, and ordered on file for third reading.

Assembly Bill No. 1428—An act to add a new section to the Civil Code to be numbered 712, relating to restrictions.

Bill read second time, and ordered on file for third reading.

REPORTS OF STANDING COMMITTEES—(RESUMED).

The following report of standing committee was received and read:

ON JUDICIARY.

SENATE CHAMBER, SACRAMENTO, May 13, 1931.

MR. PRESIDENT: Your Committee on Judiciary, to which was referred Assembly Bill No. 418—An act to amend sections 27 and 34 of the Warehouse Receipts Act, approved March 19, 1909, as amended, relating to warehouse receipts;

Also: Assembly Bill No. 1301—An act to amend section 718 of the Civil Code, relating to the leasing of municipal property;

Also: Assembly Bill No. 801—An act to amend sections 7, 8 and 9 of chapter 221, Statutes of 1929, entitled "An act to regulate the erection, construction, alteration, maintenance and use of mausoleums, columbariums and all buildings whatsoever called, erected, or used for, the permanent interment of the remains of 15 or more deceased persons, in all parts of the State of California; provide for the inspection of the same, and to provide penalties for the violation thereof; and repealing all acts and parts of acts in conflict therewith," approved May 4, 1929;

Also: Assembly Bill No. 1058—An act to amend sections 630 and 631 of the Probate Code so as to permit the surviving heirs to collect wages due deceased persons, without the necessity of administration;

Also: Assembly Bill No. 992—An act to amend section 1186 of the Code of Civil Procedure, relating to liens of mechanics and materialmen;

Also: Assembly Bill No. 518—An act to amend section 683 of the Civil Code, relating to the mode of creating a joint tenancy;
Has had the same under consideration, and respectfully reports the same back, and recommends that they do pass.

Committee membership—17; committee vote: Ayes—16; absent—1.

CHRISTIAN, Chairman.

SECOND READING OF ASSEMBLY BILLS—(RESUMED).

Assembly Bill No. 418—An act to amend sections 27 and 34 of the Warehouse Receipts Act, approved March 19, 1909, as amended, relating to warehouse receipts.

Bill read second time, and ordered on file for third reading.

Assembly Bill No. 1301—An act to amend section 718 of the Civil Code, relating to the leasing of municipal property.

Bill read second time, and ordered on file for third reading.

Assembly Bill No. 801—An act to amend sections 7, 8 and 9 of chapter 221, Statutes of 1929, entitled "An act to regulate the erection, construction, alteration, maintenance and use of mausoleums, columbariums and all buildings whatsoever called, erected, or used for, the permanent interment of the remains of 15 or more deceased persons, in all parts of the State of California; provide for the inspection of the same, and to provide penalties for the violation thereof; and repealing all acts and parts of acts in conflict therewith," approved May 4, 1929.

Bill read second time, and ordered on file for third reading.

Assembly Bill No. 1058—An act to amend sections 630 and 631 of the Probate Code so as to permit the surviving heirs to collect wages due deceased persons, without the necessity of administration.

Bill read second time, and ordered on file for third reading.

Assembly Bill No. 992—An act to amend section 1186 of the Code of Civil Procedure, relating to liens of mechanics and materialmen.

Bill read second time, and ordered on file for third reading.

Assembly Bill No. 518—An act to amend section 683 of the Civil Code, relating to the mode of creating a joint tenancy.

Bill read second time, and ordered on file for third reading.

Assembly Bill No. 1534—An act to amend section 737ddd of the Political Code, relating to the salary of the judge of the superior court in and for the county of Ventura.

COMMITTEE AMENDMENT.

During the second reading of the bill, the following committee amendment was offered:

AMENDMENT NUMBER ONE.

On page 1, line 4, of the printed bill, strike out "eight thousand", and insert in lieu thereof the following: "seven thousand five hundred".

Amendment adopted.

Bill read second time, ordered to print, and on file for third reading.

Assembly Bill No. 431—An act making an appropriation for the purchase of land for the Santa Barbara State Teachers College.

COMMITTEE AMENDMENT.

During the second reading of the bill, the following committee amendment was offered:

AMENDMENT NUMBER ONE.

On page 1, line 4, of the printed bill, after the word "purchase", insert a comma and the following: "appraisal, survey, and improvement".

Amendment adopted.

Bill read second time, ordered to print, and on file for third reading.

Assembly Bill No. 1217—An act appropriating money for the purpose of the continuance of the geological and economic mineral survey of the State of California.

Bill read second time, and ordered on file for third reading.

Assembly Bill No. 1298—An act making an appropriation to defray the expenses of the winter sports program to be held in connection with the Olympic Games in the State of California.

COMMITTEE AMENDMENTS.

During the second reading of the bill, the following committee amendments were offered:

AMENDMENT NUMBER ONE.

Strike out the title of the printed bill, and insert in lieu thereof the following:

"An act authorizing and directing the California olympiad commission to provide for holding winter sports in connection with the Olympic games in the State of California in 1932."

Amendment adopted.

AMENDMENT NUMBER TWO.

On page 1 of the printed bill, strike out lines 1 to 14, inclusive, and insert in lieu thereof the following:

"SECTION 1. The California olympiad commission is hereby authorized and directed to expend the sum of fifty-five thousand dollars, or so much thereof as may be necessary, out of any moneys in the California tenth olympiad fund, in accordance with law under the provisions of the "California tenth olympiad bond act of 1927" for the purpose of conducting, managing, supervising and staging in any place within the state deemed appropriate by said commission, winter sports in connection with the Olympic games in California in 1932. The Legislature hereby declares that the holding of any contest or the staging of any exhibit of winter sports engaged in by the participants of the Olympic games in 1932 is a part of the holding and staging of the said Olympic games and is necessary and desirable to make the holding of said Olympic games in California a success."

Amendment adopted.

Bill read second time, ordered to print, and on file for third reading.

Assembly Bill No. 315—An act relating to the judges of the superior court in and for the county of Santa Barbara, increasing the number and prescribing the salaries thereof.

Bill read second time, and ordered on file for third reading.

Assembly Bill No. 582—An act to amend section 737g of the Political Code, relating to the salaries of judges of the superior court in and for the county of Contra Costa.

Bill read second time, and ordered on file for third reading.

Assembly Bill No. 688—An act to amend section 737jj of the Political Code, relating to the annual salary of judges of the superior court in and for the county of San Bernardino.

Bill read second time, and ordered on file for third reading.

Assembly Bill No. 750—An act to amend sections 737d, 737r, 737cc, 737ee, 737ff, 737tt, 737yy, 737fff, 737t, 737v, and 737x of the Political Code, relating to salaries of judges of the superior court.

Bill read second time, and ordered on file for third reading.

Assembly Bill No. 1240—An act to amend section 737p of the Political Code, relating to the salary of the judge of the superior court in and for the county of Kings.

Bill read second time, and ordered on file for third reading.

Assembly Bill No. 1374—An act to amend section 737ww of the Political Code, relating to the salary of the superior judges in and for the county of Sonoma.

Bill read second time, and ordered on file for third reading.

Assembly Bill No. 1422—An act to amend section 737*mm* of the Political Code, relating to the salaries of the judges of the superior court in and for the county of San Joaquin.

Bill read second time, and ordered on file for third reading.

Assembly Bill No. 1817—An act to amend section 737*f* of the Political Code, relating to the salary of the superior judge in and for the county of Colusa.

Bill read second time, and ordered on file for third reading.

Assembly Bill No. 1892—An act relating to the salary of the judge of the superior court in and for the county of Marin.

Bill read second time, and ordered on file for third reading.

Assembly Bill No. 1763—An act to amend section 737*b* of the Political Code, relating to the salary of the superior judge in and for the county of Alpine.

Bill read second time, and ordered on file for third reading.

Assembly Bill No. 554—An act to amend section 2 of chapter 462 of the Statutes of 1929, entitled "An act to accept the provisions and benefits of an act passed by the Senate and House of Representatives of the United States of America in Congress assembled and approved February 5, 1929, to provide for the further development of vocational education; to create a Vocational Education Fund and making an appropriation therefor," approved May 24, 1929, relating to an appropriation for vocational education.

Bill read second time, and ordered on file for third reading.

Assembly Bill No. 614—An act making an appropriation for painting portraits of governors of California, and directing the State Department of Finance to carry out the provisions thereof.

Bill read second time, and ordered on file for third reading.

Assembly Bill No. 1889—An act to abolish the Board of Pharmacy Fine Fund and the Pharmacy Board Poison Law Fund and to transfer the money in the State treasury to the credit of said funds to the Pharmacy Board Contingent Fund in the State treasury.

Bill read second time, and ordered on file for third reading.

Assembly Bill No. 1692—An act providing for the exhibit of the products and resources of the State of California at the Chicago World's Fair Centennial Celebration to be held at Chicago, Illinois, in 1933, creating the California World's Fair Centennial Celebration Commission and defining its powers and duties, and making an appropriation therefor.

Bill read second time, and ordered on file for third reading.

Assembly Bill No. 123—An act making an appropriation for repairs, improvements, equipment and furnishing of the gubernatorial mansion in Sacramento.

Bill read second time, and ordered on file for third reading.

Assembly Bill No. 154—An act providing for the preparation and printing of a cumulative supplement to the Index of the Laws of California and a statutory record, and making an appropriation therefor.

Bill read second time, and ordered on file for third reading.

Assembly Bill No. 477—An act to create a State Medical Library under the direction of the Regents of the University of California, providing for the establishment of branches of said library and for the administration, maintenance, and support of the same, and making an appropriation therefor.

Bill read second time, and ordered on file for third reading.

Assembly Bill No. 1150—An act making an appropriation for the construction and equipment of an armory at the city of San Jose.

Bill read second time, and ordered on file for third reading.

Assembly Bill No. 1271—An act creating the California Polytechnic School Project Revolving Fund and making an appropriation therefor; providing for the expenditure and replenishment thereof, declaring the urgency thereof, and providing that this act shall take effect immediately.

Bill read second time, and ordered on file for third reading.

Assembly Bill No. 1728—An act providing for the retirement of funded debt bonds of 1873, and making an appropriation therefor.

Bill read second time, and ordered on file for third reading.

Assembly Bill No. 1729—An act to amend section 6 and section 24 of the "State Medical Practice Act," approved June 2, 1913, as amended, relating to report of receipts, title of act, and penalties and disposition of fines.

Bill read second time, and ordered on file for third reading.

Assembly Bill No. 319—An act defining runners and cappers and prohibiting the solicitation of business by runners and cappers for attorneys at law; providing that contracts secured by them shall be void; and providing penalties for any violation of this act.

Bill read second time, and ordered on file for third reading.

Assembly Bill No. 1080—An act to amend section 1033 of the Code of Civil Procedure, relating to the filing of and affidavit to bill of costs.

Bill read second time, and ordered on file for third reading.

Assembly Bill No. 1288—An act to revise title XII of part IV of division I of the Civil Code, embracing sections 593 to 606, inclusive, relating to nonprofit corporations.

Bill read second time, and ordered on file for third reading.

Assembly Bill No. 1173—An act to amend section 631 of the Code of Civil Procedure, relating to waiver of trial by jury.

Bill read second time, and ordered on file for third reading.

Assembly Bill No. 1941—An act to amend section 2290 of the Political Code, relating to children of parents who have been committed to a State hospital or to prison.

Bill read second time, and ordered on file for third reading.

Assembly Bill No. 542—An act to amend section 2924 of the Civil Code, relating to making certain transfers a mortgage and defining the manner in which a power of sale contained in a mortgage or deed of trust may be exercised, and to add a new section thereto to be numbered 2924b.

relating to sales under mortgages, deeds of trust and other transfers of interest in property.

COMMITTEE AMENDMENTS.

During the second reading of the bill, the following committee amendments were offered:

AMENDMENT NUMBER ONE.

On page 2, line 37, of the printed bill, strike out "(d)", and insert in lieu thereof "(c)".

Amendment adopted.

AMENDMENT NUMBER TWO.

On page 2, line 51, of the printed bill, strike out "2924a", and insert in lieu thereof "2924b".

Amendment adopted.

AMENDMENT NUMBER THREE.

On page 3, line 19, of the printed bill, strike out "any claim to, lien upon,".

Amendment adopted.

AMENDMENT NUMBER FOUR.

On page 3, line 20, of the printed bill, strike out commencing with the word "any", through the word "possession", and the comma following, in line 22.

Amendment adopted.

AMENDMENT NUMBER FIVE.

On page 3, line 32, of the printed bill, strike out the words "the court", and insert in lieu thereof the following: "and fixing the amount due from the trustor and secured by said deed of trust and adjudicating the respective priorities of the parties to the action, the court shall enter decree accordingly, and".

Amendment adopted.

AMENDMENT NUMBER SIX.

On page 4, line 30, of the printed bill, strike out commencing with the word "whereupon", through the word "delivered", and the comma immediately following, in line 33.

Amendment adopted.

AMENDMENT NUMBER SEVEN.

On page 4, line 33, of the printed bill, commencing with the word "if", strike out through the word "trustor", and the comma following, in line 34.

Amendment adopted.

AMENDMENT NUMBER EIGHT.

On page 4, line 39, of the printed bill, following the words "paid in", insert the words "full or".

Amendment adopted.

AMENDMENT NUMBER NINE.

On page 4, line 40, of the printed bill, following the word "balance", insert the words "if any".

Amendment adopted.

AMENDMENT NUMBER TEN.

On page 5, line 1, of the printed bill, strike out commencing with "(12)", through the word "thereupon", and the comma following in line 3.

Amendment adopted.

AMENDMENT NUMBER ELEVEN.

On page 5, line 3, of the printed bill, change "13", to "12".

Amendment adopted.

AMENDMENT NUMBER TWELVE.

On page 5, line 5, of the printed bill, strike out the words "to the action".

Amendment adopted.

AMENDMENT NUMBER THIRTEEN.

On page 5, line 6, of the printed bill, change "14", to "13".

Amendment adopted.

AMENDMENT NUMBER FOURTEEN.

On page 5, line 8, of the printed bill, change "15", to "14".

Amendment adopted.

Bill read second time, ordered to print, and on file for third reading.

Assembly Bill No. 17—An act to add section 189 to the Code of Civil Procedure, relating to justices' court records, papers, and exhibits.

Bill read second time, and ordered on file for third reading.

Assembly Bill No. 771—An act to amend sections 24 and 38 of the State Bar Act, relating to the admission of applicants.

COMMITTEE AMENDMENTS.

During the second reading of the bill, the following committee amendments were offered:

AMENDMENT NUMBER ONE.

In line 1 of the title of the printed bill, strike out "sections 24 and", and insert in lieu thereof "section".

Amendment adopted.

AMENDMENT NUMBER TWO.

On page 1, line 1, of the printed bill, strike out "24", and insert in lieu thereof the following: "38".

Amendment adopted.

AMENDMENT NUMBER THREE.

On page 1 of the printed bill, strike out lines 3 to 24, inclusive, and on page 2, strike out lines 1 and 2 of the printed bill.

Amendment adopted.

AMENDMENT NUMBER FOUR.

On page 2, line 9, of the printed bill, after "prescribe.", insert the following: "Any unsuccessful applicant for admission to practice after he has taken any examination and within four months after the results thereof have been declared, has the right to inspect any examination papers written by him in the city in which such applicant wrote his examination, either at the office of the state bar or at such place as the board of governors shall designate. Such applicant shall have a right to inspect the grading of the papers whether the record thereof is marked upon the examination or otherwise."

Amendment adopted.

Bill read second time, ordered to print, and on file for third reading.

Assembly Bill No. 561—An act to amend sections 602 and 627 of the Penal Code, relating to trespass.

COMMITTEE AMENDMENTS.

During the second reading of the bill, the following committee amendments were offered:

AMENDMENT NUMBER ONE.

On page 3, line 1, of the printed bill, as amended May 4, after the word "cultivated", insert the following: "privately owned".

Amendment adopted.

AMENDMENT NUMBER TWO.

On page 3, line 3, of said printed bill, after the word "unenclosed", insert the following: "privately owned".

Amendment adopted.

AMENDMENT NUMBER THREE.

On page 3, line 14, of said printed bill, after the word "cultivated", insert the following: "privately owned".

Amendment adopted.

AMENDMENT NUMBER FOUR.

On page 3, line 22, of said printed bill, after the word "cultivated", insert the following: "privately owned".

Amendment adopted.

AMENDMENT NUMBER FIVE.

On page 3, line 26, of said printed bill, after the word "fishing", insert the following: "upon such lands".

Amendment adopted.

AMENDMENT NUMBER SIX.

On page 3, line 48, of said printed bill, after the word "cultivated", insert the following: "privately owned".

Amendment adopted.

AMENDMENT NUMBER SEVEN.

On page 3, line 49, of said printed bill, after the word "or", insert the following: "who for the said purpose".

Amendment adopted.

AMENDMENT NUMBER EIGHT.

On page 3, line 50, of said printed bill, after the word "unfenced", insert the following: "privately owned".

Amendment adopted.

AMENDMENT NUMBER NINE.

On page 4, line 7, of said printed bill, after the word "fishing", insert the following: "thereon".

Amendment adopted.

AMENDMENT NUMBER TEN.

On page 4, line 8, of said printed bill, after the word "cultivated", insert the following: "privately owned".

Amendment adopted.

Bill read second time, ordered to print, and on file for third reading.

Assembly Bill No. 508—An act to define motor carrier transportation agent; to provide for the regulation, supervision and licensing thereof, and to provide for the enforcement of said act and penalties for the violation thereof.

Bill read second time, and ordered on file for third reading.

Assembly Bill No. 331—An act to amend section 347b of the Penal Code, relative to alcoholic solutions containing deleterious or poisonous substances.

Bill read second time, and ordered on file for third reading.

Assembly Bill No. 1501—An act to amend an act entitled "An act to regulate the practice of pharmacy in the State of California and to provide a penalty for the violation thereof; and for the appointment of a

board to be known as the California State Board of Pharmacy," approved March 20, 1905, as amended, by adding thereto a new section numbered 3½, relating to the registration of licentiate in pharmacy.

Bill read second time, and ordered on file for third reading.

Assembly Bill No. 1932—An act to amend the title and sections 1 and 3, and to repeal sections 2 and 4 of an act entitled "An act providing for the sanitation, healthfulness and cleanliness and safety of swimming pools, public bathhouses, swimming and bathing places; regulating the granting and revocation of permits therefor from the State Board of Health, providing for the inspection of such places; declaring places and things in violation of this act to be nuisances dangerous to health and providing for the abatement of the same; making violations of this act misdemeanors; and providing for the punishment of the same," approved April 6, 1917, relating to supervision over and regulation of public swimming pools, bathhouses, and swimming and bathing places.

Bill read second time, and ordered on file for third reading.

Assembly Bill No. 678—An act to amend an act entitled "An act to provide for the formation, organization and government of storm-water districts, for the purpose of protecting the land therein from damage from storm water and from the waters of any innavigable stream, watercourse, canyon or wash, for the construction of the necessary works of protection by said district, and for the levying of taxes and assessments to pay for the cost of constructing, repairing and maintaining such improvements," approved March 13, 1909, as amended, by amending section 25 and section 26 thereof to provide that where any new or additional improvements have been constructed other than those which have been constructed under the first proceedings had for that purpose, that all moneys required for the maintenance and repair of such improvements shall be chargeable to the land which originally bore the cost of such improvements, and also, to provide that any damages caused the district or any part thereof by reason of such additional improvements shall be charged against the land which originally bore the cost of such improvements.

Bill read second time, and ordered on file for third reading.

Assembly Bill No. 781—An act to authorize counties to dispose of material removed from stream beds which belong to the State, when making improvements thereof.

Bill read second time, and ordered on file for third reading.

Assembly Bill No. 1067—An act to repeal an act entitled "An act declaring the existence of inflammable vegetable matter constituting a fire menace to be a public nuisance; providing for its abatement, and prescribing the manner of collecting the expense thereof," approved June 3, 1921.

Bill read second time, and ordered on file for third reading.

Assembly Bill No. 1947—An act to amend section 367d of the Penal Code, relating to the operation of automobiles, motorcycles or other motor vehicles.

Bill read second time, and ordered on file for third reading.

Assembly Bill No. 661—An act to add a new section to the California Vehicle Act, to be numbered 51½, relating to the display of registration plates.

COMMITTEE AMENDMENTS.

During the second reading of the bill, the following committee amendments were offered:

AMENDMENT NUMBER ONE.

On page 1, lines 19 and 20, of the printed bill, strike out the words: "The owner of any motor vehicle may at his or her option, perforate".

Amendment adopted.

AMENDMENT NUMBER TWO.

On page 1, line 21, of the printed bill, after the word "act", add the words: "may be perforated by the division of motor vehicles".

Amendment adopted.

AMENDMENT NUMBER THREE.

On page 1, line 24, of the printed bill, strike out the words: "may install".

Amendment adopted.

AMENDMENT NUMBER FOUR.

On page 1, line 25, of the printed bill, after the word "act", insert the following: "may be installed".

Amendment adopted.

AMENDMENT NUMBER FIVE.

On page 2, line 1, of the printed bill, after the word "light", change the period to a semicolon and insert the following: "but said red or tail light shall be plainly visible under normal atmospheric conditions for a distance of five hundred feet toward the rear."

Amendment adopted.

AMENDMENT NUMBER SIX.

On page 2, line 5, of the printed bill, after the word "car", insert the following: "under normal atmospheric conditions at a distance of not less than fifty feet".

Amendment adopted.

Bill read second time, ordered to print, and on file for third reading.

Assembly Bill No. 148—An act to amend sections 1 and 2 of chapter 197, Statutes of 1901, entitled "An act relating to estrays, providing for taking them up and giving a lien on them for all damages, costs, and expenses incurred by reason of taking them up, and repealing all other acts and parts of acts now in force relating to estrays," approved March 23, 1901, as amended, relating to taking up estrays and to the description of the property where estrays are retained.

Bill read second time, and ordered on file for third reading.

Assembly Bill No. 1733—An act to amend section 3 of the "California Nautical School Act," relating to members of the Board of Governors of the California Nautical School.

Bill read second time, and ordered on file for third reading.

Assembly Bill No. 1451—An act to amend section 2 of the Building and Loan Commission Act, relating to the tenure of office of the Building and Loan Commissioner.

Bill read second time, and ordered on file for third reading.

Assembly Bill No. 1742—An act to amend section 2 of the State Civil Service Act, relating to the State Civil Service Commission.

Bill read second time, and ordered on file for third reading.

Assembly Bill No. 1088—An act to amend section 3692 of the Political Code, relating to the powers and duties of the State Board of Equalization.

Bill read second time, and ordered on file for third reading.

Assembly Bill No. 1521—An act to amend section 372 of the Political Code, relating to the Department of Public Health.

Bill read second time, and ordered on file for third reading.

Assembly Bill No. 1522—An act to amend section 5 of "An act to regulate the practice of pharmacy in the State of California, and to provide a penalty for the violation thereof; and for the appointment of a board to be known as the California State Board of Pharmacy," approved March 20, 1905, as amended, relating to the tenure of office of the members of the State Board of Pharmacy.

Bill read second time, and ordered on file for third reading.

Assembly Bill No. 1523—An act to amend section 1 of "An act to insure the better education of practitioners of veterinary medicine, and to regulate the practice of veterinary medicine in the State of California, to provide for the creation of a board of five members who shall act under and in accordance with the provisions of this act; to provide for their appointment and define their powers, duties and compensation, to define offenses committed by acts done contrary to the provisions of this act, and providing penalties for the violation thereof; providing for the revocation or suspension, in certain cases, of licenses issued hereunder, and to repeal an act entitled 'An act to regulate the practice of veterinary medicine and surgery in the State of California,' approved March 23, 1893, and all other acts or parts of acts in conflict herewith," approved May 5, 1927, relating to the tenure of office of the members of the Board of Examiners in Veterinary Medicine.

Bill read second time and ordered on file for third reading.

Assembly Bill No. 1731—An act to amend section 1 of an act entitled "An act relating to the Board of Trustees of the California Institution for Women and the appointment and terms of office of the members of said board," approved May 24, 1929, relating to trustees of such institution.

Bill read second time, and ordered on file for third reading.

Assembly Bill No. 1517—An act to amend section 4 of the "Act Concerning Cosmetology," relating to the tenure of office of the members of the Board of Cosmetology.

Bill read second time, and ordered on file for third reading.

Assembly Bill No. 1518—An act to amend section 2 of "An act to insure the better education of dental surgeons and to regulate the practice of dentistry in the State of California, providing penalties for the violation hereof," approved May 21, 1915, as amended, relating to the tenure of office of the members of the Board of Dental Examiners.

Bill read second time, and ordered on file for third reading.

Assembly Bill No. 1519—An act to amend section 1 of "An act regulating the business of embalmers and funeral directors and the transportation of and traffic in dead human bodies, creating a State board therefor, providing penalties for violations thereof, and repealing the act entitled 'An act to establish a State Board of Embalmers, defining the duties thereof, providing for the better protection of life and health, preventing the spread of contagious disease, regulating the practice of embalming in connection with the care and disposition of the dead and providing penalties for the violation thereof,' approved April 16, 1915, as amended," approved April 20, 1929, as amended, relating to the tenure of office of the members of the State Board of Embalmers and Funeral Directors.

Bill read second time, and ordered on file for third reading.

Assembly Bill No. 1520—An act to amend section 1 of the State Medical Practice Act, relating to the tenure of office of the members of the Board of Medical Examiners.

Bill read second time, and ordered on file for third reading.

Assembly Bill No. 1205—An act to amend section 694*h* of the Political Code, relating to the State Board of Agriculture.

Bill read second time, and ordered on file for third reading.

Assembly Bill No. 1448—An act to amend section 364*c* of the Political Code, relating to the members of the Industrial Welfare Commission.

Bill read second time, and ordered on file for third reading.

Assembly Bill No. 1449—An act to amend section 364*b* of the Political Code, relating to the Industrial Accident Commission.

Bill read second time, and ordered on file for third reading.

Assembly Bill No. 1513—An act to amend section 1 of "An act to create a State Board of Accountancy and prescribe its duties and powers; to provide for the examination of and issuance of certificates to qualified applicants, with the designation of certified public accountant; and to provide for the grade of penalty for violations of the provisions hereof," approved March 23, 1901, as amended, relating to tenure of office of board members.

Bill read second time, and ordered on file for third reading.

Assembly Bill No. 1514—An act to amend section 1 of "An act to regulate the practice of architecture," approved March 23, 1901, relating to tenure of office of board members.

Bill read second time, and ordered on file for third reading.

Assembly Bill No. 1516—An act to amend section 2 of "An act regulating the practice of civil engineering," relating to the tenure of office of the members of the Board of Registration of Civil Engineers.

Bill read second time, and ordered on file for third reading.

Assembly Bill No. 1905—An act to add a new section to the Political Code, to be numbered 2521*a*, relating to the Board of State Harbor Commissioners, and repealing section 12 of chapter 183, Statutes of 1907.

Bill read second time, and ordered on file for third reading.

Assembly Bill No. 512—An act to amend section 2 of an act entitled "An act creating a State Bureau of Criminal Identification and Investigation, providing for its organization and defining its powers and duties and making an appropriation to carry out the provisions hereof, and repealing an act entitled 'An act to create a State Bureau of Criminal Identification, and providing for the appointment of a director of said bureau, defining his duties and qualifications and powers; providing for the appointment of a clerk of said bureau and fixing his qualifications; fixing compensation of said director and clerk, providing for the manner of paying the same and providing for the expense of conducting the office,' approved March 20, 1905, as amended," relating to the Board of Managers of the State Bureau of Criminal Identification and Investigation.

Bill read second time, and ordered on file for third reading.

Assembly Bill No. 878—An act to amend sections 21370 and 21371 of the School Code, relating to the State Board of Education.

Bill read second time, and ordered on file for third reading.

Assembly Bill No. 1745—An act to amend section 4240 of the Political Code, relating to salaries of officers and employees of counties of the eleventh class.

Bill read second time, and ordered on file for third reading.

Assembly Bill No. 1774—An act to add a new section to be numbered 9a12 to the act entitled "An act to provide for the establishment and maintenance of county free libraries in the State of California, and repealing 'An act entitled "An act to provide county library systems," approved April 12, 1909, and all acts and parts of acts in conflict with this act,' " approved February 25, 1911, as amended, relating to libraries in counties of the twelfth class.

Bill read second time, and ordered on file for third reading.

Assembly Bill No. 1755—An act to amend section 16x12 of the Weights and Measures Act, relating to sealers of weights and measures in counties of the twelfth class.

Bill read second time, and ordered on file for third reading.

Assembly Bill No. 1811—An act to amend section 19x12 of the Juvenile Court Law, relating to probation officers in counties of the twelfth class.

Bill read second time, and ordered on file for third reading.

Assembly Bill No. 1821—An act to amend section 2322x13 of the Political Code, relating to the office of agricultural commissioner in counties of the thirteenth class.

Bill read second time, and ordered on file for third reading.

Assembly Bill No. 1822—An act to amend section 2322x12 of the Political Code, relating to the office of agricultural commissioner in counties of the twelfth class.

Bill read second time, and ordered on file for third reading.

Assembly Bill No. 739—An act to amend sections 1 and 5 of an act entitled "An act to provide indemnity to persons erroneously convicted

of felonies in the State of California," approved May 24, 1913, relating to the indemnification of persons erroneously convicted.

COMMITTEE AMENDMENT.

During the second reading of the bill, the following committee amendment was offered:

AMENDMENT NUMBER ONE.

On page 1, line 8, of the printed bill, strike out "on a retrial of the case, or on reversal on", and also strike out all of lines 9 to 14, inclusive, and insert in lieu thereof the following: "be granted a pardon by the governor of this state for the reason that the crime with which he was charged was either not committed at all or, if committed, was not committed by him, or who, being innocent of the crime with which".

Amendment adopted.

Bill read second time, ordered to print, and on file for third reading.

Assembly Bill No. 1851—An act providing for the sale or trade of property used by the California Polytechnic School and providing for the purchase of property for the use of said school.

Bill read second time, and ordered on file for third reading.

Assembly Bill No. 470—An act to amend section 3.673 of the School Code and to repeal section 3.674 thereof, relating to vacation schools.

COMMITTEE AMENDMENTS.

During the second reading of the bill, the following committee amendments were offered:

AMENDMENT NUMBER ONE.

Strike out the title of the printed bill, and insert in lieu thereof the following: "An act to repeal section 2.1466 of the School Code, and to add thereto a new section to be numbered 2.1466 relating to expenses of surveys of the building needs of school districts."

Amendment adopted.

AMENDMENT NUMBER TWO.

Strike out all of the printed bill below the enacting clause, and insert in lieu thereof the following:

"SECTION 1. Section 2.1466 of the School Code is hereby repealed.

SEC. 2. A new section is hereby added to the School Code to be numbered 2.1466 and to read as follows:

2.1466. To make upon request of the governing board of any school district, except a city board of education, a survey of the building needs of the district, to advise such governing board concerning such building needs and to suggest plans for financing a building program to meet such needs. At the time of such request the governing board shall pay to the division a sum of money sufficient to meet the estimated cost for such survey. If the money paid is found by the division to be insufficient to meet the cost to the state of the survey, the department may from time to time require the payment of further money for the same purpose and may refuse to continue the survey until such payment is made. Any portion of such sums not actually used for the purpose for which it is paid, must be refunded to the district, board, or person making the payment."

Amendment adopted.

Bill read second time, ordered to print, and on file for third reading.

Assembly Bill No. 1335—An act to add a new section to the School Code to be numbered 2.990, relating to the powers and duties of governing boards of school districts.

COMMITTEE AMENDMENTS.

During the second reading of the bill, the following committee amendments were offered:

AMENDMENT NUMBER ONE.

On page 1, line 10, of the printed bill, strike out "Whenever the", and insert in lieu thereof the following: "The".

Amendment adopted.

AMENDMENT NUMBER TWO.

On page 1, line 13, of the printed bill, strike out "so elects," and insert in lieu thereof the following: "may, and upon petition signed by twenty-five per centum of the heads of families resident in the district, must call an election to determine whether or not".

Amendment adopted.

AMENDMENT NUMBER THREE.

On page 1, line 16, of the printed bill, strike out "In such case," and strike out lines 17 to 23, inclusive, and insert in lieu thereof the following: "notice and proceedings of such election shall be in accordance with the provisions of this code relating to the election for school trustees, so far as applicable, and there shall be elected at such election, to take office if the change in the rights, powers and duties of the board is approved by majority vote of the qualified electors in the district, two additional".

Amendment adopted.

AMENDMENT NUMBER FOUR.

On page 1, line 25, of the printed bill, strike out "appointment", and insert in lieu thereof the following: "election".

Amendment adopted.

AMENDMENT NUMBER FIVE.

On page 2, line 2, of the printed bill, strike out "appointment", and insert in lieu thereof the following: "election".

Amendment adopted.

AMENDMENT NUMBER SIX.

On page 2, line 3, of the printed bill, strike out the period, and "Their successors", and insert in lieu thereof the following: ", who".

Amendment adopted.

AMENDMENT NUMBER SEVEN.

On page 2, line 4, of the printed bill, after the period, insert the following: "Thereafter, if the change in the rights, powers and duties of the board is approved, the number of school trustees for any such elementary school district shall be five, and they shall be elected in the same manner and for the same term as provided by law for trustees of elementary school districts, except that two trustees may be elected at the same time when the terms of their predecessors terminate in the same year. If the change is approved by a majority vote of the qualified electors of the district, the board shall have the rights, powers and duties of a city board of education, and the district shall for all purposes be deemed to be a district governed by a city board of education."

Amendment adopted.

Bill read second time, ordered to print, and on file for third reading.

Assembly Bill No. 1117—An act authorizing the Director of Institutions, with the approval of the Director of Finance, to grant to the State Highway Commission a right of way over certain lands belonging to the State of California for State highway purposes.

Bill read second time, and ordered on file for third reading.

Assembly Bill No. 1494—An act authorizing the Director of Finance to deed certain property of the State to the city of Santa Barbara for street and highway purposes.

Bill read second time, and ordered on file for third reading.

REPORTS OF STANDING COMMITTEES—(RESUMED).

The following reports of standing committee were received and read:

ON COMMERCE AND NAVIGATION.

SENATE CHAMBER, SACRAMENTO, May 13, 1931.

MR. PRESIDENT: Your Committee on Commerce and Navigation, to which was referred Assembly Bill No. 1943—An act granting certain tidelands and submerged lands of the State of California to the city of San Diego upon certain trusts and conditions—has had the same under consideration, and respectfully reports the same back with amendments, and recommends that the amendments be adopted, and that it do pass as amended.

Committee membership—9; committee vote: Ayes—5; absent—4

CLEVELAND, Chairman.

SECOND READING OF ASSEMBLY BILL NUMBER ONE THOUSAND NINE HUNDRED FORTY-THREE.

Assembly Bill No. 1943—An act granting certain tidelands and submerged lands of the State of California to the city of San Diego upon certain trusts and conditions.

COMMITTEE AMENDMENT.

During the second reading of the bill, the following committee amendment was offered:

AMENDMENT NUMBER ONE.

On page 1 of the printed bill, strike out lines 13 to 16, inclusive, and insert in lieu thereof the following: "Condition: *Provided*, that nothing in this act shall be deemed or construed to grant any of the tidelands of Mission bay or of its entrance, or to in any manner authorize or permit the erection or maintenance of any dam, barrier or obstruction at, in, under, over, or to the entrance of said Mission bay, or to in any way affect the act of June 15, 1929, providing for a state park on Mission bay."

Amendment adopted.

Bill read second time, ordered to print, and on file for third reading.

Also:

SENATE CHAMBER, SACRAMENTO, May 13, 1931.

MR. PRESIDENT: Your Committee on Commerce and Navigation, to which was referred Assembly Bill No. 1914—An act to amend section 6 of an act entitled "An act concerning the water front of the City and County of San Francisco," approved March 16, 1878, as amended, relating to the powers of the Board of State Harbor Commissioners—has had the same under consideration, and respectfully reports the same back, and recommends that it do pass.

Committee membership—9; committee vote: Ayes—5; absent—4.

CLEVELAND, Chairman.

SECOND READING OF ASSEMBLY BILL NUMBER ONE THOUSAND NINE HUNDRED FOURTEEN.

Assembly Bill No. 1914—An act to amend section 6 of an act entitled "An act concerning the water front of the City and County of San Francisco," approved March 16, 1878, as amended, relating to the powers of the Board of State Harbor Commissioners.

Bill read second time, and ordered on file for third reading.

Also:

SENATE CHAMBER, SACRAMENTO, May 13, 1931.

MR. PRESIDENT: Your Committee on Commerce and Navigation, to which was referred Assembly Bill No. 1314—An act amending section 7 of an act entitled "An act providing for the formation, government and operation of harbor districts for the improvement or development of harbors, the calling and conducting of elections in such districts, the issuance and disposal of the bonds thereof, and the

assessment and levy of taxes for the payment of such bonds, principal and interest, and for the ordinary expenses of such districts"—has had the same under consideration, and respectfully reports the same back, and recommends that it do pass.

Committee membership—9; committee vote: Ayes—5; absent—4.

CLEVELAND, Chairman.

SECOND READING OF ASSEMBLY BILL NUMBER ONE THOUSAND THREE HUNDRED FOURTEEN.

Assembly Bill No. 1314—An act amending section 7 of an act entitled "An act providing for the formation, government and operation of harbor districts for the improvement or development of harbors, the calling and conducting of elections in such districts, the issuance and disposal of the bonds thereof, and the assessment and levy of taxes for the payment of such bonds, principal and interest, and for the ordinary expenses of such districts."

Bill read second time, and ordered on file for third reading.

MESSAGE FROM THE ASSEMBLY.

The following message from the Assembly was received and read:

ASSEMBLY CHAMBER, SACRAMENTO, May 12, 1931.

MR. PRESIDENT: I am directed to inform your honorable body that the Assembly amended, and on this day passed as amended, Senate Bill No. 62—An act to amend section 4307 of the Political Code, relating to county charges—and respectfully requests your honorable body to concur in said amendments.

ARTHUR A. OHNIMUS, Chief Clerk.

By A. W. ENGELKE, Assistant Clerk.

CONSIDERATION OF ASSEMBLY AMENDMENT.

The Senate took up for consideration Assembly amendment to Senate Bill No. 62—An act to amend section 4307 of the Political Code, relating to county charges.

ASSEMBLY AMENDMENT TO SENATE BILL NUMBER SIXTY-TWO.

AMENDMENT NUMBER ONE.

On page 1, line 23, of the printed bill, strike out the period and insert in lieu thereof the following: "where such cases are tried in a superior court, in a municipal court or in a township court; *provided, however,* anything herein to the contrary notwithstanding, that, in any criminal case in an inferior court in which any fine or forfeiture which would accrue would be payable to the treasurer of the county in which such court is located, then the sums required by law to be paid to the trial jurors, if any, and witnesses in said case, shall be county charges."

The question being: Shall the Senate concur in Assembly amendment to Senate Bill No. 62?

The roll was called, and Assembly amendment to Senate Bill No. 62 concurred in by the following vote:

AYES—Senators Baker, Bush, Cassidy, Christian, Cleveland, Crittenden, Deuel, Evans, Harper, Hays, Maloney, McCormack, McKinley, Mixter, Pedrotti, Riley, Rochester, Schottky, Treacy, Wagy, and Williams—21.

NOES—None.

Senate Bill No. 62 ordered to print, and enrollment.

MESSAGE FROM THE ASSEMBLY.

The following message from the Assembly was received and read:

ASSEMBLY CHAMBER, SACRAMENTO, May 12, 1931.

MR. PRESIDENT: I am directed to inform your honorable body that the Assembly amended, and on this day passed as amended, Senate Bill No. 210—An act to amend section 12 of chapter 690, Statutes of 1913, entitled the Direct Primary Law, as amended, relating to direct primary elections—and respectfully requests your honorable body to concur in said amendments.

ARTHUR A. OHNIMUS, Chief Clerk.

By A. W. ENGELKE, Assistant Clerk.

CONSIDERATION OF ASSEMBLY AMENDMENT.

The Senate took up for consideration Assembly amendment to Senate Bill No. 210—An act to amend section 12 of chapter 690, Statutes of 1913, entitled the Direct Primary Law, as amended, relating to direct primary elections.

ASSEMBLY AMENDMENT TO SENATE BILL NUMBER TWO HUNDRED TEN.

AMENDMENT NUMBER ONE.

On page 13, line 11, of the printed bill, as amended in Senate April 13, 1931, after the word "candidate", strike out the period, and insert in lieu thereof a semi-colon, and add the following: "*provided, however,* the word "incumbent" shall be used only under subsection *b* herein."

The question being: Shall the Senate concur in Assembly amendment to Senate Bill No. 210?

The roll was called.

CALL OF THE SENATE.

Pending the announcement of the vote, Senator Rochester moved a call of the Senate.

Motion carried.

The Secretary was directed to call the roll.

The roll was called, and the following answered to their names:

Senators Baker, Bush, Cassidy, Cleveland, Crittenden, Deuel, Evans, Harper, Hays, Maloney, McCormack, McKinley, Mixer, Pedrotti, Riley, Rochester, Schottky, Treacy, Waggy, Williams, and Young—21.

The Secretary announced the absentees.

Time, ten o'clock and forty-seven minutes a.m.

The President directed the Sergeant-at-Arms to close the doors.

The Sergeant-at-Arms, having been furnished with the names of the absentees, was directed to bring them to the bar of the Senate.

PROCEEDINGS UNDER CALL OF THE SENATE.

REPORTS OF STANDING COMMITTEES—(RESUMED).

The following reports of standing committees were received and read:

ON ENGROSSMENT, ENROLLMENT AND PRINTING.

SENATE CHAMBER, SACRAMENTO, May 13, 1931.

MR. PRESIDENT: Your Committee on Engrossment, Enrollment and Printing has examined Senate Bill No. 446—An act to prevent fraud and deception and to protect the general welfare by establishing standards and standard containers for certain fruits, nuts and vegetables; and to that end regulating the sale, offer for sale, shipment, transportation, loading, packing, marking and disposal of fruits, nuts and vegetables; and repealing certain acts therein named—and reports that the same has been correctly enrolled and presented to the Governor on the twelfth day of May, at three o'clock p.m.

RILEY, Chairman.

ON REVISION OF CRIMINAL LAW AND PROCEDURE.

SENATE CHAMBER, SACRAMENTO, May 13, 1931.

MR. PRESIDENT: Your Committee on Revision of Criminal Law and Procedure, to which was referred Assembly Bill No. 516—An act to add a new section to be numbered section 3 to and to amend the title and section 1 of chapter 552, Statutes of 1927, entitled "An act to prohibit the possession of machine rifles, machine guns and submachine guns capable of automatically and continuously discharging loaded ammunition of any caliber in which the ammunition is fed to such guns from or by means of clips, disks, drums, belts or other separable mechanical device, and providing a penalty for violation thereof," approved May 16, 1927, relating to prohibition of the sale or transportation of machine guns and the prohibition of the sale, transportation or possession of tear bombs—has had the same under considera-

tion, and respectfully reports the same back with amendments, and recommends that the amendments be adopted, and that it do pass as amended.

Committee membership—9; committee vote: Ayes—6.

(Signed out)

ROCHESTER, Chairman.
BUSH.
CASSIDY.
CHRISTIAN.
CLEVELAND.
MALONEY.

SECOND READING OF ASSEMBLY BILL NUMBER FIVE HUNDRED SIXTEEN.

Assembly Bill No. 516—An act to add a new section to be numbered section 3 to and to amend the title and section 1 of chapter 552, Statutes of 1927, entitled "An act to prohibit the possession of machine rifles, machine guns and submachine guns capable of automatically and continuously discharging loaded ammunition of any caliber in which the ammunition is fed to such guns from or by means of clips, disks, drums, belts or other separable mechanical device, and providing a penalty for violation thereof," approved May 16, 1927, relating to prohibition of the sale or transportation of machine guns and the prohibition of the sale, transportation or possession of tear bombs.

COMMITTEE AMENDMENTS.

During the second reading of the bill, the following committee amendments were offered:

AMENDMENT NUMBER ONE.

Strike out lines 1 to 3, inclusive, of the title of the printed bill, and insert in lieu thereof the following:

"An act to amend the title and section 1 of and to add section 3 to an act entitled "An act to prohibit".

Amendment adopted.

AMENDMENT NUMBER TWO.

Strike out lines 11 to 13, inclusive, of the title of the printed bill, and insert in lieu thereof the following: "portation of machine guns."

Amendment adopted.

AMENDMENT NUMBER THREE.

On page 1, line 1, of the printed bill, strike out "chapter 552, statutes of 1927," and insert in lieu thereof the following: "an act".

Amendment adopted.

AMENDMENT NUMBER FOUR.

On page 1, line 7, of the printed bill, immediately before "is" insert the following: " , approved May 16, 1927,".

Amendment adopted.

AMENDMENT NUMBER FIVE.

On page 1, line 10, of the printed bill, strike out "tear bombs".

Amendment adopted.

AMENDMENT NUMBER SIX.

On page 2, line 1, of the printed bill, strike out "chapter 552, statutes of 1927," and insert in lieu thereof: "said act".

Amendment adopted.

AMENDMENT NUMBER SEVEN.

On page 2, line 6, of the printed bill, strike out "or a", and also strike out line 7, and insert in lieu thereof the following: " , except as herein prescribed, is guilty of".

Amendment adopted.

AMENDMENT NUMBER EIGHT.

On page 2, line 19, of the printed bill, strike out "or bombs".

Amendment adopted.

AMENDMENT NUMBER NINE.

On page 2, line 20, of the printed bill, strike out "or bombs".

Amendment adopted.

AMENDMENT NUMBER TEN.

On page 2, lines 22 and 23, of the printed bill, strike out "chapter 552, statutes of 1927," and insert in lieu thereof: "said act".

Amendment adopted.

AMENDMENT NUMBER ELEVEN.

On page 2, line 5, of the printed bill, as amended April 23d, after the word "or", insert the word "knowingly".

Amendment adopted.

AMENDMENT NUMBER TWELVE.

On page 2, line 21, of the printed bill, as amended April 23d, at the end of the line after the word "duties", strike out the period and insert, "nor to the transportation of such firearms for or on behalf of police departments and members thereof, sheriffs, and city marshals, or the military or naval forces of this state or of the United States."

Amendment adopted.

AMENDMENT NUMBER THIRTEEN.

On page 2 of the printed bill, strike out lines 25 to 28, inclusive, and insert in lieu thereof the following:

"SEC. 3. It shall be lawful for the superintendent of the division of criminal identification and investigation of the department of penology to issue permits for the possession and transportation or possession or transportation of such machine guns, upon a showing satisfactory to him that good cause exists for the issuance thereof to the applicant for such permit or permits."

Amendment adopted.

Bill read second time, ordered to print, and on file for third reading.

MESSAGE FROM THE ASSEMBLY.

The following message from the Assembly was received and read:

ASSEMBLY CHAMBER, SACRAMENTO, May 12, 1931.

MR. PRESIDENT: I am directed to inform your honorable body that the Assembly amended, and on this day passed as amended, Senate Bill No. 83—An act to prohibit the employment of aliens by contractors and subcontractors on all public work, except in certain cases of extraordinary emergency, providing for the reporting of such cases of extraordinary emergency and the keeping of records of the citizenship of workers employed upon public work and the inspection of such records by the proper officials, providing for a forfeiture for each calendar day or portion thereof any alien is permitted to work on public work and for a stipulation to this effect in the contract, and providing other penalties for violation of the provisions thereof—and respectfully requests your honorable body to concur in said amendments.

ARTHUR A. OHNIMUS, Chief Clerk.

By A. W. ENGELKE, Assistant Clerk.

CONSIDERATION OF ASSEMBLY AMENDMENTS.

The Senate took up for consideration Assembly amendments to Senate Bill No. 83—An act to prohibit the employment of aliens by contractors and subcontractors on all public work, except in certain cases of extraordinary emergency, providing for the reporting of such cases of extraordinary emergency and the keeping of records of the citizenship of workers employed upon public work and the inspection of such records by the proper officials, providing for a forfeiture for each calendar day or portion thereof any alien is permitted to work on public work and for a

stipulation to this effect in the contract, and providing other penalties for violation of the provisions thereof.

ASSEMBLY AMENDMENTS TO SENATE BILL NUMBER EIGHTY-THREE.

AMENDMENT NUMBER ONE.

On page 2, line 21, of the printed bill, strike out the words "or by virtue of the contract,".

AMENDMENT NUMBER TWO.

On page 2, line 37, of the printed bill, before the first word "as", insert the words "public officer or body,".

AMENDMENT NUMBER THREE.

On page 2, line 39, of the printed bill, after the word "authority", insert the words "of any officer or public body".

AMENDMENT NUMBER FOUR.

On page 2, lines 42 and 43, of the printed bill, after the word "not", insert the following: "also any work paid for in whole or in part out of public funds,".

AMENDMENT NUMBER FIVE.

On page 2, line 43, of the printed bill, after the word "done", insert the word "directly",.

AMENDMENT NUMBER SIX.

On page 2, line 44, of the printed bill, strike out the following: ", or agent or contractor thereof,".

AMENDMENT NUMBER SEVEN.

On page 2, line 45, of the printed bill, strike out the words "or otherwise", and insert in lieu thereof the words "or other public authority".

AMENDMENT NUMBER EIGHT.

On page 3 of the printed bill, at the end of the bill, add a new section reading as follows:

"SEC. 5. If any section, sentence, clause or part of this act, is for any reason held to be unconstitutional, such decision shall not affect the remaining portions of this act. The Legislature hereby declares that it would have passed this act, and each section, sentence, clause, or part thereof, irrespective of the fact that one or more sections, sentences, clauses, or parts be declared unconstitutional."

AMENDMENT NUMBER NINE.

On page 2, line 6, of the printed bill, following the words "Such contractor", insert "and each subcontractor".

AMENDMENT NUMBER TEN.

On page 2, line 8, of said printed bill, delete the words "or by any subcontractor under him,".

AMENDMENT NUMBER ELEVEN.

On page 2, line 33, of said printed bill, following the words "of this act", strike out the period, and insert in lieu thereof the following: "; *provided, however*, that no sum shall be so withheld, retained or forfeited, except from the final payment, without a full investigation by either the division of labor statistics and law enforcement of the state department of industrial relations or by said awarding body; *and provided, further*, that in all cases of contracts with assessment or improvement districts where the full payment is made in the form of a single warrant, or other evidence of full payment, after the completion and acceptance of the work, the awarding body shall accept from the contractor in cash a sum equal to, and in lieu of, any amount required to be withheld or retained under the provisions of this section, and said awarding body shall then release the final warrant or payment in full. It shall be lawful for any contractor to withhold from any subcontractor under him sufficient sums to cover any penalties withheld from him by the awarding body on account of the said subcontractor's failure to comply with the terms of this act, and if payment has already been made to him the contractor may recover from him the amount of the penalty or forfeiture in a suit at law."

AMENDMENT NUMBER TWELVE.

On page 2, line 38, of the printed bill, after the word "authority", strike out the word "or", and insert in lieu thereof the word "of".

AMENDMENT NUMBER THIRTEEN.

On page 2, line 42, of said printed bill, strike out the words "also any work paid for in whole or in part out of public funds,".

AMENDMENT NUMBER FOURTEEN.

On page 3, line 2, of said printed bill, after the words "any contractor", strike out the comma, and insert in lieu thereof the words "or subcontractor,".

AMENDMENT NUMBER FIFTEEN.

On page 3, lines 2 and 3, of said printed bill, strike out the words "of any contractor", and insert in lieu thereof the word "thereof".

AMENDMENT NUMBER SIXTEEN.

On page 3, lines 5 and 6, of said printed bill, strike out the words "or by any subcontractor under him,".

The question being: Shall the Senate concur in Assembly amendments to Senate Bill No. 83?

The roll was called, and Assembly amendments to Senate Bill No. 83 concurred in by the following vote:

AYES—Senators Baker, Bush, Cassidy, Christian, Cleveland, Crittenden, Deuel, Evans, Harper, Hays, Maloney, McCormack, McKinley, Mixter, Pedrotti, Riley, Rochester, Schottky, Treacy, Wagy, and Williams—21.

NOES—None.

Senate Bill No. 83 ordered to print, and enrollment.

MESSAGE FROM THE ASSEMBLY.

The following message from the Assembly was received and read:

ASSEMBLY CHAMBER, SACRAMENTO, May 12, 1931.

MR. PRESIDENT: I am directed to inform your honorable body that the Assembly amended, and on this day passed as amended, Senate Bill No. 933—An act to amend section 4041.21 of the Political Code, relating to the powers of boards of supervisors—and respectfully requests your honorable body to concur in said amendments.

ARTHUR A. OHNIMUS, Chief Clerk.
By A. W. ENGELKE, Assistant Clerk.

CONSIDERATION OF ASSEMBLY AMENDMENTS.

The Senate took up for consideration Assembly amendments to Senate Bill No. 933—An act to amend section 4041.21 of the Political Code, relating to the powers of boards of supervisors.

ASSEMBLY AMENDMENTS TO SENATE BILL NUMBER NINE HUNDRED THIRTY-THREE.

AMENDMENT NUMBER ONE.

In line 1 of the title of the printed bill, make the word "section" read "sections", and following said word insert "4041.6 and".

AMENDMENT NUMBER TWO.

On page 1 of the printed bill, following the enacting clause, insert the following: "SECTION 1. Section 4041.6, Political Code, is hereby amended to read as follows: 4041.6. (1) Under such limitations and restrictions as are prescribed by law, and in addition to jurisdiction and powers otherwise conferred, the boards of supervisors, in their respective counties, shall have the jurisdiction and powers to appropriate and expend money from the general fund of the county for the following purposes:

(a) The construction of works, improvements, levees or check dams to prevent the overflow and flooding of streams and rivers in the county;

(b) The protection and reforestation of the water sheds of such streams and rivers;

(c) The conservation of the flood water of such streams and rivers;

(d) The making of all surveys, maps and plats necessary to carry out any work, construction or improvement authorized by this subdivision;

(e) The carrying out of any work, construction or improvement authorized by this subdivision outside the county where such rivers or streams flow in or through more than one county.

(2) To appropriate and expend money from the general or other appropriate funds of the county for the construction of works, improvements, levees or check dams to prevent the overflow and flooding of streams and rivers in the county, and to construct such works, improvements, levees or check dams outside the county for said purposes upon channels, streams or rivers which flow or lie in or through more than one county, or where any of the foregoing work is reasonably necessary for the control of flood waters in the county although the channel, river or stream does not lie or flow in or through two or more counties. In connection with such flood control work, whether done by the county or by any district therein or agency thereof.

highways, bridges and other public works affected thereby or which will be of public benefit, whether located in the county or wholly or partially in incorporated or unincorporated territory outside said county, may be constructed, reconstructed, remodeled, repaired and/or demolished at the expense of the county doing such flood control work, or wherein any district or agency thereof is doing said work, or at the joint expense of such county and the county or counties and/or city or cities in which any work herein authorized may be done, as may be provided by agreement between the board of supervisors of the county doing said flood control work, or wherein any district or agency thereof is doing said work, and the board of supervisors or other legislative body of the county or counties and/or city or cities in which any of such work may be wholly or partially performed.

(3) To provide by ordinance for the organization and government of districts, to protect and preserve the banks or rivers and streams and lands lying contiguous thereto from injury by overflow or the washing thereof, and to provide for the improvement of said rivers and streams, and prevent the obstruction thereof, and to provide for the assessment, levy and collection within such districts of a tax therefor. To appropriate a sum not exceeding two cents per one hundred dollars of the assessed valuation of their county in any one year, in addition to any sum which may be chargeable to the county for the repayment of money expended by the state for protection against fire in such county, for the purpose of protecting forest, brush and grass lands therein, against fire or other injury, and of aiding the state and federal authorities in forestry work.

SEC. 2. Section 4041.5 of the Political Code is hereby amended to read as follows:

4041.5. (1) Under such limitations and restrictions as are prescribed by law, and in addition to jurisdiction and powers otherwise conferred, the boards of supervisors, in their respective counties, shall have the jurisdiction and powers to levy a special tax not to exceed four cents on the one hundred dollars of the assessed valuation of all property within the county to be used for advertising, exploiting and making known the resources of the county for the purpose of inducing immigration to, and increasing the trade and commerce of, said county, or for exhibiting or advertising, for said purposes, the agricultural, horticultural, viticultural, mineral, industrial, commercial, climatic, educational, recreational, artistic, musical, cultural and other resources or advantages of the county: *and provided, however*, that if said rate of four cents will not raise ten thousand dollars in any one year the boards of supervisors may appropriate from the general fund of the county an amount sufficient to make up the deficiency existing between the amount raised as the result of the four cent levy and ten thousand dollars; *and provided, further*, that such tax shall be in addition to any tax which may now or hereafter be authorized to be levied for the purpose of creating a fund to be used as authorized under the provisions of section 406b of this code; *and provided, further*, that nothing herein contained shall prevent any county from creating a bonded indebtedness under the provisions of section 4088 of the Political Code of California for the purpose of obtaining funds with which to build, construct or furnish an exposition building or buildings for exhibiting and advertising its resources.

(2) To levy a special tax not to exceed five cents on the one hundred dollars of the assessed valuation of all property within the county, to be used for the erection, maintenance and repairs of public comfort stations.

(3) To levy a special tax which shall produce not to exceed two thousand five hundred dollars to be used for the purpose of compiling a war history of the county."

AMENDMENT NUMBER THREE.

On page 1, line 1, of the printed bill, strike out the numeral "1", after the word "Section", and insert in lieu thereof the numeral "2".

AMENDMENT NUMBER FOUR.

On page 2, line 22, of the printed bill, after the period, add a new paragraph to read as follows:

"(5) To grant and convey by a four-fifths vote of the board, to any school district within the county, without compensation, or upon such compensation as such board may determine, any land belonging to the county upon which has been, or is, situated any public works, and which said property, or works, are not required for public use."

AMENDMENT NUMBER FIVE.

In line 1 of the title of the printed bill, after "sections", insert the following: "4041.5,".

AMENDMENT NUMBER SIX.

On page 3, line 25, of the printed bill, strike out "2", and insert in lieu thereof the following: "3".

AMENDMENT NUMBER SEVEN.

On page 1, line 14, of the printed bill, strike out "water", and insert in lieu thereof the following: "waters".

AMENDMENT NUMBER EIGHT.

On page 2, line 14, of the printed bill, after "remodeled," insert the following: "maintained."

AMENDMENT NUMBER NINE.

On page 2, line 24, of the printed bill, after "performed," insert the following: "Nothing herein contained shall be construed to authorize the imposition of any tax or special assessment on any property outside the county doing such flood control work whether such work be done directly by such county or by any district in, or agency of such county, either by such county, district, or agency, nor to authorize the doing of any work herein mentioned outside such county without the consent of the legislative body of the county wherein such work is to be done if in unincorporated territory and/or of the legislative body of any incorporated city or town wherein any of such works shall be situated in whole or in part."

The question being: Shall the Senate concur in Assembly amendments to Senate Bill No. 933?

The roll was called, and Assembly amendments to Senate Bill No. 933 concurred in by the following vote:

AYES—Senators Baker, Bush, Cassidy, Christian, Cleveland, Crittenden, Deuel, Evans, Harper, Hays, Maloney, McCormack, McKinley, Mixer, Pedrotti, Riley, Rochester, Schottky, Treacy, Wagy, and Williams—21.

NOES—None.

Senate Bill No. 933 ordered to print, and enrollment.

MESSAGE FROM THE ASSEMBLY.

The following message from the Assembly was received and read:

ASSEMBLY CHAMBER, SACRAMENTO, May 12, 1931.

MR. PRESIDENT: I am directed to inform your honorable body that the Assembly amended, and on this day passed as amended, Senate Bill No. 387—An act to amend sections 1357, 1358, 1359, 1360, 1361 and 1362 of the Political Code, relating to absent voters—and respectfully requests your honorable body to concur in said amendments.

ARTHUR A. OHNIMUS, Chief Clerk.
By A. W. ENGELKE, Assistant Clerk.

CONSIDERATION OF ASSEMBLY AMENDMENTS.

The Senate took up for consideration Assembly amendments to Senate Bill No. 387—An act to amend sections 1357, 1358, 1359, 1360, 1361 and 1362 of the Political Code, relating to absent voters.

ASSEMBLY AMENDMENTS TO SENATE BILL NUMBER THREE HUNDRED EIGHTY-SEVEN.

AMENDMENT NUMBER ONE.

On page 4, line 48, of printed bill, strike out the following: "county clerk or registrar of voters", and in lieu thereof insert the following: "board of supervisors."

AMENDMENT NUMBER TWO.

On page 4, line 49, of printed bill, strike out the word "him", and insert in lieu thereof the word "them".

AMENDMENT NUMBER THREE.

On page 4, line 51, of printed bill, strike out the word "him", and insert in lieu thereof the word "them".

AMENDMENT NUMBER FOUR.

On page 5, line 10, of printed bill, strike out the following: "county clerk or registrar of voters", and insert in lieu thereof the following: "board of supervisors".

The question being: Shall the Senate concur in Assembly amendments to Senate Bill No. 387?

The roll was called, and Assembly amendments to Senate Bill No. 387 concurred in by the following vote:

AYES—Senators Baker, Bush, Cassidy, Christian, Cleveland, Crittenden, Deuel, Evans, Harper, Hays, Maloney, McCormack, McKinley, Mixter, Pedrotti, Riley, Rochester, Schottky, Treacy, Wagy, and Williams—21.

NOES—None.

Senate Bill No. 387 ordered to print, and enrollment.

MESSAGE FROM THE ASSEMBLY.

The following message from the Assembly was received and read:

ASSEMBLY CHAMBER, SACRAMENTO, May 12, 1931.

MR. PRESIDENT: I am directed to inform your honorable body that the Assembly amended, and on this day passed as amended, Senate Bill No. 742—An act to amend chapter 586, Statutes of 1913, known as the Water Commission Act, approved June 16, 1913, as amended, by amending sections 37, 37*a*, 37*c* and 37*f* thereof and by adding thereto two new sections to be numbered 37*g* and 37*h*, all relating to the distribution of water in accordance with the rights thereto as determined by court decree or written agreement—and respectfully requests your honorable body to concur in said amendments.

ARTHUR A. OHNIMUS, Chief Clerk.
By A. W. ENGELKE, Assistant Clerk.

CONSIDERATION OF ASSEMBLY AMENDMENTS.

The Senate took up for consideration Assembly amendments to Senate Bill No. 742—An act to amend chapter 586, Statutes of 1913, known as the Water Commission Act, approved June 16, 1913, as amended, by amending sections 37, 37*a*, 37*c* and 37*f* thereof and by adding thereto two new sections to be numbered 37*g* and 37*h*, all relating to the distribution of water in accordance with the rights thereto as determined by court decree or written agreement.

ASSEMBLY AMENDMENTS TO SENATE BILL NUMBER SEVEN HUNDRED FORTY-TWO.

AMENDMENT NUMBER ONE.

On page 2, line 5, of the printed bill, after "586", insert the following: ", statutes of 1913."

AMENDMENT NUMBER TWO.

On page 3, line 1, of the printed bill, after "586", insert the following: ", statutes of 1913."

AMENDMENT NUMBER THREE.

On page 4, line 1, of the printed bill, after "586", insert the following: ", statutes of 1913."

AMENDMENT NUMBER FOUR.

On page 8, line 14, of the printed bill, after "586", insert the following: ", statutes of 1913."

AMENDMENT NUMBER FIVE.

On page 8, line 26, of the printed bill, after "586", insert the following: ", statutes of 1913."

The question being: Shall the Senate concur in Assembly amendments to Senate Bill No. 742?

The roll was called, and Assembly amendments to Senate Bill No. 742 concurred in by the following vote:

AYES—Senators Baker, Bush, Cassidy, Christian, Cleveland, Clock, Crittenden, Deuel, Duval, Evans, Harper, Hays, Ingels, Maloney, McKinley, Mixter, Pedrotti, Rich, Riley, Rochester, Schottky, Treacy, Tubbs, Wagy, and Williams—25.

NOES—None.

Senate Bill No. 742 ordered to print, and enrollment.

MESSAGE FROM THE ASSEMBLY.

The following message from the Assembly was received and read:

ASSEMBLY CHAMBER, SACRAMENTO, May 12, 1931.

MR. PRESIDENT: I am directed to inform your honorable body that the Assembly amended, and on this day passed as amended, Senate Bill No. 709—An act to amend section 4239 of the Political Code, relating to compensation of county and township officers in counties of the tenth class—and respectfully requests your honorable body to concur in said amendments.

ARTHUR A. OHNIMUS, Chief Clerk.
By A. W. ENGELKE, Assistant Clerk.

CONSIDERATION OF ASSEMBLY AMENDMENT.

The Senate took up for consideration Assembly amendment to Senate Bill No. 709—An act to amend section 4239 of the Political Code, relating to compensation of county and township officers in counties of the tenth class.

ASSEMBLY AMENDMENT TO SENATE BILL NUMBER SEVEN HUNDRED NINE.

AMENDMENT NUMBER ONE.

On page 6, line 9, of the printed bill, strike out the word "a", and insert in lieu thereof the word "any".

The question being: Shall the Senate concur in Assembly amendment to Senate Bill No. 709?

The roll was called, and Assembly amendment to Senate Bill No. 709 concurred in by the following vote:

AYES—Senators Baker, Breed, Bush, Cassidy, Christian, Cleveland, Clock, Crittenden, Evans, Harper, Hays, Ingels, Maloney, McCormack, McKinley, Mixter, Moran, Pedrotti, Riley, Treacy, Tubbs, Waggy, and Williams—23.

NOES—None.

Senate Bill No. 709 ordered to print, and enrollment.

MESSAGE FROM THE ASSEMBLY.

The following message from the Assembly was received and read:

ASSEMBLY CHAMBER, SACRAMENTO, May 12, 1931.

MR. PRESIDENT: I am directed to inform your honorable body that the Assembly amended, and on this day passed as amended, Senate Bill No. 651—An act to amend section 2280 of the Civil Code, relating to the revocation of trusts—and respectfully requests your honorable body to concur in said amendments.

ARTHUR A. OHNIMUS, Chief Clerk.
By A. W. ENGELKE, Assistant Clerk.

CONSIDERATION OF ASSEMBLY AMENDMENTS.

The Senate took up for consideration Assembly amendments to Senate Bill No. 651—An act to amend section 2280 of the Civil Code, relating to the revocation of trusts.

ASSEMBLY AMENDMENTS TO SENATE BILL NUMBER SIX HUNDRED FIFTY-ONE.

AMENDMENT NUMBER ONE.

On page 1, line 10, of the printed bill, strike out the words "passage of this act", and insert in lieu thereof the following: "date when this act shall become a law".

AMENDMENT NUMBER TWO.

In line 3 of the printed bill, as amended May 4, 1931, after the period following the figures "2280", strike out the balance of said line, and all of line 4, and also the word "trust", in line 5, and insert in lieu thereof the following: "Unless expressly made irrevocable by the instrument creating the trust, every voluntary trust shall be revocable by the trustor by writing filed with the trustee. When a voluntary trust is revoked by the trustor, the trustee shall transfer to the trustor its full title to the trust estate".

The question being: Shall the Senate concur in Assembly amendments to Senate Bill No. 651?

The roll was called, and Assembly amendments to Senate Bill No. 651 concurred in by the following vote:

AYES—Senators Baker, Breed, Bush, Cassidy, Christian, Cleveland, Clock, Crittenden, Deuel, Duval, Edwards, Evans, Fellom, Harper, Hays, Inman, Maloney, McCormack, McKinley, Mixter, Pedrotti, Rich, Riley, Rochester, Sharkey, Slater, Treacy, Tubbs, Waggy, and Williams—30.

NOES—None.

Senate Bill No. 651 ordered to print, and enrollment.

MESSAGE FROM THE ASSEMBLY.

The following message from the Assembly was received and read:

ASSEMBLY CHAMBER, SACRAMENTO, May 12, 1931.

MR. PRESIDENT: I am directed to inform your honorable body that the Assembly amended, and on this day passed as amended, Senate Bill No. 587—An act to amend section 2 of chapter 233, Statutes of 1903, entitled "An act imposing a license tax upon itinerant vendors of drugs, nostrums, ointments, or appliances sold for the cure of disease, injuries or deformities," approved March 20, 1903, as amended, relating to license fees—and respectfully requests your honorable body to concur in said amendment.

ARTHUR A. OHNIMUS, Chief Clerk.
By A. W. ENGELKE, Assistant Clerk.

CONSIDERATION OF ASSEMBLY AMENDMENT.

The Senate took up for consideration Assembly amendment to Senate Bill No. 587—An act to amend section 2 of chapter 233, Statutes of 1903, entitled "An act imposing a license tax upon itinerant vendors of drugs, nostrums, ointments, or appliances sold for the cure of disease, injuries or deformities," approved March 20, 1903, as amended, relating to license fees.

ASSEMBLY AMENDMENT TO SENATE BILL NUMBER FIVE HUNDRED EIGHTY-SEVEN.

AMENDMENT NUMBER ONE.

On page 2 of the printed bill, after line 9, add the following:

"Before any license shall be issued, each applicant for such license must apply to the board of pharmacy for an application, which, after having been properly filled out, must be filed with said board, with the proper fee.

Within fifteen days after receipt of written request from the secretary of the board, any person, dealer, firm or corporation doing business under this act by or through any agent, dealer, representative, firm or corporation, shall furnish the board, in writing, with the name and address of each and every agent, dealer or representative handling or dealing in his or its products or preparations coming under this act, and failure to furnish such information shall be deemed a misdemeanor and upon conviction punishable as provided in section 5 of this act; *provided, however*, that such information shall be available only for the purpose of ascertaining if such person or persons have a license as required by this act.

No officer, employee or representative of the board of pharmacy shall divulge any information obtained from any such person, dealer, firm or corporation, or from any such agent or representative except solely for the purpose of enforcement of this act."

The question being: Shall the Senate concur in Assembly amendment to Senate Bill No. 587?

The roll was called, and Assembly amendment to Senate Bill No. 587 concurred in by the following vote:

AYES—Senators Baker, Breed, Bush, Carter, Cassidy, Christian, Cleveland, Clock, Crittenden, Deuel, Edwards, Evans, Fellom, Harper, Hays, Inman, McKinley, Mixter, Moran, Pedrotti, Rich, Riley, Rochester, Schottky, Sharkey, Swing, Treacy, Tubbs, Waggy, and Williams—30.

NOES—None.

Senate Bill No. 587 ordered to print, and enrollment.

MESSAGE FROM THE ASSEMBLY.

The following message from the Assembly was received and read:

ASSEMBLY CHAMBER, SACRAMENTO, May 11, 1931.

MR. PRESIDENT: I am directed to inform your honorable body that the Assembly amended, and on this day passed as amended, Senate Bill No. 560—An act to amend section 15 of the Juvenile Court Law, relating to persons free from parental control—and respectfully requests your honorable body to concur in said amendment.

ARTHUR A. OHNIMUS, Chief Clerk.
By FRED J. DESCH, Assistant Clerk.

CONSIDERATION OF ASSEMBLY AMENDMENT.

The Senate took up for consideration Assembly amendment to Senate Bill No. 560—An act to amend section 15 of the Juvenile Court Law, relating to persons free from parental control.

ASSEMBLY AMENDMENT TO SENATE BILL NUMBER FIVE HUNDRED SIXTY.

AMENDMENT NUMBER ONE.

On page 3, line 13, of the printed bill, strike out "section 226", and insert in lieu thereof "sections 224m and 226".

The question being: Shall the Senate concur in Assembly amendment to Senate Bill No. 560?

The roll was called, and Assembly amendment to Senate Bill No. 560 concurred in by the following vote:

AYES—Senators Baker, Breed, Bush, Cassidy, Christian, Cleveland, Crittenden, Deuel, Duval, Edwards, Evans, Fellom, Hays, Ingels, Inman, Jones, Maloney, Mixer, Moran, Pedrotti, Rich, Riley, Rochester, Schottky, Sharkey, Slater, Swing, Treacy, Tubbs, Wagy, and Williams—31.

NOES—None.

Senate Bill No. 560 ordered to print, and enrollment.

MESSAGE FROM THE ASSEMBLY.

The following message from the Assembly was received and read:

ASSEMBLY CHAMBER, SACRAMENTO, May 12, 1931.

MR. PRESIDENT: I am directed to inform your honorable body that the Assembly amended, and on this day adopted, as amended, Senate Concurrent Resolution No. 36—Relative to investigation and report upon acquisition by the State of the toll bridge across Carquinez Strait—and respectfully requests your honorable body to concur in said amendment.

ARTHUR A. OHNIMUS, Chief Clerk.
By A. W. ENGELKE, Assistant Clerk.

CONSIDERATION OF ASSEMBLY AMENDMENT.

The Senate took up for consideration Assembly amendment to Senate Concurrent Resolution No. 36—Relative to investigation and report upon acquisition by the State of the toll bridge across Carquinez Strait.

ASSEMBLY AMENDMENT TO SENATE CONCURRENT RESOLUTION NUMBER THIRTY-SIX.

AMENDMENT NUMBER ONE.

On page 1, line 16, of the printed bill, after the word "comprehend", strike out the words "the determination", and all of line 17 and the word "bridge", and the semicolon in line 18.

The question being: Shall the Senate concur in Assembly amendment to Senate Concurrent Resolution No. 36?

The roll was called, and Assembly amendment to Senate Concurrent Resolution No. 36 concurred in by the following vote:

AYES—Senators Allen, Baker, Breed, Bush, Cassidy, Christian, Cleveland, Clock, Crittenden, Deuel, Duval, Edwards, Evans, Fellom, Harper, Hays, Ingels, Jones,

Maloney, McCormack, Mixer, Moran, Pedrotti, Rich, Riley, Rochester, Sharkey, Slater, Swing, Treacy, Tubbs, Wagy, and Williams—33.

NOES—None.

Senate Concurrent Resolution No. 36 ordered to print, and enrollment.

MESSAGE FROM THE ASSEMBLY.

The following message from the Assembly was received and read:

ASSEMBLY CHAMBER, SACRAMENTO, May 11, 1931.

MR. PRESIDENT: I am directed to inform your honorable body that the Assembly amended, and on this day adopted, as amended, Senate Constitutional Amendment No. 9—A resolution to propose to the people of the State of California an amendment to the constitution of said State by amending section 8½ of article XI of the constitution of said State, relating to city charters and to the mode of elections held thereunder—and respectfully requests your honorable body to concur in said amendment.

ARTHUR A. OHNIMUS, Chief Clerk.
By FRED J. DESCH, Assistant Clerk.

CONSIDERATION OF ASSEMBLY AMENDMENT.

The Senate took up for consideration Assembly amendment to Senate Constitutional Amendment No. 9—A resolution to propose to the people of the State of California an amendment to the constitution of said State by amending section 8½ of article XI of the constitution of said State, relating to city charters and to the mode of elections held thereunder.

ASSEMBLY AMENDMENT TO SENATE CONSTITUTIONAL AMENDMENT NUMBER NINE.

AMENDMENT NUMBER ONE.

On page 1 of the printed constitutional amendment, as amended in Senate March 20, 1931, strike out lines 7 and 8, and insert in lieu thereof the following: "amended by amending section 8½ of article XI thereof to read as follows:"

The question being: Shall the Senate concur in Assembly amendment to Senate Constitutional Amendment No. 9?

The roll was called, and Assembly amendment to Senate Constitutional Amendment No. 9 concurred in by the following vote:

AYES—Senators Allen, Baker, Breed, Bush, Carter, Cassidy, Christian, Cleveland, Crittenden, Deuel, Edwards, Evans, Fellom, Harper, Hays, Ingels, Jones, Maloney, McCormack, McKinley, Mixer, Moran, Pedrotti, Rich, Riley, Rochester, Schottky, Slater, Swing, Treacy, Tubbs, Wagy, and Williams—33.

NOES—None.

Senate Constitutional Amendment No. 9 ordered to print, and enrollment.

MESSAGE FROM THE ASSEMBLY.

The following message from the Assembly was received and read:

ASSEMBLY CHAMBER, SACRAMENTO, May 11, 1931.

MR. PRESIDENT: I am directed to inform your honorable body that the Assembly amended, and on this day passed as amended, Senate Bill No. 416—An act to provide for the standardization of cement-concrete pipe sold for irrigation purposes—and respectfully requests your honorable body to concur in said amendments.

ARTHUR A. OHNIMUS, Chief Clerk.
By FRED J. DESCH, Assistant Clerk.

CONSIDERATION OF ASSEMBLY AMENDMENTS.

The Senate took up for consideration Assembly amendments to Senate Bill No. 416—An act to provide for the standardization of cement-concrete pipe sold for irrigation purposes.

ASSEMBLY AMENDMENTS TO SENATE BILL NUMBER FOUR HUNDRED SIXTEEN.

AMENDMENT NUMBER ONE.

On page 1, line 7, of the printed bill, strike out the word "shall", and insert in lieu thereof the word "may".

AMENDMENT NUMBER TWO.

On page 2, line 12, of the printed bill, strike out the word "then", and insert in lieu thereof the word "thin".

The question being: Shall the Senate concur in Assembly amendments to Senate Bill No. 416?

The roll was called, and Assembly amendments to Senate Bill No. 416 concurred in by the following vote:

AYES—Senators Allen, Baker, Bush, Carter, Cassidy, Christian, Cleveland, Clock, Crittenden, Duval, Edwards, Evans, Fellom, Harper, Hays, Ingels, Jones, Maloney, McCormack, McKinley, Moran, Nelson, Pedrotti, Riley, Rochester, Sharkey, Slater, Swing, Treacy, Tubbs, Wagy, and Williams—32.

NOES—None.

Senate Bill No. 416 ordered to print, and enrollment.

MESSAGE FROM THE ASSEMBLY.

The following message from the Assembly was received and read:

ASSEMBLY CHAMBER, SACRAMENTO, May 12, 1931.

MR. PRESIDENT: I am directed to inform your honorable body that the Assembly amended, and on this day passed as amended, Senate Bill No. 942—An act relating to citrus fruit fairs and expositions and providing that such fairs and expositions shall be entitled to receive and participate in the benefits and aid provided for agricultural fairs in and by the act entitled "An act to form agricultural districts, to provide for the formation, organization and powers, of agricultural associations therein and for the management and control of the same by the State, and repealing all acts and portions of acts in conflict with this act," approved April 17, 1909—and respectfully requests your honorable body to concur in said amendments.

ARTHUR A. OHNIMUS, Chief Clerk.

By A. W. ENGELKE, Assistant Clerk.

CONSIDERATION OF ASSEMBLY AMENDMENTS.

The Senate took up for consideration Assembly amendments to Senate Bill No. 942—An act relating to citrus fruit fairs and expositions and providing that such fairs and expositions shall be entitled to receive and participate in the benefits and aid provided for agricultural fairs in and by the act entitled "An act to form agricultural districts, to provide for the formation, organization and powers, of agricultural associations therein and for the management and control of the same by the State, and repealing all acts and portions of acts in conflict with this act," approved April 17, 1909.

ASSEMBLY AMENDMENTS TO SENATE BILL NUMBER NINE HUNDRED FORTY-TWO.

AMENDMENT NUMBER ONE.

On page 1, line 1, of the printed bill, strike out the word "established", and all of line 2 down to and including the word "and".

AMENDMENT NUMBER TWO.

On page 1, line 4, of the printed bill, after the word "years", strike out the comma, and insert "by an association,".

AMENDMENT NUMBER THREE.

On page 1, line 5, of the printed bill, after the word "tion", insert "and an association".

The question being: Shall the Senate concur in Assembly amendments to Senate Bill No. 942?

The roll was called, and Assembly amendments to Senate Bill No. 942 concurred in by the following vote:

AYES—Senators Allen, Baker, Breed, Bush, Carter, Cassidy, Christian, Cleveland, Crittenden, Duval, Edwards, Evans, Fellom, Harper, Hays, Ingels, Inman, Jones, Maloney, McCormack, McKinley, Mixer, Moran, Nelson, Pedrotti, Riley, Rochester, Schottky, Sharkey, Slater, Treacy, Tubbs, Waggy, and Williams—34.

NOES—None.

Senate Bill No. 942 ordered to print, and enrollment.

MESSAGE FROM ASSEMBLY.

The following message from the Assembly was received and read:

ASSEMBLY CHAMBER, SACRAMENTO, May 11, 1931.

MR. PRESIDENT: I am directed to inform your honorable body that the Assembly amended, and on this day passed as amended, Senate Bill No. 533—An act to amend section 2 of an act entitled "An act remising, releasing and quitclaiming to the Regents of the University of California the properties in the county of Los Angeles which were heretofore transferred to and vested in said Regents of the University of California by an act entitled 'An act repealing sections 1, 2, and 3 of an act entitled "An act to establish a branch State Normal School," approved March 14, 1881, abolishing the branch of the State Normal School at Los Angeles, transferring its properties to the Regents of the University of California, providing for the establishment of a branch of the University of California at Los Angeles, continuing regular normal school training courses and providing an appropriation for the support and maintenance thereof,' approved May 23, 1919, and all other properties, real, personal, and mixed, connected therewith or appurtenant thereto, and authorizing said Regents of the University of California to hold, sell, lease or otherwise deal with the same and to dispose of proceeds realized from said holding, selling, leasing, or otherwise dealing with the same, and repealing all acts or parts of acts in conflict with this act," approved April 12, 1929—and respectfully requests your honorable body to concur in said amendments.

ARTHUR A. OHNIMUS, Chief Clerk.

By FRED J. DESCH, Assistant Clerk.

CONSIDERATION OF ASSEMBLY AMENDMENTS.

The Senate took up for consideration Assembly amendments to Senate Bill No. 533—An act to amend section 2 of an act entitled "An act remising, releasing and quitclaiming to the Regents of the University of California the properties in the county of Los Angeles which were heretofore transferred to and vested in said Regents of the University of California by an act entitled 'An act repealing sections 1, 2, and 3 of an act entitled "An act to establish a branch State Normal School," approved March 14, 1881, abolishing the branch of the State Normal School at Los Angeles, transferring its properties to the Regents of the University of California, providing for the establishment of a branch of the University of California at Los Angeles, continuing regular normal school training courses and providing an appropriation for the support and maintenance thereof,' approved May 23, 1919, and all other properties, real, personal, and mixed, connected therewith or appurtenant thereto, and authorizing said Regents of the University of California to hold, sell, lease or otherwise deal with the same and to dispose of proceeds realized from said holding, selling, leasing, or otherwise dealing with the same, and repealing all acts or parts of acts in conflict with this act," approved April 12, 1929.

ASSEMBLY AMENDMENTS TO SENATE BILL NUMBER FIVE HUNDRED
THIRTY-THREE.

AMENDMENT NUMBER ONE.

On page 2, line 7, of the printed bill, strike out the word "only".

AMENDMENT NUMBER TWO.

On page 2, line 7, of the printed bill, after the word "of", insert the word "the".

The question being: Shall the Senate concur in Assembly amendments to Senate Bill No. 533?

The roll was called, and Assembly amendments to Senate Bill No. 533 concurred in by the following vote:

AYES—Senators Allen, Baker, Breed, Bush, Carter, Cassidy, Christian, Cleveland, Clock, Crittenden, Deuel, Duval, Edwards, Evans, Fellom, Harper, Hays, Ingels, Inman, Jones, Maloney, McCormack, McKinley, Mixter, Moran, Nelson, Pedrotti, Riley, Rochester, Schottky, Sharkey, Slater, Swing, Treacy, Tubbs, and Williams—36.

NOES—None.

Senate Bill No. 533 ordered to print, and enrollment.

FURTHER PROCEEDINGS UNDER CALL OF THE SENATE DISPENSED WITH.

At eleven o'clock and twenty minutes a.m., further proceedings under the call of the Senate were dispensed with, on motion of Senator Rochester.

The Secretary was directed to call the roll.

The roll was called, and Assembly amendments to Senate Bill No. 210 concurred in by the following vote:

AYES—Senators Allen, Baker, Breed, Bush, Carter, Cassidy, Christian, Cleveland, Clock, Crittenden, Deuel, Duval, Edwards, Evans, Fellom, Harper, Hays, Inman, Jones, Maloney, McCormack, McKinley, Mixter, Moran, Nelson, Pedrotti, Rich, Riley, Rochester, Schottky, Slater, Swing, Treacy, Tubbs, Wag, and Williams—36.

NOES—None.

Senate Bill No. 210 ordered to print, and enrollment.

MESSAGE FROM THE ASSEMBLY.

The following message from the Assembly was received and read:

ASSEMBLY CHAMBER, SACRAMENTO, May 11, 1931.

MR. PRESIDENT: I am directed to inform your honorable body that the Assembly amended, and on this day passed as amended, Senate Bill No. 881—An act to amend section 4273 of the Political Code, relating to compensation of county and township officers in counties of the forty-fourth class—and respectfully requests your honorable body to concur in said amendments.

ARTHUR A. OHNIMUS, Chief Clerk.
By FRED J. DESCH, Assistant Clerk.

CONSIDERATION OF ASSEMBLY AMENDMENTS.

The Senate took up for consideration Assembly amendments to Senate Bill No. 881—An act to amend section 4271 of the Political Code, relating to compensation of county and township officers in counties of the forty-second class.

ASSEMBLY AMENDMENTS TO SENATE BILL NUMBER EIGHT HUNDRED EIGHTY-ONE.

AMENDMENT NUMBER ONE.

On page 3, line 35, of the printed bill, after "month.", insert the following: "For the purposes of this section, the population of townships in counties of this class is hereby determined to be the population of such townships as shown by the federal census taken in the year 1920."

AMENDMENT NUMBER TWO.

On page 4, line 2, of the printed bill, after "office", insert the following: "For the purposes of this section, the population of townships in counties of this class is hereby determined to be the population of such townships as shown by the federal census taken in the year 1920."

The question being: Shall the Senate concur in Assembly amendments to Senate Bill No. 881?

The roll was called, and Assembly amendments to Senate Bill No. 881 concurred in by the following vote:

AYES—Senators Allen, Breed, Bush, Carter, Cassidy, Christian, Cleveland, Clock, Crittenden, Deuel, Duval, Edwards, Evans, Fellom, Harper, Hays, Inman, Jones, Maloney, McCormack, Mixer, Moran, Rich, Riley, Rochester, Schottky, Sharkey, Slater, Swing, Treacy, Tubbs, and Williams—32.

NOES—None.

Senate Bill No. 881 ordered to print, and enrollment.

MESSAGE FROM THE ASSEMBLY.

The following message from the Assembly was received and read:

ASSEMBLY CHAMBER, SACRAMENTO, May 11, 1931.

MR. PRESIDENT: I am directed to inform your honorable body that the Assembly amended, and on this day passed as amended, Senate Bill No. 476—An act to add section 6a to chapter 176, Statutes of 1919, entitled "An act providing for the prevention and suppression of forest fires," approved May 2, 1919, relating to arrests and appearances on charges of violating forest or fire laws and respectfully requests your honorable body to concur in said amendments.

ARTHUR A. OHNIMUS, Chief Clerk.

By FRED J. DESCH, Assistant Clerk.

CONSIDERATION OF ASSEMBLY AMENDMENT.

The Senate took up for consideration Assembly amendment to Senate Bill No. 476—An act to add section 6a to chapter 176, Statutes of 1919, entitled "An act providing for the prevention and suppression of forest fires," approved May 2, 1919, relating to arrests and appearances on charges of violating forest or fire laws.

ASSEMBLY AMENDMENT TO SENATE BILL NUMBER FOUR HUNDRED SEVENTY-SIX.

AMENDMENT NUMBER ONE.

On page 2 of the printed bill, strike out lines 1, 2, 3, 4, 5, 6, 7, and 8, and insert in lieu thereof the following:

"Any person who wilfully violates his promise given in accordance with this section shall be guilty of a misdemeanor regardless of the disposition of the charge upon which he was originally arrested. A promise to appear may be complied with by an appearance by counsel".

The question being: Shall the Senate concur in Assembly amendment to Senate Bill No. 476?

The roll was called, and Assembly amendment to Senate Bill No. 476 concurred in by the following vote:

AYES—Senators Allen, Baker, Breed, Bush, Carter, Cassidy, Christian, Cleveland, Clock, Crittenden, Deuel, Edwards, Evans, Fellom, Harper, Hays, Ingels, Jones, Maloney, McCormack, Mixer, Nelson, Rich, Riley, Rochester, Schottky, Sharkey, Slater, Swing, Treacy, Tubbs, and Williams—32.

NOES—None.

Senate Bill No. 476 ordered to print, and enrollment.

ASSISTANT SECRETARY FRANCIS E. DALIN AT THE DESK.

MESSAGE FROM THE ASSEMBLY.

The following message from the Assembly was received and read:

ASSEMBLY CHAMBER, SACRAMENTO, May 12, 1931.

MR. PRESIDENT: I am directed to inform your honorable body that the Assembly amended, and on this day passed as amended, Senate Bill No. 729—An act to amend chapter 586 of the Statutes of 1913, known as the "Water Commission Act," approved June 16, 1913, as amended, by amending section 24 thereof and by adding thereto a new section to be numbered 24a, both relating to references to the State Water Commission, as referee—and respectfully requests your honorable body to concur in said amendments.

ARTHUR A. OHNIMUS, Chief Clerk.

By A. W. ENGELKE, Assistant Clerk.

CONSIDERATION OF ASSEMBLY AMENDMENTS.

The Senate took up for consideration Assembly amendments to Senate Bill No. 729—An act to amend chapter 586 of the Statutes of 1913, known as the "Water Commission Act," approved June 16, 1913, as amended, by amending section 24 thereof and by adding thereto a new section to be numbered 24a, both relating to references to the State Water Commission, as referee.

ASSEMBLY AMENDMENTS TO SENATE BILL NUMBER SEVEN HUNDRED TWENTY-NINE.

AMENDMENT NUMBER ONE.

In line 6 of the title of the printed bill, as amended in the Senate March 25, 1931, strike out the comma, and the words "as referee".

AMENDMENT NUMBER TWO.

On page 1, line 19, of the printed bill, as amended in the Senate March 25, 1931, strike out the period, and insert in lieu thereof a semicolon and the following: "*provided, however,* that the court shall hear such evidence as may be offered by any party to rebut such report of the state water commission or such *prima facie* evidence."

AMENDMENT NUMBER THREE.

On page 2, line 39, of the printed bill, as amended in the Senate March 25, 1931, strike out the words "the commission as referee", and insert in lieu thereof the words "a reference".

AMENDMENT NUMBER FOUR.

On page 3, line 16, of the printed bill, strike out "chapter 586", and insert in lieu thereof the following: "said act".

The question being: Shall the Senate concur in Assembly amendments to Senate Bill No. 729?

The roll was called, and Assembly amendments to Senate Bill No. 729 concurred in by the following vote:

AYES—Senators Allen, Baker, Breed, Bush, Carter, Cassidy, Cleveland, Clock, Crittenden, Deuel, Duval, Edwards, Evans, Harper, Hays, Ingels, Maloney, McCormack, McKinley, Mixer, Nelson, Rich, Riley, Rochester, Schottky, Sharkey, Slater, Swing, Treacy, Tubbs, and Williams—31.

NOES—None.

Senate Bill No. 729 ordered to print, and enrollment.

MESSAGE FROM THE ASSEMBLY.

The following message from the Assembly was received and read:

ASSEMBLY CHAMBER, SACRAMENTO, May 11, 1931.

MR. PRESIDENT: I am directed to inform your honorable body that the Assembly amended, and on this day passed as amended, Senate Bill No. 186—An act to amend section 12 of chapter 268, Statutes of 1903, entitled "An act to provide for the laying out, opening, extending, widening, or straightening, in whole or in part, of public highways and roads, streets, squares, lanes, alleys, courts and places within municipalities or within unincorporated territory and one or more municipalities, or lying within two or more municipalities; for the condemnation of property necessary or convenient for such purposes or of any interest therein, and for the establishment of assessment districts and the assessment of property therein to pay the expenses of such improvement, and providing for aid from the county or municipality for the expense of such improvement," relating to the compensation of referees—and respectfully requests your honorable body to concur in said amendment.

ARTHUR A. OHNIMUS, Chief Clerk.
By FRED J. DESCH, Assistant Clerk.

CONSIDERATION OF ASSEMBLY AMENDMENT.

The Senate took up for consideration Assembly amendment to Senate Bill No. 186—An act to amend section 12 of chapter 268, Statutes of 1903, entitled "An act to provide for the laying out, opening, extending, widening or straightening, in whole or in part, of public highways

and roads, streets, squares, lanes, alleys, courts and places within municipalities or within unincorporated territory and one or more municipalities, or lying within two or more municipalities; for the condemnation of property necessary or convenient for such purposes or of any interest therein, and for the establishment of assessment districts and the assessment of property therein to pay the expenses of such improvement, and providing for aid from the county or municipality for the expense of such improvement," relating to the compensation of referees.

ASSEMBLY AMENDMENT TO SENATE BILL NUMBER ONE HUNDRED EIGHTY-SIX.

AMENDMENT NUMBER ONE.

On page 2, line 11, of the printed bill, strike out the words "twenty-five", and insert in lieu thereof the word "fifty".

The question being: Shall the Senate concur in Assembly amendment to Senate Bill No. 186?

The roll was called, and Assembly amendment to Senate Bill No. 186 concurred in by the following vote:

AYES—Senators Allen, Baker, Breed, Bush, Carter, Cassidy, Cleveland, Clock, Crittenden, Deuel, Duval, Edwards, Evans, Harper, Ingels, Inman, Maloney, McKinley, Mixer, Rich, Riley, Rochester, Schottky, Sharkey, Slater, Swing, Treacy, Tubbs, Wagy, and Williams—30.

NOES—None.

Senate Bill No. 186 ordered to print, and enrollment.

MESSAGE FROM THE ASSEMBLY.

The following message from the Assembly was received and read:

ASSEMBLY CHAMBER, SACRAMENTO, May 11, 1931.

MR. PRESIDENT: I am directed to inform your honorable body that the Assembly amended, and on this day passed as amended, Senate Bill No. 417—An act to amend section 4 to chapter 378 of the Statutes of 1915, entitled "An act to provide a Central Bureau for the preservation of records of marriages, births, and deaths, and to provide for the registration of all births and deaths, the establishment of registration districts under the superintendent of the State Bureau of Vital Statistics; the issuance and registration of burial and disinterment permits and certificates of birth and death; the appointment of State and local registrars of vital statistics; to prescribe the powers and duties of registrars, coroners, physicians, undertakers, sextons, and other persons in relation to such registration and to fix penalties for violation of this act; to create the officers of State and local registrars of vital statistics, to provide for the salary and fees of same; to repeal all acts and parts in conflict herewith," approved May 19, 1915, as amended, relating to the duties of health officers—and respectfully requests your honorable body to concur in said amendments.

ARTHUR A. OHNIMUS, Chief Clerk.

By FRED J. DESCH, Assistant Clerk.

CONSIDERATION OF ASSEMBLY AMENDMENTS.

The Senate took up for consideration Assembly amendments to Senate Bill No. 417—An act to amend section 4 to chapter 378, of the Statutes of 1915, entitled "An act to provide a Central Bureau for the preservation of records of marriages, births, and deaths, and to provide for the registration of all births and deaths, the establishment of registration districts under the Superintendent of the State Bureau of Vital Statistics; the issuance and registration of burial and disinterment permits and certificates of birth and death; the appointment of State and local registrars of vital statistics; to prescribe the powers and duties of registrars, coroners, physicians, undertakers, sextons, and other persons in relation to such registration and to fix penalties for violation of this act; to create the officers of State and local registrars of vital statistics, to

provide for the salary and fees of same; to repeal all acts and parts in conflict herewith," approved May 19, 1915, as amended, relating to the duties of health officers.

ASSEMBLY AMENDMENTS TO SENATE BILL NUMBER FOUR HUNDRED SEVENTEEN.

AMENDMENT NUMBER ONE.

In line 2 of the title of the printed bill, as amended, strike out the word "to", and insert in lieu thereof the word "of".

AMENDMENT NUMBER TWO.

In line 7 of the title of the printed bill, as amended, strike out the word "superintendents", and insert in lieu thereof the word "superintendence".

AMENDMENT NUMBER THREE.

In line 9 of the title of the printed bill, as amended, strike out the words "birth and death", and insert in lieu thereof the words "births and deaths".

AMENDMENT NUMBER FOUR.

In the title of the printed bill, as amended, strike out all of lines 18 and 19, and insert in lieu thereof: "who shall be ex officio local registrars".

AMENDMENT NUMBER FIVE.

On page 2, line 9, of the printed bill, as amended, following the word "each", insert the words "city and county".

The question being: Shall the Senate concur in Assembly amendments to Senate Bill No. 417?

The roll was called, and Assembly amendments to Senate Bill No. 417 concurred in by the following vote:

AYES—Senators Allen, Baker, Breed, Bush, Carter, Cassidy, Christian, Clock, Crittenden, Deuel, Duval, Edwards, Evans, Harper, Hays, Ingels, Inman, Maloney, Mixer, Rich, Riley, Schottky, Sharkey, Slater, Swing, Treacy, Tubbs, Wagy, and Williams—29.

NOES—None.

Senate Bill No. 417 ordered to print, and enrollment.

MESSAGE FROM THE ASSEMBLY.

The following message from the Assembly was received and read:

ASSEMBLY CHAMBER, SACRAMENTO, May 11, 1931.

MR. PRESIDENT: I am directed to inform your honorable body that the Assembly amended, and on this day passed as amended, Senate Bill No. 698—An act to amend sections 3644 and 3646 of the Political Code, relating to taxation of boats and vessels—and respectfully requests your honorable body to concur in said amendments.

ARTHUR A. OHNIMUS, Chief Clerk.

By FRED J. DESCH, Assistant Clerk.

CONSIDERATION OF ASSEMBLY AMENDMENTS.

The Senate took up for consideration Assembly amendments to Senate Bill No. 698—An act to amend sections 3644 and 3646 of the Political Code, relating to taxation of boats and vessels.

ASSEMBLY AMENDMENTS TO SENATE BILL NUMBER SIX HUNDRED NINETY-EIGHT.

AMENDMENT NUMBER ONE.

On page 1, line 9, of the printed bill, insert after "commercial", the following: "or fishing".

AMENDMENT NUMBER TWO.

On page 1, lines 9 and 10, of the printed bill, as amended in Assembly April 14, 1931, strike out the following: "and, also, commercial or fishing vessels of less than fifteen tons gross registry".

AMENDMENT NUMBER THREE.

On page 1, line 13, of the printed bill, as amended in Assembly April 14, 1931, after the word "service", strike out the period and insert in lieu thereof the following: "when the assessor of the county or city and county where such boats are registered is given notice in writing as to such place of anchorage or mooring."

The question being: Shall the Senate concur in Assembly amendments to Senate Bill No. 698?

The roll was called, and Assembly amendments to Senate Bill No. 698 concurred in by the following vote:

AYES—Senators Allen, Breed, Bush, Carter, Christian, Clock, Crittenden, Deuel, Duval, Edwards, Evans, Harper, Hays, Ingels, Inman, Maloney, Mixter, Rich, Riley, Schottky, Sharkey, Slater, Swing, Treacy, Tubbs, Waggy, and Williams—27.
 NOES—None.

Senate Bill No. 698 ordered to print, and enrollment.

MESSAGE FROM THE ASSEMBLY.

The following message from the Assembly was received and read:

ASSEMBLY CHAMBER, SACRAMENTO, May 11, 1931.

MR. PRESIDENT: I am directed to inform your honorable body that the Assembly amended, and on this day passed as amended, Senate Bill No. 492—An act to amend the title and sections 3, 6, 8, 15, 16 and 18 of, and to add a new section to be numbered 20a to, an act entitled "An act to protect the natural resources of petroleum and gas from waste and destruction; relating to the creating of a division in the Department of Natural Resources for the prevention of such waste and destruction; providing for the appointment of a State Oil and Gas Supervisor; prescribing his duties and powers; fixing his compensation; providing for the appointment of deputies and employees; providing for their duties and compensation; providing for the inspection of petroleum and gas wells; requiring all persons operating petroleum and gas wells to make certain reports; permitting and authorizing agreements in the interests of conservation; providing for suits by the Director of the Department of Natural Resources in the name of the people of the State of California; providing procedure for arbitration of departmental rulings; creating a fund for the purposes of the act; providing for assessment of charges to be paid by operators and providing for the collection thereof; and making an appropriation for the purposes of this act," approved June 10, 1915, as amended, relating to protection of the natural resources of water, petroleum and gas from damage, waste and destruction, and providing for bonds required of drillers of oil and gas wells—and respectfully requests your honorable body to concur in said amendment.

ARTHUR A. OHNIMUS, Chief Clerk.
 By A. W. ENGELKE, Assistant Clerk.

CONSIDERATION OF ASSEMBLY AMENDMENT.

The Senate took up for consideration Assembly amendment to Senate Bill No. 492—An act to amend the title and sections 3, 6, 8, 15, 16 and 18 of, and to add a new section to be numbered 20a to, an act entitled "An act to protect the natural resources of petroleum and gas from waste and destruction; relating to the creating of a division in the Department of Natural Resources for the prevention of such waste and destruction; providing for the appointment of a State Oil and Gas Supervisor; prescribing his duties and powers; fixing his compensation; providing for the appointment of deputies and employees; providing for their duties and compensation; providing for the inspection of petroleum and gas wells; requiring all persons operating petroleum and gas wells to make certain reports; permitting and authorizing agreements in the interests of conservation; providing for suits by the Director of the Department of Natural Resources in the name of the people of the State of California; providing procedure for arbitration of departmental rulings; creating a fund for the purposes of the act; providing for assessment of charges to be paid by operators and pro-

viding for the collection thereof; and making an appropriation for the purposes of this act," approved June 10, 1915, as amended.

ASSEMBLY AMENDMENT TO SENATE BILL NUMBER FOUR HUNDRED
NINETY-TWO.

AMENDMENT NUMBER ONE.

In the title of the printed bill, in the last line thereof, strike out the period and insert in lieu thereof the following: "relating to protection of the natural resources of water, petroleum and gas from damage, waste and destruction, and providing for bonds required of drillers of oil and gas wells."

The question being: Shall the Senate concur in Assembly amendment to Senate Bill No. 492?

The roll was called, and Assembly amendment to Senate Bill No. 492 concurred in by the following vote:

AYES—Senators Allen, Breed, Bush, Carter, Christian, Cleveland, Clock, Crittenden, Deuel, Duval, Edwards, Evans, Hays, Ingels, Inman, Maloney, Mixer, Nelson, Riley, Schottky, Sharkey, Slater, Swing, Treacy, Tubbs, Wagy, and Williams—27.

NOES—None.

Senate Bill No. 492 ordered to print, and enrollment.

MESSAGE FROM THE ASSEMBLY.

The following message from the Assembly was received and read:

ASSEMBLY CHAMBER, SACRAMENTO, May 12, 1931.

MR. PRESIDENT: I am directed to inform your honorable body that the Assembly amended, and on this day passed as amended, Senate Bill No. 329—An act to revise the title and to amend sections 2, 3, 4, 5, 6, and 9 of chapter 847, Statutes of 1927, known as the California Apiary Inspection Act, approved May 31, 1927, as amended—and respectfully requests your honorable body to concur in said amendments.

ARTHUR A. OHNIMUS, Chief Clerk.
By A. W. ENGELKE, Assistant Clerk.

CONSIDERATION OF ASSEMBLY AMENDMENTS.

The Senate took up for consideration Assembly amendments to Senate Bill No. 329—An act to revise the title and to amend sections 2, 3, 4, 5, 6, and 9 of chapter 847, Statutes of 1927, known as the California Apiary Inspection Act, approved May 31, 1927, as amended.

ASSEMBLY AMENDMENTS TO SENATE BILL NUMBER THREE HUNDRED
TWENTY-NINE.

AMENDMENT NUMBER ONE.

On page 4, line 39, of the printed bill, after the period following "notice", insert the following: "During the period of time specified in such notice and during any extended time permitted under the provisions relative to an appeal for diagnosis as hereinafter provided for, it shall be unlawful to remove any of the contents of any of the hives so marked to indicate that same contain American foul brood and so designated in the notice to eradicate such disease, except that the contents of any such hive may be removed by the owner or bailee for the purpose of destroying same under the supervision of an inspector."

AMENDMENT NUMBER TWO.

On page 5, line 6, of the printed bill, strike out "which diagnosis", and insert in lieu thereof the following: "and the written determination setting forth the findings of such diagnosis".

AMENDMENT NUMBER THREE.

On page 5, lines 16 and 17, of the printed bill, strike out "and by the owner or bailee making the written appeal.", and insert in lieu thereof the following: "and the serving of a copy of such written determination upon the owner or bailee making the written appeal. If said owner or bailee cannot after due diligence be found, then the extended time shall expire when a copy of the written determination from

the director of agriculture is served by posting in the apiary by the inspector receiving such written determination."

The question being: Shall the Senate concur in Assembly amendments to Senate Bill No. 329?

The roll was called, and Assembly amendments to Senate Bill No. 329 concurred in by the following vote:

AYES—Senators Allen, Breed, Bush, Carter, Cleveland, Clock, Crittenden, Deuel, Edwards, Evans, Harper, Hays, Ingels, Inman, Maloney, Mixter, Moran, Nelson, Pedrotti, Riley, Schottky, Sharkey, Slater, Swing, Treacy, Tubbs, Waggy, and Williams—28.

NOES—None.

Senate Bill No. 329 ordered to print, and enrollment.

MESSAGE FROM THE ASSEMBLY.

The following message from the Assembly was received and read:

ASSEMBLY CHAMBER, SACRAMENTO, May 11, 1931.

MR. PRESIDENT: I am directed to inform your honorable body that the Assembly amended, and on this day passed as amended, Senate Bill No. 759—An act to amend section 71 of an act entitled "An act to provide for the organization of the Railroad Commission, to define the powers and duties and the rights, remedies, powers and duties of public utilities and their officers, and the rights and remedies of patrons of public utilities, and to provide penalties for offenses by public utilities, their officers, agents, and employees and by other persons and corporations, creating the 'Railroad Commission Fund' and appropriating the moneys therein to carry out the provisions of this act, and repealing title XV of part IV of division I of the Civil Code and all acts and parts of acts inconsistent with the provisions of this act," approved April 23, 1915, as amended—and respectfully requests your honorable body to concur in said amendment.

ARTHUR A. OHNIMUS, Chief Clerk.
By FRED J. DESCH, Assistant Clerk.

CONSIDERATION OF ASSEMBLY AMENDMENT.

The Senate took up for consideration Assembly amendment to Senate Bill No. 759—An act to amend section 71 of an act entitled "An act to provide for the organization of the Railroad Commission, to define the powers and duties and the rights, remedies, powers and duties of public utilities and their officers, and the rights and remedies of patrons of public utilities, and to provide penalties for offenses by public utilities, their officers, agents, and employees and by other persons and corporations, creating the 'Railroad Commission Fund' and appropriating the moneys therein to carry out the provisions of this act, and repealing title XV of part IV of division I of the Civil Code and all acts and parts of acts inconsistent with the provisions of this act," approved April 23, 1915, as amended.

ASSEMBLY AMENDMENT TO SENATE BILL NUMBER SEVEN HUNDRED FIFTY-NINE.

AMENDMENT NUMBER ONE.

On page 3, line 50, of the printed bill, as amended April 20th, strike out the word "action", and insert in lieu thereof the word "act".

The question being: Shall the Senate concur in Assembly amendment to Senate Bill No. 759?

The roll was called, and Assembly amendment to Senate Bill No. 759 concurred in by the following vote:

AYES—Senators Allen, Breed, Bush, Carter, Christian, Cleveland, Clock, Crittenden, Deuel, Duval, Edwards, Evans, Harper, Hays, Ingels, Inman, Maloney, McCormack, Mixter, Moran, Nelson, Rich, Riley, Schottky, Slater, Swing, Treacy, Tubbs, and Williams—29.

NOES—None.

Senate Bill No. 759 ordered to print, and enrollment.

MESSAGE FROM THE ASSEMBLY.

The following message from the Assembly was received and read:

ASSEMBLY CHAMBER, SACRAMENTO, May 11, 1931.

MR. PRESIDENT: I am directed to inform your honorable body that the Assembly amended, and on this day passed as amended, Senate Bill No. 522—An act to amend section 3692 of the Political Code, relating to powers and duties of the State Board of Equalization—and respectfully requests your honorable body to concur in said amendments.

ARTHUR A. O'HINIMUS, Chief Clerk.
By FRED J. DESCH, Assistant Clerk.

CONSIDERATION OF ASSEMBLY AMENDMENTS.

The Senate took up for consideration Assembly amendments to Senate Bill No. 522—An act to amend section 3692 of the Political Code, relating to powers and duties of the State Board of Equalization.

ASSEMBLY AMENDMENTS TO SENATE BILL NUMBER FIVE HUNDRED TWENTY-TWO.

AMENDMENT NUMBER ONE.

On page 3, line 36, of the printed bill, after the period, insert the following new section:

"16½. To ascertain and discover every transportation company and passenger stage corporation operating upon any public highway in this state, whether possessing a certificate or license therefor or not."

AMENDMENT NUMBER TWO.

On page 3, lines 38 to 41, of the printed bill, as amended in Assembly April 28, 1931, strike out all of the paragraph numbered 16½.

AMENDMENT NUMBER THREE.

In the first line of the title of the printed bill, as amended in Assembly April 28, 1931, after "3693", insert ", and to repeal section 3700a".

AMENDMENT NUMBER FOUR.

In the last line of the title of the printed bill, as amended in Assembly April 28, 1931, strike out the period and insert in lieu thereof ", and the salary of the secretary of said board."

AMENDMENT NUMBER FIVE.

On page 4, line 48, of the printed bill, as amended in Assembly April 28, 1931, after "work.", add:

"Sec. 3. Section 3700a of the Political Code is hereby repealed."

The question being: Shall the Senate concur in Assembly amendments to Senate Bill No. 522?

The roll was called, and Assembly amendments to Senate Bill No. 522 concurred in by the following vote:

AYES—Senators Allen, Breed, Bush, Carter, Christian, Cleveland, Clock, Critten-den, Deuel, Duval, Edwards, Evans, Fellom, Harper, Hays, Ingels, Maloney, McCormack, McKinley, Mixer, Moran, Nelson, Pedrotti, Rich, Riley, Slater, Treacy, Tubbs, and Williams—29.

NOES—None.

Senate Bill No. 522 ordered to print, and enrollment.

MESSAGE FROM THE ASSEMBLY.

The following message from the Assembly was received and read:

ASSEMBLY CHAMBER, SACRAMENTO, May 12, 1931.

MR. PRESIDENT: I am directed to inform your honorable body that the Assembly amended, and on this day passed as amended, Senate Bill No. 584—An act to amend sections 2, 3, 4, 5, 6, 7, 8, 9, 10, 12, 12a, 13, 14, 15, 16, 18, 19, 20, 21, and to add a new section to be numbered 24 to chapter 845, Statutes 1927, "An act to regulate the occupations and practices of hairdressers and cosmeticians, cosmetologists, and the branches of cosmetology; to create the State Board of Cosmetology, and to provide for the issuance by said board of certificates of registration and licenses entitling the holders thereof to engage in and to teach such occupations and practices; to insure the better education of hairdressers and cosmeticians; to provide for rules

regulating the proper conduct and sanitation of cosmetological establishments, schools of cosmetology, and places where the occupations of hairdressers and cosmeticians are practiced; prescribing penalties for the violation of the provisions of this act," approved by the Governor, May 31, 1927—and respectfully requests your honorable body to concur in said amendment.

ARTHUR A. OHNIMUS, Chief Clerk.
By A. W. ENGELKE, Assistant Clerk.

CONSIDERATION OF ASSEMBLY AMENDMENT.

The Senate took up for consideration Assembly amendment to Senate Bill No. 584—An act to amend sections 2, 3, 4, 5, 6, 7, 8, 9, 10, 12, 12a, 13, 14, 15, 16, 18, 19, 20, 21, and to add a new section to be numbered 24 to chapter 845, Statutes 1927, "An act to regulate the occupations and practices of hairdressers and cosmeticians, cosmetologists, and the branches of cosmetology; to create the State Board of Cosmetology, and to provide for the issuance by said board of certificates of registration and licenses entitling the holders thereof to engage in and to teach such occupations and practices; to insure the better education of hairdressers and cosmeticians; to provide for rules regulating the proper conduct and sanitation of cosmetological establishments, schools of cosmetology, and places where the occupations of hairdressers and cosmeticians are practiced; prescribing penalties for the violation of the provisions of this act." approved by the Governor, May 31, 1927.

ASSEMBLY AMENDMENT TO SENATE BILL NUMBER FIVE HUNDRED EIGHTY-FOUR.

AMENDMENT NUMBER ONE.

On page 4 of the printed bill, as amended April 15, strike out lines 39 to 48, inclusive, and insert in lieu thereof the following:

"Except as herein provided, the term of office of such members shall be four years and they shall hold office until the appointment and qualification of their successors. The terms of the members of the board in office when this amendment takes effect shall expire as follows: one member, September 15, 1931; one member, January 15, 1932; two members, January 15, 1933; one member, January 15, 1934. Such terms shall expire in the same relative order as to such members as the terms for which they hold office before this amendment takes effect, except that members whose terms have expired on the same day shall determine their relative order by lot. The terms commencing September 15, 1931, shall expire January 15, 1935. Vacancies occurring under the provisions of this section shall be filled by appointment for the unexpired term. Before entering upon the discharge of their duties each member shall make, and file with the secretary of state, the constitutional oath of office."

The question being: Shall the Senate concur in Assembly amendment to Senate Bill No. 584?

The roll was called, and Assembly amendment to Senate Bill No. 584 concurred in by the following vote:

AYES—Senators Allen, Breed, Bush, Carter, Christian, Cleveland, Clock, Crittenden, Deuel, Duval, Edwards, Evans, Fellom, Harper, Hays, Ingels, Maloney, McCormack, McKinley, Mixer, Moran, Nelson, Rich, Schottky, Sharkey, Slater, Treacy, Tubbs, and Williams—29.

NOES—None.

Senate Bill No. 584 ordered to print, and enrollment.

REPORT OF COMMITTEE ON FREE CONFERENCE.

The following report of the Committee on Free Conference was received and read:

SENATE CHAMBER, SACRAMENTO, May 8, 1931.

MR. PRESIDENT: Your Committee on Free Conference concerning Senate Bill No. 490—An act defining the civil liability for failure to control fire—reports that it has met a like committee of the Assembly, consisting of Assemblymen McGuinness, Biggar and Crist, and reports that the Committee on Free Conference has agreed to recommend the following: That the Senate concur in the Assembly amendments, and that the bill be further amended as follows:

AMENDMENT NUMBER ONE.

On page 2 of the printed bill, immediately following line 8 on said page, insert the following:

"SEC. 6. Section 3346a of the Civil Code is hereby repealed."

WILLIAMS,
EVANS,
PEDROTTI,

Senate Committee on Free Conference.

BIGGAR,
CRIST,
McGUINNESS,

Assembly Committee on Free Conference.

The question being on the adoption of the report of the Committee on Free Conference, and the amendment to Senate Bill No. 490.

The roll was called, and the report of the Committee on Free Conference and the amendment adopted by the following vote:

AYES—Senators Allen, Baker, Breed, Bush, Carter, Christian, Cleveland, Clock, Crittenden, Deuel, Duval, Evans, Fellom, Harper, Inman, Maloney, McCormack, McKinley, Mixer, Moran, Nelson, Pedrotti, Rich, Schottky, Sharkey, Slater, Treacy, Tubbs, and Williams—29.

NOES—None.

Senate Bill No. 490 ordered to print, and enrollment.

CONSIDERATION OF DAILY FILE.

THIRD READING OF ASSEMBLY BILLS.

Assembly Bill No. 1012—An act to amend section 1 of an act entitled "An act defining credit unions, providing for their incorporation, powers, management and supervision," approved March 31, 1927, relating to contents of articles of incorporation.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Assembly Bill No. 1012 passed by the following vote:

AYES—Senators Allen, Baker, Breed, Bush, Carter, Christian, Cleveland, Clock, Crittenden, Deuel, Duval, Evans, Fellom, Harper, Hays, Inman, Maloney, McCormack, McKinley, Mixer, Moran, Nelson, Pedrotti, Rich, Schottky, Sharkey, Slater, Treacy, and Tubbs—29.

NOES—None.

Title read and approved.

Bill ordered transmitted to the Assembly.

ASSEMBLY CONCURRENT RESOLUTION No. 21.

Relative to the revision and rearrangement of the Fish and Game Law by the California Code Commission.

WHEREAS, There appears to be a serious need for the revision and rearrangement of the laws of the State of California relating to fish and game; and

WHEREAS, It is highly desirable that the members of the Legislature and other interested persons be given an opportunity to carefully consider any such revision or rearrangement at the earliest possible date to the end that any necessary or desirable changes therein may be incorporated before the convening of the fiftieth session of the Legislature; now, therefore, be it

Resolved by the Assembly, the Senate concurring, That the California Code Commission be, and it is hereby requested and directed as one of its first pieces of work to undertake and prepare a Fish and Game Law including therein all of the provisions of the law of the State of California relating to the division of the State into fish and game districts and to the preservation and regulation of the taking or destruction of fish and game; and be it further

Resolved, That the Fish and Game Law so prepared be printed as soon as possible after the first day of January, 1932, and that said law contain supplementary and explanatory notes indicating where the provisions of the existing statutes may be found in said law and from what provisions of the existing statutes the several sections and divisions of the proposed fish and game law are derived; and be it further

Resolved, That copies of the law so prepared be distributed at the earliest possible date to the Governor, all members of the Legislature, to the heads of all State departments, and to any and all other interested persons.

Resolution read.

The question being on the adoption of the resolution.

The roll was called, and Assembly Concurrent Resolution No. 21 adopted by the following vote:

AYES—Senators Allen, Baker, Breed, Bush, Carter, Christian, Cleveland, Clock, Crittenden, Deuel, Duval, Edwards, Evans, Fellom, Harper, Hays, Maloney, McCormack, McKinley, Mixer, Moran, Nelson, Pedrotti, Schottky, Sharkey, Slater, Treacy, Tubbs, and Williams—29.

NOES—None.

Assembly Concurrent Resolution No. 21 ordered transmitted to the Assembly.

Assembly Bill No. 513—An act to prevent fraud or misrepresentation in the distribution and sale of gasoline or other motor fuel, distillate, kerosene and lubricating oil; regulating the distribution and sale of such products; defining the powers and duties in relation thereto of the Division of Weights and Measures of the Department of Agriculture, and persons authorized by it, sealers of weights and measures, and their deputies, and other officers; defining "gasoline" and prescribing specifications for products sold or offered for sale as "gasoline"; prescribing penalties for the violation of provisions hereof; and repealing acts and parts of acts inconsistent herewith.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Assembly Bill No. 513 passed by the following vote:

AYES—Senators Allen, Baker, Breed, Bush, Carter, Cassidy, Christian, Crittenden, Deuel, Duval, Edwards, Evans, Fellom, Harper, Hays, Inman, Maloney, McCormack, McKinley, Mixer, Moran, Pedrotti, Rich, Rochester, Schottky, Sharkey, Slater, Treacy, and Tubbs—29.

NOES—None.

Title read and approved.

Bill ordered transmitted to the Assembly.

ASSEMBLY CONSTITUTIONAL AMENDMENT No. 33.

A resolution to propose to the people of the State of California, an amendment to the constitution of said State by amending section 16½ of article XI of the constitution of the State of California, relating to the deposit of public moneys in banks.

Resolved by the Assembly, the Senate concurring, That the Legislature of the State of California, in regular session commencing on the fifth day of January, 1931, two-thirds of all the members elected to each of the two houses voting in favor thereof, hereby proposes to the people of the State of California that the constitution of the State of California be amended by amending section 16½ of article XI thereof to read as follows:

SEC. 16½. All moneys belonging to, or in the custody of, the State, or any county, city and county, city, town, municipality or other public or municipal corporation, within this State may be deposited in any national bank or banks within this State or in any bank or banks organized under the laws of this State, in such manner and under such conditions as may be provided by any law adopted by the people under the initiative or by a two-thirds vote of each house of the Legislature and approved by the Governor and subject to the referendum; *provided*, that the laws now governing the deposit of such moneys shall continue in force until such laws shall be amended, changed or repealed as in this section authorized; *and provided*, further, that the State or any county, city and county, city, town, municipality or other public or municipal corporation, issuing bonds under the laws of this State, may deposit moneys in any bank or banks outside this State for the payment of the

principal or interest of such bonds at the place or places at which the same are payable.

Amendment read.

The question being on the adoption of the amendment.

The roll was called, and Assembly Constitutional Amendment No. 33 adopted by the following vote:

AYES—Senators Allen, Baker, Bush, Carter, Cassidy, Christian, Clock, Crittenden, Deuel, Edwards, Evans, Fellom, Harper, Hays, Inman, Jones, Maloney, McKinley, Mixer, Moran, Pedrotti, Rich, Rochester, Schottky, Sharkey, Slater, Treacy, and Tubbs—28.

NOES—None.

Assembly Constitutional Amendment No. 33 ordered transmitted to the Assembly.

ASSEMBLY CONCURRENT RESOLUTION No. 4.

Providing for the appointment of a committee to investigate the California State Civil Service Commission and its conduct in the examinations given for State positions.

WHEREAS, The State Civil Service Commission is charged with the duty to classify positions to be held under State authority; and

WHEREAS, It is the function of the State Civil Service Commission to establish grades within the different State departments to the end that proper and equitable salaries shall be paid for similar work in all departments and to designate maximum and minimum salaries for each grade; and

WHEREAS, The said commission is authorized to hold examinations for the purpose of determining efficiency and capability and thereby prepare lists of eligible applicants from which appointments to State service, with certain exceptions may be made; and

WHEREAS, Complaints have been made by certain citizens of the State of California to the effect that serious misconduct is chargeable against the present Civil Service Commission with respect to the holding of such said examinations; now, therefore, be it

Resolved by the Assembly, the Senate concurring, That a committee of six members be appointed, consisting of three members of the Assembly to be appointed by the Speaker of the Assembly, and three members of the Senate, to be appointed by the President of the Senate, for the purpose of investigating said Civil Service Commission, its administration and its practices, and it is hereby authorized and empowered to prepare and submit to the next session of the Legislature of the State of California, its findings and make such recommendations as it may deem necessary and proper for the proper administration of the State Civil Service Commission; and, be it further

Resolved, That each department, board, commission or officer of the State of California, whenever requested to do so by the said committee shall furnish to said committee such assistance as it may require and that the expenses incurred in such investigation, not to exceed the sum of \$2,500 shall be paid equally by the Senate and the Assembly out of the respective contingent funds; and, be it further

Resolved, That said committee is hereby authorized and empowered to do any and all things necessary to make a full and complete investigation of the matters herein referred to, and it is hereby authorized and empowered to issue subpoenas and to compel the attendance of witnesses and to procure testimony. Each of the members of said committee is hereby authorized to administer oaths, and all the provisions of article VIII, chapter II, title I, part III of the Political Code of the State relative to the attendance and assemblage of witnesses before the Legislature and committees thereof shall apply to the committee appointed under this resolution. The said committee is hereby given leave to sit during the session of the Legislature, and during the interval between sessions thereof at any place in the State as said committee shall from time to time determine.

Resolution read.

The question being on the adoption of the resolution.

The roll was called, and Assembly Concurrent Resolution No. 4 adopted by the following vote:

AYES—Senators Allen, Baker, Bush, Cassidy, Cleveland, Clock, Crittenden, Edwards, Fellom, Harper, Hays, Maloney, McKinley, Mixer, Moran, Pedrotti, Riley, Sharkey, Treacy, Tubbs, and Williams—21.

NOES—Senators Breed, Carter, Deuel, Evans, Inman, Jones, Nelson, Rich, Schottky, Slater, and Waggy—11.

Assembly Concurrent Resolution No. 4 ordered transmitted to the Assembly.

Assembly Bill No. 1888—An act creating a fish and game district to be known as the "San Francisco Game Refuge," providing for the protection of game and fish within such refuge and providing penalties for violation of the act.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Assembly Bill No. 1888 passed by the following vote:

AYES—Senators Allen, Baker, Breed, Carter, Christian, Cleveland, Clock, Crittenden, Deuel, Edwards, Evans, Fellom, Harper, Jones, Maloney, McKinley, Mixer, Nelson, Pedrotti, Rich, Riley, Schottky, Slater, Treacy, Tubbs, Wagy, and Williams—27.

NOES—None.

Title read and approved.

Bill ordered transmitted to the Assembly.

Assembly Bill No. 1384—An act to establish a refuge for the protection of marine animal and plant life.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Assembly Bill No. 1384 passed by the following vote:

AYES—Senators Allen, Baker, Breed, Bush, Carter, Christian, Cleveland, Clock, Crittenden, Deuel, Edwards, Evans, Fellom, Harper, Hays, Inman, Jones, Maloney, McKinley, Mixer, Nelson, Pedrotti, Rich, Riley, Schottky, Sharkey, Slater, Treacy, Tubbs, Wagy, and Williams—31.

NOES—None.

Title read and approved.

Bill ordered transmitted to the Assembly.

Assembly Bill No. 1126—An act to amend sections 4 and 6 of chapter 493, Statutes of 1917, entitled "An act providing for the leasing of certain State lands and making an appropriation for the purposes of this act," approved May 17, 1917, relating to the termination of leases on State lands.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Assembly Bill No. 1126 passed by the following vote:

AYES—Senators Allen, Baker, Breed, Bush, Carter, Christian, Cleveland, Clock, Crittenden, Deuel, Edwards, Evans, Fellom, Harper, Hays, Inman, Maloney, McCormack, McKinley, Mixer, Moran, Nelson, Pedrotti, Rich, Schottky, Sharkey, Slater, Treacy, Tubbs, Wagy, and Williams—31.

NOES—None.

Title read and approved.

Bill ordered transmitted to the Assembly.

Assembly Bill No. 755—An act to amend section 832 of the Civil Code, relating to lateral and subjacent support and excavations.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Assembly Bill No. 755 passed by the following vote:

AYES—Senators Allen, Baker, Breed, Bush, Carter, Christian, Cleveland, Crittenden, Deuel, Edwards, Evans, Fellom, Harper, Hays, Inman, Jones, Maloney, McCor-

mack, McKinley, Mixter, Moran, Nelson, Pedrotti, Rich, Schottky, Slater, Treacy, Tubbs, Wagy, and Williams—30.
NOES—Senator Clock—1.

Title read and approved.

Bill ordered transmitted to the Assembly.

Assembly Bill No. 645—An act to amend section 661 of the Code of Civil Procedure, relating to the judge before whom motions for new trial shall be acquired.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Assembly Bill No. 645 passed by the following vote:

AYES—Senators Allen, Baker, Breed, Bush, Christian, Cleveland, Clock, Crittenden, Deuel, Edwards, Evans, Fellom, Harper, Hays, Inman, Jones, Maloney, McKinley, Mixter, Moran, Nelson, Pedrotti, Rich, Riley, Schottky, Sharkey, Slater, Treacy, Tubbs, Wagy, and Williams—31.

NOES—None.

Title read and approved.

Bill ordered transmitted to the Assembly.

Assembly Bill No. 486—An act to amend "An act to provide for the organization, incorporation and government of municipal corporations," approved March 13, 1883, as amended, by adding a new section thereto to be known as section 887, making it unlawful for any municipality to levy license taxes or fees against the business of, or instrumentalities used in, the sale or delivery of merchandise to retailers for retail purposes.

Bill read third time.

The question being on the passage of the bill.

The roll was called.

CALL OF THE SENATE.

Pending the announcement of the vote, Senator McKinley moved a call of the Senate.

Motion carried.

The Secretary was directed to call the roll.

The roll was called, and the following answered to their names:

Senators Allen, Baker, Breed, Bush, Carter, Cassidy, Christian, Cleveland, Clock, Crittenden, Deuel, Duval, Edwards, Evans, Harper, Hays, Inman, Jones, Maloney, McCormack, McKinley, Mixter, Moran, Nelson, Pedrotti, Rich, Riley, Rochester, Schottky, Sharkey, Slater, Swing, Treacy, Tubbs, Williams, and Young—36.

The Secretary announced the absentees.

Time, twelve o'clock and thirty-seven minutes p.m.

The President directed the Sergeant-at-Arms to close the doors.

The Sergeant-at-Arms, having been furnished with the names of the absentees, was directed to bring them to the bar of the Senate.

PROCEEDINGS UNDER CALL OF THE SENATE.

REPORTS OF STANDING COMMITTEES—(RESUMED).

The following report of standing committee was received and read:

ON FINANCE.

SENATE CHAMBER, SACRAMENTO, May 13, 1931.

MR. PRESIDENT: Your Committee on Finance, to which was referred Assembly Bill No. 888—An act making an appropriation to provide an airplane for the use

of the Governor of the State of California has had the same under consideration, and respectfully reports the same back, and recommends that it do pass.

Committee membership—18; committee vote: Ayes—12; noes—4; absent—2.

SWING, Chairman.

SECOND READING OF ASSEMBLY BILL NUMBER EIGHT HUNDRED EIGHTY-EIGHT.

Assembly Bill No. 888—An act making an appropriation to provide an airplane for the use of the Governor of the State of California.

Bill read second time, and ordered on file for third reading.

REPORTS OF STANDING COMMITTEES—(RESUMED).

The following report of standing committee was received and read:

ON LABOR AND CAPITAL.

SENATE CHAMBER, SACRAMENTO, May 13, 1931.

MR. PRESIDENT: Your Committee on Labor and Capital, to which was referred Assembly Bill No. 795—An act to repeal an act entitled "An act fixing the minimum rate of compensation for labor on public work," approved March 9, 1897:

Also: Assembly Bill No. 1060—An act to amend section 3 of chapter 202, Statutes of 1919, entitled "An act to regulate the payment of wages or compensation for labor or service in private employments, establishing regular pay days, providing penalties for the violation of its provisions, authorizing the Commissioner of the Bureau of Labor Statistics to enforce this act, defining the duties of district attorneys relative to its enforcement, providing for the collection of certain penalties by civil action at the direction of said commissioner and for the disposition of penalties so collected; repealing an act entitled 'An act providing for the time of payment of wages,' approved May 1, 1911, as amended April 28, 1915, and repealing an act entitled 'An act to regulate the payment of wages or compensation of employees in private employments; to provide for regular pay days in such employments; providing a penalty for the violation thereof; and authorizing the Commissioner of the Bureau of Labor Statistics to enforce the provisions of this act,' approved June 8, 1915," approved May 6, 1919, as amended, relating to the scope of the said act and providing that the terms thereof can not be contravened by a private agreement—has had the same under consideration, and respectfully reports the same back, and recommends that they do pass.

Committee membership—9; committee vote: Ayes—6; absent—3.

MALONEY, Chairman.

SECOND READING OF ASSEMBLY BILLS—(RESUMED).

Assembly Bill No. 795—An act to repeal an act entitled "An act fixing the minimum rate of compensation for labor on public work," approved March 9, 1897.

Bill read second time, and ordered on file for third reading.

Assembly Bill No. 1060—An act to amend section 3 of chapter 202, Statutes of 1919, entitled "An act to regulate the payment of wages or compensation for labor or service in private employments, establishing regular pay days, providing penalties for the violation of its provisions, authorizing the Commissioner of the Bureau of Labor Statistics to enforce this act, defining the duties of district attorneys relative to its enforcement, providing for the collection of certain penalties by civil action at the direction of said commissioner and for the disposition of penalties so collected; repealing an act entitled 'An act providing for the time of payment of wages,' approved May 1, 1911, as amended April 28, 1915, and repealing an act entitled 'An act to regulate the payment of wages or compensation of employees in private employments; to provide for regular pay days in such employments; providing a penalty for the violation thereof; and authorizing the Commissioner of the Bureau of Labor Statistics to enforce the provisions of this act,' approved June 8, 1915," approved May 6, 1919, as amended, relating to the scope of

the said act and providing that the terms thereof can not be contravened by a private agreement.

Bill read second time, and ordered on file for third reading.

REPORTS OF STANDING COMMITTEES—(RESUMED).

The following report of standing committee was received and read:

ON FISH AND GAME.

SENATE CHAMBER, SACRAMENTO, May 12, 1931.

MR. PRESIDENT: Your Committee on Fish and Game, to which was referred Assembly Bill No. 1379—An act to amend sections 5, 6, 7 and 8 of an act entitled "An act to license canners, curers, preservers and packers of fish and handlers of crustaceans and mollusks, and providing a revenue therefrom for the conservation, propagation and restoration of fish in the State of California, and providing for a record of fish caught or received, and providing penalties for the violation of the provisions thereof, and repealing all acts or parts of acts in conflict therewith," approved May 28, 1917;

Also: Assembly Bill No. 1873—An act to create the Inverness Game Refuge, to provide for the preservation and protection of animal life therein, and to prescribe penalties;

Also: Assembly Bill No. 737—An act to add a new section to the Penal Code to be numbered 628*m*, relating to the protection of white sea bass;

Also: Assembly Bill No. 392—An act to amend section 634 of the Penal Code, relating to the protection of fish and game;

Has had the same under consideration, and respectfully reports the same back, and recommends that they do pass.

Committee membership—15; committee vote: Ayes—14; absent—1.

ALLEN, Vice Chairman.

SECOND READING OF ASSEMBLY BILLS—(RESUMED).

Assembly Bill No. 1379—An act to amend sections 5, 6, 7 and 8 of an act entitled "An act to license canners, curers, preservers and packers of fish and handlers of crustaceans and mollusks, and providing a revenue therefrom for the conservation, propagation and restoration of fish in the State of California, and providing for a record of fish caught or received, and providing penalties for the violation of the provisions thereof, and repealing all acts or parts of acts in conflict therewith." approved May 28, 1917.

Bill read second time, and ordered on file for third reading.

Assembly Bill No. 1873—An act to create the Inverness Game Refuge, to provide for the preservation and protection of animal life therein, and to prescribe penalties.

Bill read second time, and ordered on file for third reading.

Assembly Bill No. 737—An act to add a new section to the Penal Code to be numbered 628*m*, relating to the protection of white sea bass.

Bill read second time, and ordered on file for third reading.

Assembly Bill No. 392—An act to amend section 634 of the Penal Code, relating to the protection of fish and game.

Bill read second time, and ordered on file for third reading.

REPORTS OF STANDING COMMITTEES—(RESUMED).

The following report of standing committee was received and read:

ON FISH AND GAME.

SENATE CHAMBER, SACRAMENTO, May 12, 1931.

MR. PRESIDENT: Your Committee on Fish and Game, to which was referred Assembly Bill No. 414—An act to amend section 626 of the Penal Code, relating to the protection of game;

Also: Assembly Bill No. 370—An act to amend section 636 of the Penal Code, relating to the protection of fish and game;

Has had the same under consideration, and respectfully reports the same back with amendments, and recommends that the amendments be adopted, and that they do pass as amended.

Committee membership—15; committee vote: Ayes—14; absent—1.

ALLEN, Vice Chairman.

SECOND READING OF ASSEMBLY BILLS—(RESUMED).

Assembly Bill No. 414—An act to amend section 626 of the Penal Code, relating to the protection of game.

COMMITTEE AMENDMENTS.

During second reading of the bill, the following committee amendments were offered:

AMENDMENT NUMBER ONE.

On page 1, line 3, of the printed bill, strike out "who between the first day of February", and also strike out all of lines 4 to 6, inclusive, and in line 7, strike out "hen or gallinule or Wilson snipe; or".

Amendment adopted.

AMENDMENT NUMBER TWO.

On page 1, line 9, of the printed bill, strike out "or wild pigeon".

Amendment adopted.

AMENDMENT NUMBER THREE.

On page 2, line 8, of the printed bill, after the semicolon after "misdemeanor", insert the following: "provided, that brush, cottontail or any other rabbits may be hunted, taken or killed, in fish and game district four and three-quarters in any number and at any time of the year;".

Amendment adopted.

Bill read second time, ordered to print, and on file for third reading.

Assembly Bill No. 370—An act to amend section 636 of the Penal Code, relating to the protection of fish and game.

COMMITTEE AMENDMENTS.

During second reading of the bill, the following committee amendments were offered:

AMENDMENT NUMBER ONE.

On page 1, line 12, of the printed bill, as last amended in Assembly May 7, 1931, strike out "twenty-two".

Amendment adopted.

AMENDMENT NUMBER TWO.

On page 3, lines 16 and 17, of the printed bill, as last amended in Assembly May 7, 1931, strike out "twenty-one and twenty-two", and insert in lieu thereof "and twenty-one".

Amendment adopted.

AMENDMENT NUMBER THREE.

On page 4, line 10, of the printed bill, as last amended in Assembly May 7, 1931, strike out "nineteen and twenty-two", and insert in lieu thereof "and nineteen".

Amendment adopted.

AMENDMENT NUMBER FOUR.

On page 4, line 26, of the printed bill, as last amended in Assembly May 7, 1931, strike out "fourteenth", and insert in lieu thereof "first".

Amendment adopted.

AMENDMENT NUMBER FIVE.

On page 4 of the printed bill, as last amended in Assembly May 7, 1931, strike out all that part of line 29 following the word "length", and strike out lines 31, 32, 33 and 34 and insert in lieu thereof a period.

Amendment adopted.

AMENDMENT NUMBER SIX.

On page 5, line 21, of the printed bill, as last amended in Assembly May 7, 1931, strike out the period, and insert in lieu thereof the following: "; *provided*, that it shall be unlawful to use troll lines or hand lines in fish and game district twenty-two for taking striped bass or, in fish and game district twenty-two, to take striped bass in any manner."

Amendment adopted.

AMENDMENT NUMBER SEVEN.

On page 3, line 12, of the printed bill, as last amended in Assembly May 7, 1931, strike out the period, and insert in lieu thereof the following: "or within 100 yards in any direction from any kelp bed."

Amendment adopted.

Bill read second time, ordered to print, and on file for third reading.

REPORTS OF STANDING COMMITTEES—(RESUMED).

The following report of standing committee was received and read:

ON FISH AND GAME.

SENATE CHAMBER, SACRAMENTO, May 12, 1931.

MR. PRESIDENT: Your Committee on Fish and Game, to which was referred Assembly Bill No. 295—An act to amend section 45 of an act entitled "An act to divide the State of California into fish and game districts and to repeal an act entitled 'An act to divide the State of California into fish and game districts, and to repeal an act entitled 'An act to divide the State of California into six fish and game districts,' approved March 21, 1911, and all acts or parts of acts inconsistent herewith,' approved May 15, 1915," approved May 28, 1917, as amended, relating to fish and game districts—has had the same under consideration, and respectfully reports the same back, and recommends that it do pass.

Committee membership—15.

ALLEN, Vice Chairman.

SECOND READING OF ASSEMBLY BILL NUMBER TWO HUNDRED NINETY-FIVE.

Assembly Bill No. 295—An act to amend section 45 of an act entitled "An act to divide the State of California into fish and game districts and to repeal an act entitled 'An act to divide the State of California into fish and game districts, and to repeal an act entitled 'An act to divide the State of California into six fish and game districts,' approved March 21, 1911, and all acts or parts of acts inconsistent herewith,' approved May 15, 1915," approved May 28, 1917, as amended, relating to fish and game districts.

Assembly Bill No. 295 read second time, and ordered on file for third reading.

REPORTS OF STANDING COMMITTEES—(RESUMED).

The following report of standing committee was received and read:

ON REVISION OF CRIMINAL LAW AND PROCEDURE.

SENATE CHAMBER, SACRAMENTO, May 13, 1931.

MR. PRESIDENT: Your Committee on Revision of Criminal Law and Procedure, to which was referred Assembly Bill No. 1903—An act to amend section 969a of the Penal Code, relating to pleading prior convictions in indictments or informations;

Also: Assembly Bill No. 905—An act to amend section 1213 of the Penal Code, relating to execution of a judgment other than of death;

Has had the same under consideration, and respectfully reports the same back, and recommends that they do pass.

Committee membership—9.

(Signed out)

ROCHESTER, Chairman.
RUSSELL
CLEVELAND.
CLOCK.
MALONEY.

SECOND READING OF ASSEMBLY BILLS—RESUMED.

Assembly Bill No. 1903—An act to amend section 969*a* of the Penal Code, relating to pleading prior convictions in indictments or informations.

Bill read second time, and ordered on file for third reading.

Assembly Bill No. 905—An act to amend section 1213 of the Penal Code, relating to execution of a judgment other than of death.

Bill read second time, and ordered on file for third reading.

REPORTS OF STANDING COMMITTEES—(RESUMED).

The following report of standing committee was received and read:

ON ELECTIONS.

SENATE CHAMBER, SACRAMENTO, May 13, 1931.

MR. PRESIDENT: Your Committee on Elections, to which was referred Assembly Bill No. 273—An act to add section 11*a* to, and to amend section 33 of, an act entitled "An act to provide for and regulate municipal elections in cities of the fifth and sixth class," approved May 27, 1919, as amended, relating to roster and tally lists—has had the same under consideration, and respectfully reports the same back with amendments, and recommends that the amendments be adopted, and that it do pass as amended.

Committee membership—11; committee vote: Ayes—7; absent—4.

FELLOM, Chairman.

SECOND READING OF ASSEMBLY BILL NUMBER TWO HUNDRED SEVENTY-THREE.

Assembly Bill No. 273—An act to add section 11*a* to, and to amend section 33 of, an act entitled "An act to provide for and regulate municipal elections in cities of the fifth and sixth class," approved May 27, 1919, as amended, relating to roster and tally lists.

COMMITTEE AMENDMENT.

During the second reading of the bill, the following committee amendment was offered:

AMENDMENT NUMBER ONE.

Strike out lines 6 and 7 of the title of the printed bill, and insert in lieu thereof the following: "amended, relating to municipal elections."

Amendment adopted.

Bill read second time, ordered to print, and on file for third reading.

REPORTS OF STANDING COMMITTEES—(RESUMED).

The following report of standing committee was received and read:

ON FISH AND GAME.

SENATE CHAMBER, SACRAMENTO, May 12, 1931.

MR. PRESIDENT: Your Committee on Fish and Game, to which was referred Assembly Bill No. 973—An act making an appropriation for the building of a game preserve for tule elk in or near Kern County—has had the same under consideration, and respectfully reports the same back, and recommends that it do pass, and be re-referred to Committee on Finance.

Committee membership—15; committee vote: Ayes—14; absent—1.

ALLEN, Vice Chairman.

SECOND READING OF ASSEMBLY BILL NUMBER NINE HUNDRED
SEVENTY-THREE.

Assembly Bill No. 973—An act making an appropriation for the building of a game preserve for tule elk in or near Kern County.

Bill read second time, and ordered re-referred to Committee on Finance.

REPORTS OF STANDING COMMITTEES—(RESUMED).

The following report of standing committee was received and read:

ON FISH AND GAME.

SENATE CHAMBER, SACRAMENTO, May 12, 1931.

MR. PRESIDENT: Your Committee on Fish and Game, to which was referred Assembly Bill No. 1378—An act to amend section 628c of the Penal Code, relating to the protection of fish and game—has had the same under consideration, and respectfully reports the same back with amendments, and recommends that the amendments be adopted, and that it do pass as amended.

Committee membership—15; committee vote: Ayes—14; absent—1.

ALLEN, Vice Chairman.

SECOND READING OF ASSEMBLY BILL NUMBER ONE THOUSAND THREE
HUNDRED SEVENTY-EIGHT.

Assembly Bill No. 1378—An act to amend section 628c of the Penal Code, relating to the protection of fish and game.

COMMITTEE AMENDMENTS.

During the second reading of the bill, the following committee amendments were offered:

AMENDMENT NUMBER ONE.

On page 1, line 26, of the printed bill, strike out the words "twenty-eight inches in length", and substitute in lieu thereof the following: "three pounds in weight".

Amendment adopted.

AMENDMENT NUMBER TWO.

On page 2, line 7, of the printed bill, after the word "its", strike out the word "length", and substitute in lieu thereof the following: "weight".

Amendment adopted.

AMENDMENT NUMBER THREE.

On page 2, line 17, of the printed bill, after the word "barracuda", strike out the words "measuring less than twenty-eight inches in length", and substitute in lieu thereof the following: "weighing less than three pounds".

Amendment adopted.

Bill read second time, ordered to print, and on file for third reading.

REPORTS OF STANDING COMMITTEES—(RESUMED).

The following report of standing committee was received and read:

ON FISH AND GAME.

SENATE CHAMBER, SACRAMENTO, May 12, 1931.

MR. PRESIDENT: Your Committee on Fish and Game, to which was referred Assembly Bill No. 371—An act to amend section 628b of the Penal Code, relating to protection of fish—has had the same under consideration, and respectfully reports the same back, and recommends that it do pass.

Committee membership—15; committee vote: Ayes—14; absent—1.

ALLEN, Vice Chairman.

SECOND READING OF ASSEMBLY BILL NUMBER THREE HUNDRED
SEVENTY-ONE.

Assembly Bill No. 371—An act to amend section 628b of the Penal Code, relating to protection of fish.

Bill read second time, and ordered on file for third reading.

REPORTS OF STANDING COMMITTEES—(RESUMED).

The following report of standing committee was received and read:

ON FISH AND GAME.

SENATE CHAMBER, SACRAMENTO, May 12, 1931.

MR. PRESIDENT: Your Committee on Fish and Game, to which was referred Assembly Bill No. 329—An act making an appropriation to provide for the extermination of rough fish in Clear Lake, to take effect immediately—has had the same under consideration, and respectfully reports the same back with recommendation to be re-referred to Committee on Finance.

Committee membership—15; committee vote: Ayes—14; absent—1.

ALLEN, Vice Chairman.

SECOND READING OF ASSEMBLY BILL NUMBER THREE HUNDRED
TWENTY-NINE.

Assembly Bill No. 329—An act making an appropriation to provide for the extermination of rough fish in Clear Lake, to take effect immediately.

Bill read second time, and ordered re-referred to Committee on Finance.

REPORTS OF STANDING COMMITTEES—(RESUMED).

The following report of standing committee was received and read:

ON FISH AND GAME.

SENATE CHAMBER, SACRAMENTO, May 12, 1931.

MR. PRESIDENT: Your Committee on Fish and Game, to which was referred Assembly Bill No. 663—An act to add a new section to the School Code to be numbered 2.1043, relating to the governing boards of high school districts—has had the same under consideration, and respectfully reports the same back with recommendation it be re-referred to Committee on Education.

Committee membership—15; committee vote: Ayes—14; absent—1.

ALLEN, Vice Chairman.

SECOND READING OF ASSEMBLY BILL NUMBER SIX HUNDRED
SIXTY-THREE.

Assembly Bill No. 663—An act to add a new section to the School Code to be numbered 2.1043, relating to the governing boards of high school districts.

Bill read second time, and ordered re-referred to Committee on Education.

FURTHER PROCEEDINGS UNDER CALL OF THE SENATE DISPENSED WITH.

At twelve o'clock and fifty-six minutes p.m., further proceedings under the call of the Senate were dispensed with, on motion of Senator McKinley.

The Secretary was directed to call the roll.

The roll was called, and Assembly Bill No. 486 passed by the following vote:

AYES—Senators Carter, Clock, Crittenden, Duval, Edwards, Evans, Fellom, Harper, Hays, Inman, Jones, Maloney, McKinley, Mixer, Moran, Pedrotti, Riley, Rochester, Swing, Treacy, Tubbs, and Williams—22.

NOES—Senators Allen, Baker, Breed, Bush, Cassidy, Christian, Cleveland, Deuel, Ingels, McCormack, Nelson, Rich, Schottky, Sharkey, Slater, and Wagy—16.

Title read and approved.

Bill ordered transmitted to the Assembly.

RECONSIDERATION WAIVED.

Senator Moran waived his notice to reconsider the vote whereby Assembly Bill No. 776 was passed.

Assembly Bill No. 776 ordered transmitted to the Assembly.

RECESS.

On motion of Senator Breed, at twelve o'clock and fifty-eight minutes p.m., the President of the Senate declared recess until two o'clock p.m.

RECONVENED.

At two o'clock p.m., the Senate reconvened.

Lieutenant Governor Frank F. Merriam, President of the Senate, in the chair.

MINUTE CLERK HAROLD J. POWERS AT THE DESK.

REPORTS OF STANDING COMMITTEES—(RESUMED).

The following report of standing committee was received and read:

ON MOTOR VEHICLES.

SENATE CHAMBER, SACRAMENTO, May 13, 1931.

MR. PRESIDENT: Your Committee on Motor Vehicles, to which was referred Assembly Bill No. 785—An act to add a new article to chapter 3 of title I to part III of the Political Code, to be numbered article IIa, embracing sections 360 to 360i, both inclusive, relating to a Department of Motor Vehicles and a California Highway Patrol and repealing sections 363k, 363l and 363m of the Political Code, and repealing section 30 of the California Vehicle Act, relating to the California Highway Patrol—has had the same under consideration, and respectfully reports the same back with amendments, and recommends that the amendments be adopted, and that it do pass as amended.

Committee membership—17.

(Signed out)

BAKER, Chairman.
CASSIDY.
CLEVELAND.
CLOCK.
CRITTENDEN.
MALONEY.
PEDROTTI.
RILEY.
SHARKEY.
SWING.
TREACY.
WAGY.

SECOND READING OF ASSEMBLY BILL NUMBER SEVEN HUNDRED
EIGHTY-FIVE.

Assembly Bill No. 785—An act to add a new article to chapter 3 of title I to part III of the Political Code, to be numbered article IIa, embracing sections 360 to 360i, both inclusive, relating to a Department of Motor Vehicles and a California Highway Patrol and repealing sections 363k, 363l and 363m of the Political Code, and repealing section 30 of the California Vehicle Act, relating to the California Highway Patrol.

COMMITTEE AMENDMENTS.

During the second reading of the bill, the following committee amendments were offered:

AMENDMENT NUMBER ONE.

On page 5, line 46, of the printed bill, after the word "chief", insert a comma.

Amendment adopted.

AMENDMENT NUMBER TWO.

On page 6, line 22, of the printed bill, strike out "in the rural portions".

Amendment adopted.

AMENDMENT NUMBER THREE.

On page 6, between lines 9 and 10, of the printed bill, insert the following: "All members and employees of the patrol holding their positions under civil service rating on the day this act takes effect shall retain their civil service status. Such

specialized positions as are necessary in the discretion of the chief of the patrol shall be filled from open competitive examinations."

Amendment adopted.

AMENDMENT NUMBER FOUR.

On page 6, between lines 41 and 42, of the printed bill, insert the following: "No badge shall be issued by the director of the department of motor vehicles, chief of the patrol or any other person to any person who is not a duly authorized employee and acting member of the California highway patrol."

Amendment adopted.

Bill read second time, ordered to print, and on file for third reading.

REPORTS OF STANDING COMMITTEES—(RESUMED).

The following report of standing committee was received and read:

ON GOVERNMENTAL EFFICIENCY.

SENATE CHAMBER, SACRAMENTO, May 13, 1931.

MR. PRESIDENT: Your Committee on Governmental Efficiency, to which was referred Assembly Bill No. 711—An act to provide for the disposition of the unpaid portion of the salary of a legislator who dies during his term:

Also: Assembly Bill No. 138—An act to amend section 27 of the State Civil Service Act and to add a new section thereto to be numbered 26a, relating to preference to disabled veterans;

Also: Assembly Bill No. 718—An act authorizing the conveyance to the county of Los Angeles, State of California, of lands and rights of way for road purposes along, in, through or across property of the State known as the Norwalk State Hospital grounds;

Also: Assembly Bill No. 1120—An act to amend section 2 of an act entitled "An act creating a commission to prepare and submit a report on juvenile delinquency, embodying a plan for the prevention of juvenile delinquency and for the care and training of predelinquent, delinquent, psychopathic and maladjusted children, and providing for the payment of the expenses of the commission," approved May 6, 1927, and amendment thereto;

Has had the same under consideration, and respectfully reports the same back, and recommends that they do pass.

Committee membership—11; committee vote: Ayes—8; absent—3.

CRITTENDEN, Chairman.

SECOND READING OF ASSEMBLY BILLS—(RESUMED).

Assembly Bill No. 711—An act to provide for the disposition of the unpaid portion of the salary of a legislator who dies during his term.
Bill read second time, and ordered on file for third reading.

Assembly Bill No. 138—An act to amend section 27 of the State Civil Service Act and to add a new section thereto to be numbered 26a, relating to preference to disabled veterans.

Bill read second time, and ordered on file for third reading.

Assembly Bill No. 718—An act authorizing the conveyance to the county of Los Angeles, State of California, of lands and rights of way for road purposes along in, through or across property of the State known as the Norwalk State Hospital grounds.

Bill read second time, and ordered on file for third reading.

Assembly Bill No. 1120—An act to amend section 2 of an act entitled "An act creating a commission to prepare and submit a report on juvenile delinquency, embodying a plan for the prevention of juvenile delinquency and for the care and training of predelinquent, delinquent, psychopathic and maladjusted children, and providing for the payment of the expenses of the commission," approved May 6, 1927, and amendment thereto.

Bill read second time, and ordered on file for third reading.

REPORTS OF STANDING COMMITTEES—(RESUMED).

The following report of standing committee was received and read:

ON GOVERNMENTAL EFFICIENCY.

SENATE CHAMBER, SACRAMENTO, May 13, 1931

MR. PRESIDENT: Your Committee on Governmental Efficiency, to which was referred Assembly Bill No. 703—An act to provide for and regulate the payment to the several counties of this State of certain moneys received from the government of the United States;

Also: Assembly Bill No. 1134—An act to amend section 363a of the Political Code, relating to the Department of Public Works; Has had the same under consideration, and respectfully reports the same back, and recommends that they be re-referred to Committee on Finance.

Committee membership—11; committee vote: Ayes—8; absent—3.

CRITTENDEN, Chairman.

SECOND READING OF ASSEMBLY BILLS—(RESUMED).

Assembly Bill No. 703—An act to provide for and regulate the payment to the several counties of this State of certain moneys received from the government of the United States.

Bill read second time, and ordered re-referred to Committee on Finance.

Assembly Bill No. 1134—An act to amend section 363a of the Political Code, relating to the Department of Public Works.

Bill read second time, and ordered re-referred to Committee on Finance.

REPORTS OF STANDING COMMITTEES—(RESUMED).

The following report of standing committee was received and read:

ON GOVERNMENTAL EFFICIENCY.

SENATE CHAMBER, SACRAMENTO, May 13, 1931.

MR. PRESIDENT: Your Committee on Governmental Efficiency, to which was referred Assembly Bill No. 1661—An act to amend section 1 of an act entitled "An act to provide a stenographer and typist for judges of the superior courts and provide for their salaries and the payment thereof.";

Also: Assembly Bill No. 1744—An act to amend sections 1, 2, 3, 7, 10, 12, and 14, and to repeal section 11 and to add a new section numbered 3a to chapter 140, Statutes of 1929, entitled "An act regulating the business of embalmers and funeral directors and the transportation of and traffic in dead human bodies, creating a State board therefor, providing penalties for violations thereof, and repealing the act entitled 'An act to establish a State Board of Embalmers, defining the duties thereof, providing for the better protection of life and health, preventing the spread of contagious disease, regulating the practice of embalming in connection with the care and disposition of the dead and providing penalties for the violation thereof,' approved April 16, 1915, as amended," approved April 20, 1929, relating to and regulating the business of funeral directors and embalmers;

Also: Assembly Bill No. 497—An act to amend section 924 of the Political Code, relating to the auditing of accounts of officers;

Also: Assembly Bill No. 893—An act to amend the Political Code by adding thereto a new section numbered 1963b, relating to the retirement of commissioned officers; Has had the same under consideration, and respectfully reports the same back, and recommends that they do pass.

Committee membership—11; committee vote: Ayes—8; absent—3.

CRITTENDEN, Chairman.

SECOND READING OF ASSEMBLY BILLS—(RESUMED).

Assembly Bill No. 1661—An act to amend section 1 of an act entitled "An act to provide a stenographer and typist for judges of the superior courts and provide for their salaries and the payment thereof."

Bill read second time, and ordered on file for third reading.

Assembly Bill No. 1744—An act to amend sections 1, 2, 3, 5, 7, 8, 10, 12, 14, and 15 and to repeal section 11 and to add a new section numbered 3a to chapter 140, Statutes of 1929, entitled "An act regulating the business of embalmers and funeral directors and the transportation of and traffic in dead human bodies, creating a State board therefor, providing penalties for violations thereof, and repealing the act entitled 'An act to establish a State Board of Embalmers, defining the duties thereof, providing for the better protection of life and health, preventing the spread of contagious disease, regulating the practice of embalming in connection with the care and disposition of the dead and providing penalties for the violation thereof,' approved April 16, 1915, as amended," approved April 20, 1929, relating to and regulating the business of funeral directors and embalmers.

Bill read second time, and ordered on file for third reading.

Assembly Bill No. 497—An act to amend section 924 of the Political Code, relating to the auditing of accounts of officers.

Bill read second time, and ordered on file for third reading.

Assembly Bill No. 893—An act to amend the Political Code by adding thereto a new section numbered 1936b, relating to the retirement of commissioned officers.

Bill read second time, and ordered on file for third reading.

REPORTS OF STANDING COMMITTEES—(RESUMED).

The following report of standing committee was received and read:

ON GOVERNMENTAL EFFICIENCY.

SENATE CHAMBER, SACRAMENTO, May 13, 1931.

MR. PRESIDENT: Your Committee on Governmental Efficiency, to which was referred Assembly Bill No. 1515—An act to amend section 20 of the California Barber Law, as amended, relating to the tenure of office of the members of the board—has had the same under consideration, and respectfully reports the same back, and recommends that it do pass.

Committee membership—11; committee vote: Ayes—7; noes—1; absent—3.

CRITTENDEN, Chairman.

SECOND READING OF ASSEMBLY BILL NUMBER ONE THOUSAND FIVE HUNDRED FIFTEEN.

Assembly Bill No. 1515—An act to amend section 20 of the California Barber Law, as amended, relating to the tenure of office of the members of the board.

Bill read second time, and ordered on file for third reading.

REPORTS OF STANDING COMMITTEES—(RESUMED).

The following report of standing committee was received and read:

ON RULES.

SENATE CHAMBER, SACRAMENTO, May 13, 1931.

MR. PRESIDENT: Your Committee on Rules, to which was referred Assembly Concurrent Resolution No. 36—Relative to leaves of absence of the State Controller and the Attorney General—has had the same under consideration, and respectfully reports the same back with amendments, and recommends that the amendments be adopted, and that same do pass as amended.

Committee membership—5; committee vote: Ayes—5.

BRFED, Chairman.

Assembly Concurrent Resolution No. 36—Relative to leaves of absence of the State Controller and the Attorney General.

COMMITTEE AMENDMENT.

During the reading of the resolution, the following committee amendment was offered:

AMENDMENT NUMBER ONE.

On page 1 of the printed measure, strike out lines 2 to 5, and insert in lieu thereof the following: "leave of absence from the State of California for a period longer than sixty days during the year 1931 is hereby granted to Ray L. Riley, controller of the State of California, and to U. S. Webb, attorney general of the State of California, during the period from October 1, 1931, to December 30, 1932."

Assembly Concurrent Resolution No. 36 read, ordered to print, and on file.

MESSAGES FROM THE ASSEMBLY.

The following messages from the Assembly were received and read:

ASSEMBLY CHAMBER, SACRAMENTO, May 13, 1931.

MR. PRESIDENT: I am directed to inform your honorable body that the Assembly on May 11, 1931, refused passage to Senate Bill No. 80—An act to amend section 1382 of the Penal Code, relating to dismissal of an action for want of prosecution.

ARTHUR A. OHNIMUS, Chief Clerk.

By FRED J. DESCH, Assistant Clerk.

Also:

ASSEMBLY CHAMBER, SACRAMENTO, May 13, 1931.

MR. PRESIDENT: I am directed to inform your honorable body that the Assembly on this day concurred in Senate amendments to Assembly Bill No. 1084—An act to regulate the location, construction, occupancy and operation of cleaning and dyeing shops or stores and spotting, sponging, and/or pressing establishments, or agencies thereof, and private schools and colleges of spotting, sponging and/or pressing; providing for the registration and licensing of persons engaged in such business; providing for the enforcement thereof by the State Fire Marshal as Chief of the Bureau of Fire Safety in the Department of Industrial Relations; providing ways and means for enforcement, and providing penalties for violations;

Also: Assembly Bill No. 1075—An act to regulate the preparation, sale, disposal, shipment, transportation and possession of viruses, serums, toxins and analogous products intended for use in the treatment of domestic animals, and repealing an act entitled "An act prohibiting the preparation, sale, barter, shipment or exchange of any worthless, contaminated, dangerous or harmful hog cholera serum or virus; requiring every establishment for the preparation of hog cholera serum, virus, vaccine or antitoxin to be inspected and licensed by the director of the agricultural experiment station of the University of California; and providing penalties for violation of any of the provisions hereof," approved June 1, 1915;

Also: Assembly Bill No. 270—An act to amend sections 1, 4 and 6 of an act entitled "An act to permit the consolidation of elections and to provide a procedure therefor," approved June 11, 1913, as amended, relating to consolidation of elections;

Also: Assembly Bill No. 616—An act to amend chapter 801, Statutes of 1929, entitled "An act regulating the practice of civil engineering," approved June 14, 1929, by amending sections 1, 11, 12, 13, 14, 15, 16, and 17 thereof, relating to the purpose of the act and to the registration of practitioners thereunder, and by adding a new section thereto, to be numbered 1a, embracing a definition of terms.

ARTHUR A. OHNIMUS, Chief Clerk.

By FRED J. DESCH, Assistant Clerk.

Also:

ASSEMBLY CHAMBER, SACRAMENTO, May 13, 1931.

MR. PRESIDENT: I am directed to inform your honorable body that the Assembly on this day concurred in Senate amendments to Assembly Bill No. 1225—An act to amend section 644 of the Penal Code, relating to the punishment of habitual criminals;

Also: Assembly Bill No. 600—An act to amend sections 2319a and 2319b and 2319e of the Political Code, relating to the duties of the State Commissioner of Horticulture;

Also: Assembly Bill No. 675—An act requiring licensed contractors to report the name and address of the insurance carrier carrying workmen's compensation on their employees to the Registrar of Contractors in the Department of Professional and Vocational Standards and send a copy of such report to the insurance carrier, requiring the said insurance carrier, including the State Compensation Insurance Fund, to thereafter report to the same department any cancellation or lapse of such policy of workmen's compensation insurance, and providing penalties for violation of the provisions thereof;

Also: Assembly Bill No. 1098—An act to amend section 4 of an act entitled "An act regulating private employment agencies, providing for a license for the operation thereof and a fee therefor, providing forms of receipts and registers to be used and

kept, prohibiting any charge for registering or filing application for help or employment, prohibiting the dividing of fees, providing for the refunding of fees and expenses in the event of failure to procure employment, and granting the Commissioner of the Bureau of Labor Statistics the power to prescribe rules and regulations to carry out the purpose and intent of this act," approved June 3, 1913, as amended, relating to suspension and revocation of licenses.

ARTHUR A. OHNIMUS, Chief Clerk.
By FRED J. DESCH, Assistant Clerk.

Also:

ASSEMBLY CHAMBER, SACRAMENTO, May 13, 1931.

MR. PRESIDENT: I am directed to inform your honorable body that the Assembly on this day concurred in Senate amendments to Assembly Bill No. 510—An act to revise chapter 529, Statutes of 1929, entitled "An act to provide for needy blind persons, not inmates of any institution supported in whole or in part by the State or any of its political subdivisions, making appropriation therefor and prescribing penalties for the violation of the provisions of the act," approved May 28, 1929:

Also: Assembly Bill No. 1592—An act to amend section 19416 of the Juvenile Court Law, relating to probation officers in counties of the forty-sixth class;

Also: Assembly Bill No. 1636—An act to amend section 4277 and to repeal section 4281a of the Political Code, relating to compensation of county and township officers and jurors in counties of the forty-eighth class;

Also: Assembly Bill No. 1662—An act to amend sections 1, 2, 3, 4 and 5 of chapter 276, Statutes of 1913, entitled "An act relating to unfair competition and discrimination, making certain unfair and discriminatory practices unlawful, defining the duties of the Attorney General in regard thereto, declaring certain contracts illegal and forbidding recovery thereon, providing for actions to enjoin unfair competition and discrimination and to recover damages therefor, making the violation of the provisions of this act a misdemeanor and providing penalties," approved June 10, 1913.

ARTHUR A. OHNIMUS, Chief Clerk.
By FRED J. DESCH, Assistant Clerk.

Also:

ASSEMBLY CHAMBER, SACRAMENTO, May 13, 1931.

MR. PRESIDENT: I am directed to inform your honorable body that the Assembly on this day concurred in Senate amendments to Assembly Bill No. 617—An act to amend section 4232a of the Political Code, relating to fees of grand jurors and trial jurors in counties of the third class;

Also: Assembly Bill No. 404—An act to amend section 2322.5 of the Political Code, relating to the office of agricultural commissioner in counties of the fifth class;

Also: Assembly Bill No. 1380—An act to amend section 4217 of the Political Code, relating to the salaries, fees, and expenses, of officers and their deputies and assistants in counties of the eighteenth class;

Also: Assembly Bill No. 366—An act to repeal article I, embracing sections 5.500 to 5.502, both inclusive, of chapter III of part III of division V of the School Code; to repeal article II, embracing sections 5.650 and 5.651, and article III, embracing sections 5.660 to 5.670, both inclusive, of chapter VII of part III of division V of the School Code; to repeal article VI, embracing sections 5.700 and 5.701, of chapter VII of part III of division V of the School Code; to add a new article to chapter III of part III of division V thereof to be known as article I embracing sections 5.500 to 5.504, both inclusive, and to add a new article to chapter VII of part III of division V thereof, to be known as article II, embracing sections 5.650 to 5.667, both inclusive; to add thereto a new section to be numbered 5.497; and to amend sections 5.520 and 5.681 thereof, all relating to the classification and dismissal of persons employed by school districts in positions requiring certification qualifications.

ARTHUR A. OHNIMUS, Chief Clerk.
By FRED J. DESCH, Assistant Clerk.

Also:

ASSEMBLY CHAMBER, SACRAMENTO, May 13, 1931.

MR. PRESIDENT: I am directed to inform your honorable body that the Assembly on this day concurred in Senate amendments to Assembly Bill No. 6—An act to amend section 720 of and to add a new section to be numbered 723 to the Code of Civil Procedure, relating to proceedings supplemental to execution, and to the qualifications and powers of referees in such proceedings;

Also: Assembly Bill No. 1000—An act substituting for the existing title I of part IV of division I of the Civil Code of the State of California a new title I of said part IV consisting of 16 chapters which shall supersede said existing title I and sections numbered consecutively 1227 to 1235, both numbers included, of the Code of Civil Procedure of California, all relating to corporations;

Also: Assembly Bill No. 587—An act to add a new section to the Civil Code to be numbered 3342, relating to liability of the State to persons aggrieved by reason of acts of officers under unconstitutional statutes, authorizing the bringing of suits and making judgments recovered legal debts of the State;

Also: Assembly Bill No. 1605—An act to amend section 4262 and to repeal section 4257a of the Political Code, relating to compensation of county and township officers in counties of the thirty-third class.

ARTHUR A. OHNIMUS, Chief Clerk.
By FRED J. DESCH, Assistant Clerk.

Also:

ASSEMBLY CHAMBER, SACRAMENTO, May 13, 1931.

MR. PRESIDENT: I am directed to inform your honorable body that the Assembly on this day concurred in Senate amendments to Assembly Bill No. 1539—An act granting certain tidelands and submerged lands of the State of California to the county of Santa Barbara in said State upon certain trusts and conditions;

Also: Assembly Bill No. 1222—An act to amend sections 664, 666, 667 and 669 of the Penal Code, relating to sentences and terms of imprisonment;

Also: Assembly Bill No. 200—An act to amend sections 7, 7a and 7b of an act entitled "An act authorizing the establishment of municipal courts, prescribing their constitution, regulation, government, procedure and jurisdiction, and providing for the election and appointment of the judges, clerks and other attaches of such courts, their terms of office, qualification and compensation and for the selection of jurors therein," approved May 23, 1925, as amended, relating to the organization of municipal courts in cities or cities and counties of the first and one-half class: to provide for the number of judges, clerks, marshals and other officers and attaches of such municipal courts and their deputies; to fix the compensation therefor;

Also: Assembly Bill No. 909—An act to add a new section to the Political Code to be numbered 3236, relating to preference on public contracts and furnishing supplies.

ARTHUR A. OHNIMUS, Chief Clerk.
By FRED J. DESCH, Assistant Clerk.

Also:

ASSEMBLY CHAMBER, SACRAMENTO, May 12, 1931.

MR. PRESIDENT: I am directed to inform your honorable body that the Assembly on this day passed Senate Bill No. 233—An act to amend sections 3 and 5 of chapter 753, Statutes of 1927, entitled "An act to establish the California State Historical Association, relative to providing for the appointment of a Board of Trustees for said association and making an appropriation for its support during the seventy-ninth and eightieth fiscal years," approved May 25, 1927;

Also: Senate Bill No. 552—An act to amend section 11 of chapter 176, Laws of 1913, as amended by chapter 762, Laws of 1927, by providing that fees collected by the Industrial Accident Commission may be expended by said commission;

Also: Senate Bill No. 654—An act to amend section 3265g of the Civil Code, relating to stopping payment of checks;

Also: Senate Bill No. 747—An act to amend section 637½ of the Penal Code, relating to protection of fish and game.

ARTHUR A. OHNIMUS, Chief Clerk.
By A. W. ENGELKE, Assistant Clerk.

Senate Bills Nos. 233, 552, 654 and 747 ordered to enrollment.

CONSIDERATION OF DAILY FILE.

THIRD READING OF ASSEMBLY BILLS—(RESUMED).

Assembly Bill No. 345—An act to amend section 1151 of the Political Code, relating to boards for municipal elections.

Bill read third time.

The question being on the passage of the bill.

The roll was called.

CALL OF THE SENATE.

Pending the announcement of the vote, Senator Christian moved a call of the Senate.

Motion carried.

The Secretary was directed to call the roll.

The roll was called, and the following answered to their names:

Senators Baker, Christian, Cleveland, Deuel, Edwards, Evans, Harper, Hays, Ingels, Maloney, McCormack, Mixter, Pedrotti, Rich, Tubbs, and Wagy—16.

The Secretary announced the absentees.

Time, two o'clock and twenty minutes p.m.

The President directed the Sergeant-at-Arms to close the doors.

The Sergeant-at-Arms, having been furnished with the names of the absentees, was directed to bring them to the bar of the Senate.

PROCEEDINGS UNDER CALL OF THE SENATE.

Assembly Bill No. 1073—An act to amend sections 5 and 9 of and to add sections 10*a* and 18*a* to the State Civil Service Act, as amended, relating to examinations.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Assembly Bill No. 1073 passed by the following vote:

AYES—Senators Baker, Breed, Bush, Cassidy, Christian, Cleveland, Deuel, Duval, Edwards, Evans, Harper, Hays, Ingels, Maloney, McCormack, Mixer, Moran, Nelson, Pedrotti, Rich, Slater, Swing, Treacy, Tubbs, Wagy, and Williams—26.

NOES—None.

Title read and approved.

Bill ordered transmitted to the Assembly.

Assembly Bill No. 1151—An act providing for the formation, government and operation of harbor districts, the calling and conducting of elections in such districts of harbor commissioners, defining their powers and duties, and providing for the issuance and disposal of bonds of such harbor districts, and providing for the assessment, levy and collection of taxes for the payment of such bonds and for the ordinary annual expenses of such harbor districts.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Assembly Bill No. 1151 passed by the following vote:

AYES—Senators Baker, Breed, Bush, Cassidy, Christian, Cleveland, Deuel, Duval, Edwards, Evans, Harper, Ingels, Inman, Maloney, McCormack, Mixer, Moran, Nelson, Pedrotti, Rich, Schottky, Slater, Swing, Treacy, Tubbs, Wagy, and Williams—27.

NOES—None.

Title read and approved.

Bill ordered transmitted to the Assembly.

Assembly Bill No. 570—An act to add a new section to the Civil Code to be known as section 1190*a*, prescribing the form of certificate of acknowledgment of an instrument executed by a partnership.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Assembly Bill No. 570 passed by the following vote:

AYES—Senators Allen, Baker, Breed, Bush, Cassidy, Christian, Cleveland, Clock, Deuel, Duval, Edwards, Evans, Harper, Ingels, Inman, Maloney, McCormack, McKinley, Mixer, Moran, Nelson, Pedrotti, Rich, Riley, Schottky, Sharkey, Slater, Swing, Treacy, Tubbs, Wagy, and Williams—32.

NOES—None.

Title read and approved.

Bill ordered transmitted to the Assembly.

Assembly Bill No. 1310—An act to amend section 831*d* of the Code of Civil Procedure, relating to pleadings and practice in municipal courts.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Assembly Bill No. 1310 passed by the following vote:

AYES—Senators Allen, Baker, Breed, Bush, Cassidy, Christian, Cleveland, Clock, Deuel, Duval, Edwards, Evans, Harper, Hays, Inman, Maloney, McCormack, McKinley, Mixter, Moran, Nelson, Pedrotti, Rich, Riley, Rochester, Schottky, Sharkey, Slater, Swing, Treacy, Tubbs, Waggy, and Williams—33.

NOES—None.

Title read and approved.

Bill ordered transmitted to the Assembly.

Assembly Bill No. 1302—An act to amend section 29 of an act entitled "An act authorizing the establishment of municipal courts, prescribing their constitution, regulation, government, procedure and jurisdiction, and providing for the election and appointment of the judges, clerks and other attaches of such courts, their terms of office, qualifications and compensation and for the selection of jurors therein," approved May 23, 1925, as amended, relating to civil jurisdiction of said court.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Assembly Bill No. 1302 passed by the following vote:

AYES—Senators Allen, Breed, Bush, Carter, Christian, Cleveland, Clock, Deuel, Duval, Edwards, Evans, Harper, Hays, Ingels, Inman, Maloney, McCormack, McKinley, Mixter, Moran, Nelson, Pedrotti, Rich, Riley, Rochester, Schottky, Slater, Swing, Treacy, Tubbs, Waggy, and Williams—32.

NOES—None.

Title read and approved.

Bill ordered transmitted to the Assembly.

Assembly Bill No. 941—An act authorizing suits against the State of California concerning the use and occupation of and the title to the real property described in an act entitled "An act to provide for the disposition of certain property of the State of California," passed March 26, 1851, and purchased under the provisions of an act entitled "An act to provide for the sale of the interest of the State of California within the water line front of the city of San Francisco, as defined in and by the act entitled "An act to provide for the disposition of certain property of the State of California, passed March 26, 1851," passed May 18, 1853," and of an act entitled "An act supplementary to and amendatory of 'An act to provide for the sale of the interest of the State of California, within the water line front of the city of San Francisco, as defined in and by the act entitled "An act to provide for the disposition of certain property of the State of California," passed March 26, 1851," passed May 18, 1853," approved May 1, 1855, or any of the acts supplementary thereto and amendatory thereof, and regulating procedure therein.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Assembly Bill No. 941 passed by the following vote:

AYES—Senators Allen, Breed, Bush, Christian, Cleveland, Clock, Crittenden, Deuel, Edwards, Evans, Harper, Hays, Ingels, Inman, Maloney, McCormack, McKinley, Mixer, Moran, Nelson, Pedrotti, Riley, Rochester, Sharkey, Slater, Swing, Treacy, Tubbs, and Waggy—29.

NOES—None.

Title read and approved.

Bill ordered transmitted to the Assembly.

Assembly Bill No. 942—An act authorizing suits against the State to quiet title against it to real property purchased under the provisions of an act entitled "An act to survey and dispose of certain marsh and tidelands belonging to the State of California," approved March 30, 1868, or any of the acts supplementary to and amendatory of an act supplementary thereto, and amendatory thereof, and regulating the procedure therein.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Assembly Bill No. 942 passed by the following vote:

AYES—Senators Baker, Breed, Bush, Carter, Christian, Cleveland, Clock, Deuel, Edwards, Evans, Harper, Hays, Ingels, Inman, Maloney, McCormack, McKinley, Mixer, Moran, Nelson, Pedrotti, Rich, Riley, Rochester, Schottky, Sharkey, Slater, Swing, Treacy, Tubbs, Waggy, and Williams—32.

NOES—None.

Title read and approved.

Bill ordered transmitted to the Assembly.

Assembly Bill No. 1569—An act to amend section 15 of the Workmen's Compensation, Insurance and Safety Act of 1917, approved May 23, 1917, as amended, by making further and different provisions regarding notice of injury.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Assembly Bill No. 1569 passed by the following vote:

AYES—Senators Allen, Baker, Breed, Bush, Carter, Christian, Cleveland, Clock, Crittenden, Deuel, Duval, Edwards, Evans, Harper, Hays, Ingels, Inman, Maloney, McCormack, Mixer, Moran, Nelson, Pedrotti, Riley, Rochester, Schottky, Sharkey, Slater, Swing, Treacy, Tubbs, Waggy, and Williams—33.

NOES—None.

Title read and approved.

Bill ordered transmitted to the Assembly.

Assembly Bill No. 890—An act to validate all orders appointing or conferring powers upon special administrators.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Assembly Bill No. 890 passed by the following vote:

AYES—Senators Allen, Baker, Breed, Bush, Carter, Christian, Cleveland, Clock, Crittenden, Deuel, Duval, Evans, Harper, Hays, Inman, Jones, Maloney, McCor-

mack, Mixter, Moran, Nelson, Pedrotti, Rich, Riley, Rochester, Schottky, Sharkey, Slater, Treacy, Tubbs, Wagy, and Williams—32.

NOES—None.

Title read and approved.

Bill ordered transmitted to the Assembly.

Assembly Bill No. 1423—An act to amend section 2168 of the Political Code, relating to arrest and commitment of insane persons.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Assembly Bill No. 1423 passed by the following vote:

AYES—Senators Allen, Baker, Breed, Bush, Carter, Cassidy, Cleveland, Clock, Crittenden, Deuel, Duval, Edwards, Evans, Harper, Ingels, Inman, Jones, Maloney, McCormack, Mixter, Moran, Nelson, Pedrotti, Rich, Riley, Rochester, Schottky, Sharkey, Slater, Swing, Treacy, Tubbs, Wagy, and Williams—34.

NOES—None.

Title read and approved.

Bill ordered transmitted to the Assembly.

FURTHER PROCEEDINGS UNDER CALL OF THE SENATE DISPENSED WITH.

At two o'clock and forty-nine minutes p.m., further proceedings under the call of the Senate were dispensed with, on motion of Senator Christian.

The Secretary was directed to call the roll.

The roll was called, and Assembly Bill No. 345 passed by the following vote:

AYES—Senators Allen, Baker, Bush, Carter, Cassidy, Christian, Cleveland, Clock, Crittenden, Deuel, Duval, Edwards, Evans, Harper, Hays, Ingels, Inman, Jones, Maloney, McCormack, McKinley, Mixter, Moran, Nelson, Pedrotti, Rich, Riley, Rochester, Schottky, Sharkey, Slater, Treacy, Tubbs, Wagy, and Williams—35.

NOES—None.

Title read and approved.

Bill ordered transmitted to the Assembly.

Assembly Bill No. 818—An act providing for the recovery of damages by persons bitten by dogs and creating a liability of the owners of such dogs.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Assembly Bill No. 818 passed by the following vote:

AYES—Senators Breed, Carter, Clock, Duval, Edwards, Fellom, Harper, Inman, Jones, Maloney, McCormack, McKinley, Mixter, Moran, Nelson, Pedrotti, Riley, Rochester, Sharkey, Slater, Swing, Treacy, Tubbs, and Williams—24.

NOES—Senators Allen, Baker, Bush, Cleveland, Deuel, Evans, Hays, Ingels, Rich, and Schottky—10.

Title read and approved.

Bill ordered transmitted to the Assembly.

Assembly Bill No. 1574—An act to amend section 11 of the Workmen's Compensation, Insurance and Safety Act of 1917, approved May 23, 1917, as amended, by making additional provisions regarding serious and wilful misconduct and regarding employees who are totally disabled and bedridden.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Assembly Bill No. 1574 passed by the following vote:

AYES—Senators Baker, Breed, Bush, Carter, Cleveland, Clock, Crittenden, Deuel, Duval, Edwards, Evans, Fellom, Hays, Ingels, Jones, Maloney, McCormack, McKinley, Mixer, Nelson, Pedrotti, Riley, Schottky, Sharkey, Slater, Swing, Tubbs, Waggy, and Williams—29.

NOES—None.

Title read and approved.

Bill ordered transmitted to the Assembly.

Assembly Bill No. 1174—An act to amend section 4190 of the Political Code, relating to establishment and government and the creation of a fund for a Law Library.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Assembly Bill No. 1174 passed by the following vote:

AYES—Senators Baker, Breed, Bush, Carter, Christian, Cleveland, Clock, Deuel, Duval, Edwards, Evans, Fellom, Harper, Hays, Ingels, Inman, Jones, Maloney, McCormack, Mixer, Moran, Nelson, Pedrotti, Rich, Riley, Schottky, Sharkey, Slater, Swing, Treacy, Tubbs, Waggy, and Williams—33.

NOES—None.

Title read and approved.

Bill ordered transmitted to the Assembly.

Assembly Bill No. 650—An act to amend an act entitled “An act to provide for the organization and government of irrigation districts, and to provide for the acquisition or construction thereby of works for the irrigation of lands embraced within such districts, and, also, to provide for the distribution of water for irrigation purposes,” approved March 31, 1897, as amended, by adding a new section thereto to be numbered 93a, to provide for the fixing of conditions upon inclusion of lands before calling an election upon such inclusion.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Assembly Bill No. 650 passed by the following vote:

AYES—Senators Baker, Breed, Bush, Carter, Christian, Cleveland, Clock, Deuel, Duval, Edwards, Evans, Fellom, Harper, Hays, Ingels, Inman, Jones, Maloney, McCormack, Mixer, Moran, Nelson, Pedrotti, Rich, Riley, Schottky, Sharkey, Slater, Swing, Tubbs, Waggy, and Williams—32.

NOES—None.

Title read and approved.

Bill ordered transmitted to the Assembly.

ASSISTANT SECRETARY FRANCIS E. DALIN AT THE DESK.

Assembly Bill No. 264—An act to amend section 1 of an act entitled “An act to provide whole family protection for members of fraternal benefit societies,” approved April 20, 1917, as amended, relating to the payment of death and annuity benefits upon the lives of children.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Assembly Bill No. 264 passed by the following vote:

AYES—Senators Baker, Breed, Bush, Carter, Christian, Cleveland, Clock, Deuel, Duval, Edwards, Evans, Fellom, Harper, Hays, Ingels, Inman, Jones, Maloney,

McCormack, McKinley, Mixter, Moran, Nelson, Rich, Riley, Schottky, Sharkey, Slater, Swing, Tubbs, Waggy, and Williams—32.

NOES—None.

Title read and approved.

Bill ordered transmitted to the Assembly.

Assembly Bill No. 1730—An act to amend an act entitled “An act to provide for proceedings against and liquidation of delinquent insurance corporations and associations,” approved April 30, 1919, by amending sections 2 and 2a thereof, relating to the powers and duties of the Insurance Commissioner, and repealing section 5 thereof.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Assembly Bill No. 1730 passed by the following vote:

AYES—Senators Baker, Breed, Bush, Christian, Cleveland, Deuel, Edwards, Evans, Fellom, Harper, Hays, Ingels, Inman, Jones, Maloney, McCormack, McKinley, Mixter, Moran, Nelson, Rich, Riley, Schottky, Sharkey, Slater, Swing, Tubbs, Waggy, and Williams—29.

NOES—None.

Title read and approved.

Bill ordered transmitted to the Assembly.

Assembly Bill No. 1732—An act to amend section 594c of the Political Code, relating to the sale and issuance of securities of companies organized for the purpose of transacting an insurance business.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Assembly Bill No. 1732 passed by the following vote:

AYES—Senators Baker, Breed, Bush, Cleveland, Deuel, Duval, Edwards, Evans, Fellom, Harper, Hays, Ingels, Inman, Maloney, McCormack, McKinley, Mixter, Moran, Nelson, Rich, Riley, Schottky, Sharkey, Slater, Swing, Tubbs, Waggy, and Williams—28.

NOES—None.

Title read and approved.

Bill ordered transmitted to the Assembly.

Assembly Bill No. 263—An act to amend sections 1, 2, 5, 6, 9, 10 and 11 and to repeal section 7 of an act entitled “An act for the regulation and control of fraternal benefit societies,” approved May 1, 1911, as amended, relating to the definitions of fraternal benefit society, lodge system, representative form of government, the maintenance and disbursement of funds and the payment of benefits.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Assembly Bill No. 263 passed by the following vote:

AYES—Senators Baker, Breed, Bush, Carter, Cleveland, Clock, Crittenden, Deuel, Duval, Edwards, Evans, Fellom, Harper, Hays, Ingels, Inman, Jones, Maloney, McCormack, McKinley, Mixter, Moran, Nelson, Riley, Schottky, Sharkey, Slater, Swing, Tubbs, Waggy, and Williams—31.

NOES—None.

Title read and approved.

Bill ordered transmitted to the Assembly.

Assembly Bill No. 257—An act to amend section 1 of chapter 359, Statutes of 1903, entitled "An act to provide for the payment by the State or counties, or school districts, or other special districts or cities, or cities and counties, of the premium or charge on official bonds when given by surety companies," approved March 25, 1903, as amended.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Assembly Bill No. 257 passed by the following vote:

AYES—Senators Baker, Bush, Carter, Christian, Clark, Crittenden, Duval, Edwards, Evans, Felton, Harper, Hays, Ingels, Jones, Maloney, McCormack, McKinnis, Miller, Rice, Ross, Schottky, Shattuck, Slater, Swing, Tabbs, Waggy, and Williams—27.

NOTES—None.

Title read and approved.

Bill ordered transmitted to the Assembly.

ASSEMBLY CONSTITUTIONAL AMENDMENT No. 23.

A resolution to propose to the people of the State of California, an amendment to the Constitution of said State by adding to article XI thereof a new section to be numbered 7½, relative to the drafting of charters for counties by boards of supervisors.

Passed by the Assembly, the Senate concurring. That the Legislature of the State of California at its regular session commencing on the fifth day of January, 1931, and during of the sessions closed to each of the two houses of the said Legislature during thereof, having proposed to the people of the State of California, that the constitution of said State be amended by adding to article XI thereof, a new section to be numbered 7½, and to read as follows:

SEC. 7½. The board of supervisors of any county may draft a proposed charter for the county, as if said board were a board of freeholders elected under the provisions of section 7½ of this article, and the provisions of said section shall otherwise apply in every respect to such proposed charter.

Amendment read.

The question being on the adoption of the amendment.

The roll was called, and Assembly Constitutional Amendment No. 23 adopted by the following vote:

AYES—Senators Allen, Baker, Breed, Bush, Carter, Cassidy, Christian, Crittenden, Duval, Edwards, Evans, Felton, Harper, Hays, Ingels, Maloney, McCormack, McKinnis, Miller, Moore, Nelson, Rice, Roemer, Schottky, Slater, Swing, Tabbs, Waggy, and Williams—29.

NOTES—None.

NOTICE OF MOTION TO RECONSIDER.

Senator Tabbs gave notice that on the next legislative day he would move to reconsider the vote by which Assembly Constitutional Amendment No. 23 was adopted.

Assembly Bill No. 1757—An act to amend section 16x11 of the Weights and Measures Act, relating to scales of weights and measures in counties of the eleventh class.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Assembly Bill No. 1757 passed by the following vote:

AYES—Senators Allen, Baker, Breed, Bush, Carter, Christian, Crittenden, Duval, Edwards, Evans, Felton, Harper, Hays, Ingels, Jones, Maloney, McCormack,

McKinley, Mixer, Moran, Rich, Rochester, Schottky, Swing, Tubbs, Wagy, and Williams—27.

NOES—None.

Title read and approved.

Bill ordered transmitted to the Assembly.

Assembly Bill No. 1809—An act to amend section 19x11 of the Juvenile Court Law, relating to probation officers in counties of the eleventh class.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Assembly Bill No. 1809 passed by the following vote:

AYES—Senators Allen, Breed, Bush, Carter, Christian, Crittenden, Duval, Edwards, Evans, Fellom, Harper, Hays, Ingels, Jones, Maloney, McCormack, McKinley, Mixer, Moran, Rich, Riley, Rochester, Schottky, Swing, Tubbs, Wagy, and Williams—27.

NOES—None.

Title read and approved.

Bill ordered transmitted to the Assembly.

Assembly Bill No. 1820—An act to amend section 2322x11 of the Political Code, relating to the office of agricultural commissioner in counties of the eleventh class.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Assembly Bill No. 1820 passed by the following vote:

AYES—Senators Allen, Breed, Bush, Carter, Christian, Crittenden, Duval, Edwards, Evans, Fellom, Harper, Hays, Jones, Maloney, McCormack, McKinley, Mixer, Moran, Rich, Riley, Schottky, Swing, Tubbs, Wagy, and Williams—25.

NOES—None.

Title read and approved.

Bill ordered transmitted to the Assembly.

Assembly Bill No. 1925—An act to amend section 1 of an act entitled "An act providing for the creation of revolving funds in the counties of the State," approved May 9, 1923, as amended, relating to the persons for whom revolving funds may be established.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Assembly Bill No. 1925 passed by the following vote:

AYES—Senators Allen, Breed, Bush, Carter, Christian, Crittenden, Duval, Edwards, Evans, Fellom, Harper, Hays, Ingels, Jones, Maloney, McCormack, McKinley, Mixer, Moran, Rich, Riley, Schottky, Swing, Tubbs, Wagy, and Williams—26.

NOES—None.

Title read and approved.

Bill ordered transmitted to the Assembly.

Assembly Bill No. 294—An act to amend section 19x18 of the Juvenile Court Law, relating to the salary of the probation officer and deputy in counties of the eighteenth class.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Assembly Bill No. 294 passed by the following vote:

AYES—Senators Allen, Breed, Bush, Carter, Crittenden, Duval, Edwards, Evans, Fellom, Harper, Hays, Jones, Maloney, McCormack, Mixer, Moran, Rich, Riley, Schottky, Sharkey, Swing, Tubbs, Wagy, and Williams—24.

NOES—None.

Title read and approved.

Bill ordered transmitted to the Assembly.

Assembly Bill No. 1381—An act to amend section 16.18 of the Weights and Measures Act, relating to scalers of weights and measures in counties of the eighteenth class.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Assembly Bill No. 1381 passed by the following vote:

AYES—Senators Allen, Bush, Carter, Cassidy, Crittenden, Duval, Edwards, Evans, Fellom, Harper, Hays, Jones, Maloney, McCormack, Mixer, Moran, Rich, Riley, Schottky, Sharkey, Swing, Tubbs, Wagy, and Williams—24.

NOES—None.

Title read and approved.

Bill ordered transmitted to the Assembly.

Assembly Bill No. 1382—An act to amend section 2322.18 of the Political Code, relating to the office of agricultural commissioner in counties of the eighteenth class.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Assembly Bill No. 1382 passed by the following vote:

AYES—Senators Allen, Baker, Bush, Carter, Cassidy, Crittenden, Edwards, Evans, Fellom, Harper, Hays, Jones, Maloney, McCormack, Mixer, Moran, Rich, Riley, Schottky, Sharkey, Swing, Tubbs, and Williams—23.

NOES—None.

Title read and approved.

Bill ordered transmitted to the Assembly.

Assembly Bill No. 1652—An act to amend section 9a6 of an act entitled "An act to provide for the establishment and maintenance of county free libraries in the State of California, and repealing 'An act entitled "An act to provide county library systems.'" approved April 12, 1909, and all acts and parts of acts in conflict with this act," approved February 25, 1911, as amended, relating to libraries in the counties of the sixth class.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Assembly Bill No. 1652 passed by the following vote:

AYES—Senators Allen, Baker, Bush, Carter, Cassidy, Crittenden, Duval, Evans, Fellom, Harper, Hays, Jones, Maloney, McCormack, Mixer, Moran, Rich, Riley, Sharkey, Swing, Treacy, Tubbs, and Williams—23.

NOES—None.

Title read and approved.

Bill ordered transmitted to the Assembly.

Assembly Bill No. 1653—An act to amend section 19r6 of the Juvenile Court Law, relating to probation officers in counties of the sixth class.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Assembly Bill No. 1653 passed by the following vote:

AYES—Senators Allen, Baker, Bush, Carter, Cassidy, Christian, Cleveland, Crittenden, Edwards, Evans, Fellom, Harper, Hays, Jones, Maloney, McCormack, Mixer, Moran, Rich, Riley, Schottky, Sharkey, Swing, Treacy, Tubbs, and Williams—26.

NOES—None.

Title read and approved.

Bill ordered transmitted to the Assembly.

Assembly Bill No. 1654—An act to amend section 2322r6 of the Political Code, relating to the office of agricultural commissioner in counties of the sixth class.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Assembly Bill No. 1654 passed by the following vote:

AYES—Senators Allen, Baker, Bush, Carter, Cassidy, Christian, Cleveland, Crittenden, Duval, Edwards, Evans, Fellom, Harper, Hays, Jones, Maloney, McCormack, Mixer, Moran, Nelson, Pedrotti, Rich, Riley, Schottky, Sharkey, Slater, Swing, Tubbs, and Williams—29.

NOES—None.

Title read and approved.

Bill ordered transmitted to the Assembly.

Assembly Bill No. 367—An act to amend section 4244 and to repeal section 4249a of the Political Code, relating to the compensation of county and township officers in counties of the fifteenth class.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Assembly Bill No. 367 passed by the following vote:

AYES—Senators Allen, Baker, Bush, Carter, Cassidy, Christian, Cleveland, Clock, Crittenden, Duval, Edwards, Evans, Fellom, Harper, Hays, Jones, Maloney, McCormack, Mixer, Moran, Nelson, Pedrotti, Rich, Riley, Schottky, Sharkey, Slater, Swing, Tubbs, and Williams—30.

NOES—None.

Title read and approved.

Bill ordered transmitted to the Assembly.

Assembly Bill No. 990—An act to amend section 4264 and to repeal section 4264a of the Political Code, relating to the salaries and fees of county and township officers in counties of the thirty-fifth class.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Assembly Bill No. 990 passed by the following vote:

AYES—Senators Allen, Baker, Bush, Carter, Cassidy, Christian, Cleveland, Clock, Crittenden, Duval, Edwards, Evans, Harper, Hays, Jones, Maloney, McCormack,

McKinley, Mixer, Moran, Pedrotti, Rich, Schottky, Sharkey, Slater, Swing, Tubbs, and Williams—28.

NOES—None.

Title read and approved.

Bill ordered transmitted to the Assembly.

Assembly Bill No. 1656—An act to amend section 4235 of the Political Code, relating to compensation of county and township officers in counties of the sixth class.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Assembly Bill No. 1656 passed by the following vote:

AYES—Senators Allen, Baker, Bush, Carter, Cassidy, Christian, Cleveland, Clock, Crittenden, Deuel, Duval, Edwards, Evans, Harper, Hays, Maloney, McCormack, McKinley, Mixer, Moran, Pedrotti, Rich, Riley, Schottky, Sharkey, Slater, Swing, Tubbs, Wag, and Williams—30.

NOES—None.

Title read and approved.

Bill ordered transmitted to the Assembly.

Assembly Bill No. 211—An act to amend section 4052*b*, Political Code, relating to the payment by counties in whole or in part of the cost of acquiring property for public parks, beaches and recreation grounds in incorporated cities and or of the cost of maintaining and improving such parks and recreation grounds.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Assembly Bill No. 211 passed by the following vote:

AYES—Senators Allen, Baker, Carter, Cassidy, Christian, Cleveland, Clock, Crittenden, Deuel, Duval, Evans, Harper, Hays, Inman, Jones, Maloney, McCormack, McKinley, Mixer, Moran, Nelson, Pedrotti, Rich, Rochester, Schottky, Sharkey, Slater, Swing, Wag, and Williams—30.

NOES—None.

Title read and approved.

Bill ordered transmitted to the Assembly.

Assembly Constitutional Amendment No. 27—A resolution to propose to the people of the State of California an amendment to the constitution of the State of California amending section 6 of article IX, relative to taxation.

Amendment read.

MOTION TO REFER TO SPECIAL COMMITTEE OF ONE.

During reading of the constitutional amendment, Senator Nelson moved to refer Assembly Constitutional Amendment No. 27 to Senator Breed, as a Special Committee of One, to amend as follows:

AMENDMENT NUMBER ONE.

On page 2, line 9, of the printed bill, after the word "than", insert the following: "the amount of money received from the state school fund and not less than".

AMENDMENT NUMBER TWO.

On page 2, line 13, of the printed bill, after the second word "county", and before the comma, insert the following: "elementary school tax".

AMENDMENT NUMBER THREE.

On page 2, line 15, of the printed bill, strike out the words "that the", and insert in lieu thereof the following: "of any additional".

AMENDMENT NUMBER FOUR.

On page 2 of the printed bill, beginning in line 15, strike out the following: "exceeds the sum of thirty dollars per pupil in average daily attendance during the next preceding school year in such schools", and insert in lieu thereof the following: "from other sources than the state school fund".

AMENDMENT NUMBER FIVE.

On page 2, line 21, of the printed bill, after the word "than", insert the following: "twice the amount of money received from the state high school fund and not less than".

AMENDMENT NUMBER SIX.

On page 2, line 25, of the printed bill, strike out the word "county", and before the comma insert the following: "high school tax".

AMENDMENT NUMBER SEVEN.

On page 2, line 27, of the printed bill, strike out the words "that the", and insert in lieu thereof the following: "of any additional".

AMENDMENT NUMBER EIGHT.

On page 2 of the printed bill, beginning in line 27, strike out the following: "exceeds the sum of thirty dollars per pupil in average daily attendance during the next preceding school year in such schools", and insert in lieu thereof the following: "from other sources than the state high school fund".

AMENDMENT NUMBER NINE.

On page 2, line 36, of the printed bill, strike out the word "minimum", and insert in lieu thereof the word "total".

AMENDMENT NUMBER TEN.

On page 2 of the printed bill, beginning in line 36, strike out the following: "hereinafter required to be provided by", and insert in lieu thereof the following: "received by any school district from".

AMENDMENT NUMBER ELEVEN.

On page 2, line 37, of the printed bill, after the second word "state", and before the comma, insert the following: "school fund or from the state high school fund".

AMENDMENT NUMBER TWELVE.

On page 2, line 38, of the printed bill, strike out the words "provided by", and insert in lieu thereof the words: "received from".

Motion carried.

REPORT OF SPECIAL COMMITTEE OF ONE.

SENATE CHAMBER, SACRAMENTO, May 13, 1931.

MR. PRESIDENT: Your Special Committee of One, to which was referred Assembly Constitutional Amendment No. 27, with instructions to amend, respectfully reports the same back, amended as per instructions.

BREED, Committee.

Report read, and on motion of Senator Nelson adopted.

Assembly Constitutional Amendment No. 27 ordered to print.

POINT OF ORDER.

Senator Inman raised the point of order that under Rule No. 41 of the Standing Rules of the Senate, Assembly Bills Nos. 1550, 578, 835, 62, 955, 1680 and 1167 are illegal and improper as they had been amended to deal with a completely new and different subject.

Point of order withdrawn.

Assembly Bill No. 1005—An act adding chapter 3 to title IX of part II of the Code of Civil Procedure, consisting of sections 724:1 to 724:5 inclusive and repealing sections 388 to 393 inclusive of the Civil Code, relating to the sale of franchises on execution.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Assembly Bill No. 1005 passed by the following vote:

AYES—Senators Allen, Baker, Breed, Bush, Cassidy, Christian, Cleveland, Clock, Crittenden, Deuel, Duval, Evans, Fellom, Hays, Inman, McCormack, McKinley, Mixer, Moran, Nelson, Rich, Riley, Rochester, Schottky, Slater, Tubbs, Wagy, and Williams—29.

NOES—None.

Title read and approved.

Bill ordered transmitted to the Assembly.

Assembly Bill No. 639—An act to amend section 2980 of the Civil Code, relating to conditional sales contracts.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Assembly Bill No. 639 passed by the following vote:

AYES—Senators Allen, Baker, Breed, Bush, Carter, Cassidy, Christian, Cleveland, Crittenden, Deuel, Duval, Edwards, Evans, Fellom, Harper, Ingels, Inman, McCormack, McKinley, Mixer, Moran, Nelson, Pedrotti, Rich, Riley, Rochester, Schottky, Sharkey, Slater, Treacy, Tubbs, Wagy, and Williams—33.

NOES—None.

Title read and approved.

Bill ordered transmitted to the Assembly.

Assembly Bill No. 562—An act to amend section 710 of the Code of Civil Procedure, relating to the collection of moneys due from a judgment debtor.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Assembly Bill No. 562 passed by the following vote:

AYES—Senators Allen, Baker, Breed, Bush, Carter, Cassidy, Christian, Cleveland, Clock, Crittenden, Deuel, Duval, Edwards, Evans, Fellom, Harper, Hays, Ingels, Inman, Maloney, McCormack, McKinley, Mixer, Moran, Nelson, Pedrotti, Rich, Riley, Rochester, Schottky, Sharkey, Slater, Wagy, and Williams—34.

NOES—None.

Title read and approved.

Bill ordered transmitted to the Assembly.

Assembly Bill No. 1437—An act to amend section 683 of the Code of Civil Procedure, relating to executions.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Assembly Bill No. 1437 passed by the following vote:

AYES—Senators Allen, Baker, Breed, Bush, Carter, Cassidy, Christian, Cleveland, Clock, Crittenden, Deuel, Duval, Evans, Fellom, Harper, Hays, Ingels, Inman, Maloney, McCormack, McKinley, Mixer, Moran, Nelson, Pedrotti, Rich, Riley, Rochester, Schottky, Sharkey, Slater, Swing, Treacy, Wagy, and Williams—35.

NOES—None.

Title read and approved.

Bill ordered transmitted to the Assembly.

Assembly Bill No. 729—An act to amend section 4191 of the Political Code, relating to purposes for which Law Library Fund may be used.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Assembly Bill No. 729 passed by the following vote:

AYES—Senators Allen, Baker, Breed, Bush, Carter, Cassidy, Christian, Cleveland, Clock, Crittenden, Deuel, Duval, Evans, Fellom, Harper, Hays, Ingels, Inman, Maloney, McCormack, McKinley, Mixer, Moran, Nelson, Pedrotti, Rich, Riley, Rochester, Schottky, Slater, Swing, Treacy, Wagy, and Williams—34.

NOES—None.

Title read and approved.

Bill ordered transmitted to the Assembly.

Assembly Bill No. 1014—An act to amend section 1980 of the Civil Code, relating to contracts for personal service.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Assembly Bill No. 1014 passed by the following vote:

AYES—Senators Allen, Baker, Breed, Bush, Carter, Cassidy, Christian, Cleveland, Clock, Crittenden, Deuel, Duval, Evans, Fellom, Harper, Hays, Ingels, Inman, Maloney, McCormack, McKinley, Mixer, Moran, Nelson, Pedrotti, Rich, Riley, Rochester, Schottky, Slater, Swing, Treacy, Wagy, and Williams—34.

NOES—None.

Title read and approved.

Bill ordered transmitted to the Assembly.

Assembly Bill No. 214—An act to add a new section to the Political Code, to be numbered 4177, relating to the sheriff's duty in caring for money and property of prisoners.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Assembly Bill No. 214 passed by the following vote:

AYES—Senators Allen, Baker, Breed, Bush, Cassidy, Christian, Cleveland, Clock, Crittenden, Deuel, Duval, Edwards, Evans, Harper, Hays, Ingels, Inman, Jones, Maloney, McCormack, McKinley, Mixer, Moran, Nelson, Rich, Riley, Rochester, Schottky, Sharkey, Slater, Swing, and Williams—32.

NOES—None.

Title read and approved.

Bill ordered transmitted to the Assembly.

Assembly Bill No. 1917—An act to add a new section to the Penal Code to be numbered 1381, providing for the time within which a defendant must be brought to trial upon a pending indictment or information after such defendant's conviction on another charge.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Assembly Bill No. 1917 passed by the following vote:

AYES—Senators Allen, Baker, Breed, Bush, Cassidy, Christian, Cleveland, Clock, Crittenden, Deuel, Duval, Edwards, Evans, Harper, Hays, Ingels, Inman, Maloney,

McCormack, McKinley, Mixer, Moran, Nelson, Rich, Riley, Rochester, Schottky, Sharkey, Slater, Swing, and Williams—31.
NAYS—None.

Title read and approved.

Bill ordered transmitted to the Assembly.

Assembly Bill No. 425—An act to add a new section to the Political Code to be numbered 690.10 authorizing the construction, alteration and maintenance of certain structures upon the swamp, overflowed, marsh, tide or submerged lands of this State, defining the powers and duties of the Department of Finance and of certain municipalities, districts, or other political subdivisions, in connection therewith; and prohibiting the construction or maintenance of fences or structures other than as herein authorized upon any accretions occasioned by such structures as are authorized hereunder.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Assembly Bill No. 425 passed by the following vote:

AYES—Senators Baker, Breed, Bush, Carter, Cassidy, Christian, Cleveland, Clock, Crittenden, Deuel, Duval, Edwards, Evans, Harper, Ingels, Inman, Maloney, McCormack, McKinley, Mixer, Moran, Nelson, Rich, Riley, Rochester, Schottky, Slater, Swing, and Williams—29.
NAYS—None.

Title read and approved.

Bill ordered transmitted to the Assembly.

Assembly Bill No. 426—An act to add section 7½ to chapter 763, Statutes of 1927, entitled "An act to provide that the Department of Natural Resources, through the State Park Commission, shall have control of the State park system; to establish and define the State park system; to define certain powers and duties of the State Park Commissioner; to make an appropriation for carrying out the purposes of this act; and to establish a contingent fund and a revolving fund," approved May 25, 1927, relating to the Seashore Parks Fund, creating the same and providing for its use.

On motion of Senator Duval, Assembly Bill No. 426 was ordered re-referred to Committee on Finance.

Assembly Bill No. 427—An act to amend section 19 of chapter 303, Statutes of 1921, entitled "An act to reserve all minerals in State lands; to provide for examination, classification and report on the mineral and other character of State lands; to provide for the granting of permits and leases to prospect for and take any such minerals; to provide for the rents and royalties to be paid, and granting certain preference rights; to provide for the making of rules, regulations and contracts necessary to carry out the purposes of this act; and repealing acts or parts of acts in conflict herewith; providing for an appropriation to defray the cost of administering this act," approved May 25, 1921, as amended, directing that certain moneys be paid into the Seashore Parks Fund.

On motion of Senator Duval, Assembly Bill No. 427 was ordered re-referred to Committee on Oil Industries.

Assembly Bill No. 1752—An act to amend sections 1, 2, 3, 4, 5 and 6 of an act entitled "An act to create the office of State Fire Marshal, to

provide for his powers and duties, and to repeal all acts or parts of acts inconsistent herewith," approved May 23, 1923, as amended, relating to the office of State Fire Marshal and to the State Fire Marshal's Fund.

Bill read third time.

MOTION TO REFER TO SPECIAL COMMITTEE OF ONE.

During third reading of the bill, Senator Wagy moved to refer Assembly Bill No. 1752 to Senator Cassidy, as a Special Committee of One, to amend as follows:

AMENDMENT NUMBER ONE.

On page 2, line 3, of the printed bill, as amended May 8, strike out the word "in", and insert in lieu thereof the word "and".

Motion carried.

REPORT OF SPECIAL COMMITTEE OF ONE.

SENATE CHAMBER, SACRAMENTO, May 13, 1931.

MR. PRESIDENT: Your Special Committee of One, to which was referred Assembly Bill No. 1752, with instructions to amend, respectfully reports the same back, amended as per instructions.

CASSIDY, Committee.

Report read, and on motion of Senator Wagy adopted.

Bill ordered to print.

Assembly Bill No. 955—An act to amend section 22 of "An act authorizing the establishment of municipal courts, prescribing their constitution, regulation, government, procedure and jurisdiction, and providing for the election and appointment of the judges, clerks and other attaches of such courts, their terms of office, qualification and compensation and for the selection of jurors therein," approved May 23, 1925, relating to municipal courts.

Bill read third time.

MOTION TO REFER TO SPECIAL COMMITTEE OF ONE.

During third reading of the bill, Senator Riley moved to refer Assembly Bill No. 955 to Senator Slater, as a Special Committee of One, to amend as follows:

AMENDMENT NUMBER ONE.

On page 1, line 16, of the printed bill, as amended April 29th, strike out the word "such".

AMENDMENT NUMBER TWO.

On page 1, lines 16 and 17, of the printed bill, as amended April 29th, strike out the words "as may be deemed necessary by the presiding judge".

Motion carried.

REPORT OF SPECIAL COMMITTEE OF ONE.

SENATE CHAMBER, SACRAMENTO, May 13, 1931.

MR. PRESIDENT: Your Special Committee of One, to which was referred Assembly Bill No. 955, with instructions to amend, respectfully reports the same back, amended as per instructions.

SLATER, Committee.

Report read, and on motion of Senator Riley adopted.

Bill ordered to print.

REPORTS OF STANDING COMMITTEES—(RESUMED).

The following reports of standing committees were received and read:

ON COUNTY GOVERNMENT.

SENATE CHAMBER, SACRAMENTO, May 11, 1931.

MR. PRESIDENT: Your Committee on County Government, to which was referred Assembly Bill No. 725—An act authorizing the establishment, maintenance, and

operation of recreation districts—has had the same under consideration, and respectfully reports the same back with amendments, and recommends that the amendments be adopted, and that it do pass as amended.

Committee membership—9.

(Signed out)

WAGY, Chairman.
CASSIDY.
NELSON.
RILEY.
SCHOTTKY.
SLATER.

SECOND READING OF ASSEMBLY BILL NUMBER SEVEN HUNDRED
TWENTY-FIVE.

Assembly Bill No. 725—An act authorizing the establishment, maintenance, and operation of recreation districts.

COMMITTEE AMENDMENTS.

During the second reading of the bill, the following committee amendments were offered:

AMENDMENT NUMBER ONE.

On page 12 of the printed bill, strike out lines 9 to 17, inclusive, and insert in lieu thereof the following: "shall fix a time and place, for hearing the same and protests of interested parties not less than twenty-five nor more than thirty days after the date of presentation of the petition. Notice of the filing and hearing of such petition shall be posted in three of the most public places in the district. Such notice shall state the fact and date of the filing of such petition, the time and place for hearing the petition and protests of interested parties, specifying the boundaries of the proposed district and referring to said petition for further particulars. The clerk of the board of supervisors shall also cause a notice similar in substance to be published at least once a week for two successive weeks in a newspaper of general circulation printed and published in the proposed district, or if there is no such newspaper within the boundaries of the proposed district, in a newspaper within the county in which the proposed district is located and designated by said board for that purpose. Said notice must be posted and the second of said publications must be made at least seven days before the date set for the hearing of said petition.

Sec. 2. Any person interested, objecting to the formation of the district, to the boundaries thereof, or to the inclusion of his property in said district may file a written protest setting forth such objections with the clerk of said board at or before the time set for the hearing of said petition. Said board shall hear said petition and protests at the time appointed or at any time to which the hearing thereof may be adjourned and pass upon the same. The board shall have power to make such changes in the boundaries of the proposed district as it shall find to be proper and advisable, and shall define and establish such boundaries. The board shall not extend the boundaries of said district nor modify such boundaries so as to exclude from the proposed district any territory which will be benefited by the projects proposed by the district, nor shall any territory which will not be benefited by said projects be included within the proposed district. At the expiration of the time within which protests may be filed, if none be filed, or if protests be filed, and after hearing, such protests are denied or the boundaries of the proposed district are defined and established with modifications as above provided then said board shall be deemed to have acquired jurisdiction to further proceed in accordance with the provisions of this act.

Sec. 3. After making and entering an order defining and establishing the boundaries of the proposed district, the board of supervisors shall forthwith call and give notice of an election to be held in the proposed district to determine whether or not the proposed district shall be organized. Notice of the election shall be given in the same manner as notice of the hearing upon the petition and protests against the same as hereinbefore provided. Only those persons owning land in the district shall be entitled to vote at said election and each owner of land in said proposed district shall be entitled to cast one vote for each one hundred dollars of assessed valuation of land owned by said voter in said district. If, upon such election, it appears that a majority of the votes cast in such district favor the establishment of such recreation district, such district shall be created under the provisions of this act."

Amendment adopted.

AMENDMENT NUMBER TWO.

On page 12, line 18, of the printed bill, strike out the figure "2", and insert in lieu thereof the following: "4".

Amendment adopted.

AMENDMENT NUMBER THREE.

On page 12, line 24, of the printed bill, strike out "3", and insert in lieu thereof the following: "5".

Amendment adopted.

AMENDMENT NUMBER FOUR.

On page 12, line 28, of the printed bill, strike out "4", and insert in lieu thereof the following: "6".

Amendment adopted.

AMENDMENT NUMBER FIVE.

On page 12 of the printed bill, strike out lines 30 to 34, inclusive, and insert in lieu thereof the following: "in a written statement the amount of money necessary to be raised by taxation for maintaining the swimming pool or swimming pools of the district. The board of supervisors shall keep said statement available to inspection by the public up to and including the first day of August of each year. Unless objection be made to the board of supervisors to said statement by one per cent or more of the registered voters in the district and not less than ten voters in any event on or before the first day of August of any year, the statement shall become final. If such objection is made, however, the board of supervisors shall call a public meeting at some place within the district.

Notice of said meeting shall be given by mail to each of the protestants and shall also be posted in three public places within the district. Such meeting shall be held at least ten days before the time set for the levy of county taxes. Any person objecting to the statement may appear at said meeting and present his objections. The board of supervisors shall hear the protests and objections to the statement and may revise the statement in whole or in part. At said meeting the board shall settle the statement and determine the amount of money to be raised for the district but the revision of said statement shall not be such as to increase the total amount thereof. Upon the settlement of the statement, the supervisors shall thereupon include in the annual taxes levied a tax upon all the property within such recreation district sufficient to raise the amount demanded by the trustees or settled by the board of supervisors."

Amendment adopted.

AMENDMENT NUMBER SIX.

On page 12, line 35, of the printed bill, strike out "5", and insert in lieu thereof the following: "7".

Amendment adopted.

AMENDMENT NUMBER SEVEN.

On page 12, line 40, of the printed bill, strike out "6", and insert in lieu thereof the following: "8".

Amendment adopted.

Bill read second time, ordered to print, and on file for third reading.

ON EDUCATION.

SENATE CHAMBER, SACRAMENTO, May 13, 1931.

MR. PRESIDENT: Your Committee on Education, to which was referred Assembly Bill No. 663—An act to add a new section to the School Code to be numbered 2.1043, relating to the governing boards of high school districts—has had the same under consideration, and respectfully reports the same back with amendments, and recommends that the amendments be adopted, and that it do pass as amended.

Committee membership—14.

(Signed out)

SLATER, Chairman.

BAKER.

CLEVELAND.

DEUEL.

EVANS.

HARPER.

HAYS.

JONES.

MIXTER.

PEDROTTI.

SECOND READING OF ASSEMBLY BILL NUMBER SIX HUNDRED SIXTY-THREE.

Assembly Bill No. 663—An act to add a new section to the School Code to be numbered 2.1043, relating to the governing boards of high school districts.

COMMITTEE AMENDMENT.

During the second reading of the bill, the following committee amendment was offered:

AMENDMENT NUMBER ONE.

On page 4, line 22, of the printed bill, as amended in Assembly, May 5, 1931, beginning in said line 22, strike out the following: "electors residing in the territory embraced within the boundaries of the elementary and high school districts voted favorably on the question", and insert in lieu thereof the following: "votes cast were cast in favor of the government of the high school district by the city board of education".

Amendment adopted.

Bill read second time, ordered to print, and on file for third reading.

REPORTS OF STANDING COMMITTEES — RESUMED.

The following reports of standing committees were received and read:

ON RULES.

SENATE CHAMBER, SACRAMENTO, May 13, 1931.

MR. PRESIDENT: Your Committee on Rules, to which was referred Assembly Concurrent Resolution No. 19—Relative to the American Legislator's Association and the Interstate Legislative Reference Bureau—has had the same under consideration, and respectfully reports the same back, and recommends that same be adopted.

Committee membership—5; committee vote: Ayes—5.

BREED, Chairman.

Assembly Concurrent Resolution No. 19 read, and ordered on file.

ON FISH AND GAME.

SENATE CHAMBER, SACRAMENTO, May 13, 1931.

MR. PRESIDENT: Your Committee on Fish and Game, to which was referred Assembly Bill No. 926—An act to amend section 626½ of the Penal Code, relating to the protection of game—has had the same under consideration, and respectfully reports the same back with amendments, and recommends that the amendments be adopted, and that it do pass as amended.

Committee membership—15; committee vote: Ayes—12; absent—3.

ALLEN, Vice Chairman.

SECOND READING OF ASSEMBLY BILL NUMBER NINE HUNDRED TWENTY-SIX.

Assembly Bill No. 926—An act to amend section 626½ of the Penal Code, relating to the protection of game.

COMMITTEE AMENDMENTS.

During the second reading of the bill, the following committee amendments were offered:

AMENDMENT NUMBER ONE.

On page 1, line 3, of the printed bill, strike out "sixteenth", and insert in lieu thereof the following: "first".

Amendment adopted.

AMENDMENT NUMBER TWO.

On page 1, line 8, of the printed bill, strike out "first day of January and the thirtieth day", and insert in lieu thereof the following: "sixteenth day of December and the fourteenth day".

Amendment adopted.

Bill read second time, ordered to print, and on file for third reading.

REPORTS OF STANDING COMMITTEES—(RESUMED).

The following report of standing committee was received and read :

ON FISH AND GAME.

SENATE CHAMBER, SACRAMENTO, May 13, 1931.

MR. PRESIDENT: Your Committee on Fish and Game, to which was referred Assembly Bill No. 927—An act to amend section 626 of the Penal Code, relating to the protection of game—has had the same under consideration, and respectfully reports the same back, and recommends that it do pass.

Committee membership—15; committee vote: Ayes—12; absent—3.

ALLEN, Vice Chairman.

SECOND READING OF ASSEMBLY BILL NUMBER NINE HUNDRED TWENTY-SEVEN.

Assembly Bill No. 927—An act to amend section 626 of the Penal Code, relating to the protection of game.

Bill read second time, and ordered on file for third reading.

REPORTS OF STANDING COMMITTEES—(RESUMED).

The following report of standing committee was received and read :

ON FISH AND GAME.

SENATE CHAMBER, SACRAMENTO, May 13, 1931.

MR. PRESIDENT: Your Committee on Fish and Game, to which was referred Assembly Bill No. 887—An act to amend section 10 of chapter 517, Statutes of 1917, entitled "An act to provide for the protection of fur-bearing mammals, defining fur-bearing mammals, providing for a license for hunting or trapping such fur-bearing mammals and requiring reports to be filed with the Fish and Game Commission," approved May 18, 1917, as amended;

Also: Assembly Bill No. 672—An act to amend section 628a of the Penal Code, relating to the protection of fish;

Also: Assembly Bill No. 1396—An act to add section 637g to the Penal Code, relating to fish and game;

Also: Assembly Bill No. 1397—An act to amend section 9 of an act entitled "An act to regulate and license the maintenance and operation of commercial hunting clubs and to provide revenue therefrom for fish and game protection and restoration," approved June 3, 1927, relating to regulations included in license;

Also: Assembly Bill No. 1398—An act to recognize the right of the United States Commissioner of Fisheries and his duly authorized agents to conduct fish hatching, fish culture, and all operations connected therewith in this State;

Also: Assembly Bill No. 386—An act to amend section 11 of an act entitled "An act to regulate the sale and issuance of licenses to hunt, take, pursue or kill wild birds or mammals, and/or to angle for, take, catch or kill game fishes for purposes other than sale or profit in order to provide revenue therefrom for fish and game preservation, protection and restoration; defining game fishes; providing a penalty for the violation of this act and repealing all acts and parts of acts inconsistent or in conflict with this act," approved May 27, 1927;

Has had the same under consideration, and respectfully reports the same back, and recommends that they do pass.

Committee membership—15; committee vote: Ayes—12; absent—3.

ALLEN, Vice Chairman.

SECOND READING OF ASSEMBLY BILLS—(RESUMED).

Assembly Bill No. 887—An act to amend section 10 of chapter 517, Statutes of 1917, entitled "An act to provide for the protection of fur-bearing mammals, defining fur-bearing mammals, providing for a license for hunting or trapping such fur-bearing mammals and requiring reports to be filed with the Fish and Game Commission," approved May 18, 1917, as amended.

Bill read second time, and ordered on file for third reading.

Assembly Bill No. 672—An act to amend section 628a of the Penal Code, relating to the protection of fish.

Bill read second time, and ordered on file for third reading.

Assembly Bill No. 1396—An act to add section 637*g* to the Penal Code, relating to fish and game.

Bill read second time, and ordered on file for third reading.

Assembly Bill No. 1397—An act to amend section 9 of an act entitled "An act to regulate and license the maintenance and operation of commercial hunting clubs and to provide revenue therefrom for fish and game protection and restoration," approved June 3, 1927, relating to regulations included in license.

Bill read second time, and ordered on file for third reading.

Assembly Bill No. 1398—An act to recognize the right of the United States Commissioner of Fisheries and his duly authorized agents to conduct fish hatching, fish culture, and all operations connected therewith in this State.

Bill read second time, and ordered on file for third reading.

Assembly Bill No. 386—An act to amend section 11 of an act entitled "An act to regulate the sale and issuance of licenses to hunt, take, pursue or kill wild birds or mammals, and or to angle for, take, catch or kill game fishes for purposes other than sale or profit in order to provide revenue therefrom for fish and game preservation, protection and restoration; defining game fishes; providing a penalty for the violation of this act and repealing all acts and parts of acts inconsistent or in conflict with this act," approved May 27, 1927.

Bill read second time, and ordered on file for third reading.

REPORTS OF STANDING COMMITTEES—(RESUMED).

The following report of standing committee was received and read:

ON FISH AND GAME.

SENATE CHAMBER, SACRAMENTO, May 13, 1931.

MR. PRESIDENT: Your Committee on Fish and Game, to which was referred Assembly Bill No. 1442—An act to add two new sections numbered 55½ and 62½ to and to amend sections 4, 6, 7, 12, 23, 28, 30, 40, 47, 55, 58, 62, 68 and 71, and to repeal sections 17 and 70 of an act entitled "An act to divide the State of California into fish and game districts and to repeal an act entitled 'An act to divide the State of California into fish and game districts and to repeal an act entitled 'An act to divide the State of California into six fish and game districts,' approved March 21, 1911, and all acts or parts of acts inconsistent herewith,' approved May 19, 1915," approved May 28, 1917, as amended;

Also; Assembly Bill No. 495—An act to amend section 628*f* of the Penal Code, relating to the protection of fish and game;
Has had the same under consideration, and respectfully reports the same back with amendments, and recommends that the amendments be adopted, and that it do pass as amended.

Committee membership—15; committee vote: Ayes—12; absent—3.

ALLEN, Vice Chairman.

SECOND READING OF ASSEMBLY BILLS—(RESUMED).

Assembly Bill No. 1442—An act to add two new sections numbered 55½ and 62½ to and to amend sections 4, 6, 7, 12, 23, 28, 30, 40, 47, 55, 58, 62, 68 and 71, and to repeal sections 17 and 70 of an act entitled "An act to divide the State of California into fish and game districts and to repeal an act entitled 'An act to divide the State of California into fish and game districts and to repeal an act entitled 'An act to divide the State of California into six fish and game districts,' approved March 21, 1911, and all acts or parts of acts inconsistent herewith,' approved May 15, 1915," approved May 28, 1917, as amended.

COMMITTEE AMENDMENT.

During the second reading of the bill, the following committee amendment was offered:

AMENDMENT NUMBER ONE.

On page 7, line 6, of the printed bill, after the comma, insert the following: "and the south fork of the American river and all its tributaries above the Chili bar bridge on the Placerville-Georgetown highway."

Amendment adopted.

Bill read second time, ordered to print, and on file for third reading.

Assembly Bill No. 495—An act to amend section 628f of the Penal Code, relating to the protection of fish and game.

COMMITTEE AMENDMENT.

During second reading of the bill, the following committee amendment was offered:

AMENDMENT NUMBER ONE.

On page 4, line 12, of the printed bill, as amended, strike out the word "into", and insert in lieu thereof "to the division of fish and game for the deposit in".

Amendment adopted.

Bill read second time, ordered to print, and on file for third reading.

REPORTS OF STANDING COMMITTEES—(RESUMED).

The following report of standing committee was received and read:

ON REVISION OF CRIMINAL LAW AND PROCEDURE.

SENATE CHAMBER, SACRAMENTO, May 12, 1931.

MR. PRESIDENT: Your Committee on Revision of Criminal Law and Procedure, to which was referred Assembly Bill No. 43—An act to amend section 270b of the Penal Code, relating to security for payment of support of wife or minor child;

Also: Assembly Bill No. 895—An act to amend section 2 of an act entitled "An act to control and regulate the possession, sale and use of pistols, revolvers and other firearms capable of being concealed upon the person; to prohibit the manufacture, sale, possession or carrying of certain other dangerous weapons within this State; to provide for registering all sales of pistols, revolvers or other firearms, capable of being concealed upon the person; to prohibit the carrying of concealed firearms except by lawfully authorized persons; to provide for the confiscation and destruction of such weapons in certain cases; to prohibit the ownership, use, or possession of any of such weapons by certain classes of persons; to prescribe penalties for violations of this act and increased penalties for repeated violations hereof; to authorize, in proper cases, the granting of licenses or permits to carry firearms concealed upon the person; to provide for licensing retail dealers in such firearms and regulating sales thereunder; and to repeal chapter 145 of California Statutes of 1917, relating to the same subject," approved June 13, 1923, as amended, relating to the possession by aliens, felons and narcotic addicts;

Also: Assembly Bill No. 900—An act to amend section 464 of the Penal Code, relating to burglary with acetylene torch, electric arc or explosives; Has had the same under consideration, and respectfully reports the same back, and recommends that they do pass.

Committee membership—9.

(Signed out)

ROCHESTER, Chairman
CLEVELAND.
CLOCK.
MALONEY.
RICH.

SECOND READING OF ASSEMBLY BILLS—(RESUMED).

Assembly Bill No. 43—An act to amend section 270b of the Penal Code, relating to security for payment of support of wife or minor child.

Bill read second time, and ordered on file for third reading.

Assembly Bill No. 895—An act to amend section 2 of an act entitled "An act to control and regulate the possession, sale and use of pistols, revolvers and other firearms capable of being concealed upon the per-

son; to prohibit the manufacture, sale, possession or carrying of certain other dangerous weapons within this State; to provide for registering all sales of pistols, revolvers or other firearms, capable of being concealed upon the person; to prohibit the carrying of concealed firearms except by lawfully authorized persons; to provide for the confiscation and destruction of such weapons in certain cases; to prohibit the ownership, use, or possession of any of such weapons by certain classes of persons; to prescribe penalties for violations of this act and increased penalties for repeated violations hereof; to authorize, in proper cases, the granting of licenses or permits to carry firearms concealed upon the person; to provide for licensing retail dealers in such firearms and regulating sales thereunder; and to repeal chapter 145 of California Statutes of 1917, relating to the same subject," approved June 13, 1923, as amended, relating to the possession by aliens, felons and narcotic addicts.

Bill read second time, and ordered on file for third reading.

Assembly Bill No. 900—An act to amend section 464 of the Penal Code, relating to burglary with acetylene torch, electric arc or explosives.

Bill read second time, and ordered on file for third reading.

REPORTS OF STANDING COMMITTEES - (RESUMED).

The following report of standing committee was received and read:

ON FINANCE.

SENATE CHAMBER, SACRAMENTO, May 13, 1931.

MR. PRESIDENT: Your Committee on Finance, to which was referred Assembly Bill No. 1118—An act making an appropriation for the purchase of a site and the construction of an armory in the city of Pomona, Los Angeles County, California—has had the same under consideration, and respectfully reports the same back with amendments, and recommends that the amendments be adopted, and that it do pass as amended.

Committee membership—18; committee vote: Ayes—16; absent—2.

SWING, Chairman.

SECOND READING OF ASSEMBLY BILL NUMBER ONE THOUSAND ONE HUNDRED EIGHTEEN.

Assembly Bill No. 1118—An act making an appropriation for the purchase of a site and the construction of an armory in the city of Pomona, Los Angeles County, California.

COMMITTEE AMENDMENTS.

During the second reading of the bill, the following committee amendments were offered:

AMENDMENT NUMBER ONE.

On page 1, line 1, of the printed bill, strike out the word "fifty", and insert in lieu thereof the words "twenty-five", and strike out the following in said line: "\$50,000)."

Amendment adopted.

AMENDMENT NUMBER TWO.

On page 1 of the printed bill, strike out all of lines 4 to 6, inclusive, and insert in lieu thereof the following: "purchased for the construction and equipment of an armory in the city of Pomona, Los Angeles county, California; but if, within one year after this act takes effect, the city of Pomona shall have failed to donate to the state, free and clear of all encumbrances, an armory site satisfactory to the adjutant general, he may select any other city in this state in which to erect an armory, if the latter city donates to the state, free and clear of all encumbrances, an armory site satisfactory to him."

Amendment adopted.

Bill read second time, ordered to print, and on file for third reading.

REPORTS OF STANDING COMMITTEES—(RESUMED).

The following report of standing committee was received and read :

ON FINANCE.

SENATE CHAMBER, SACRAMENTO, MAY 13, 1931.

MR. PRESIDENT: Your Committee on Finance, to which was referred Assembly Bill No. 359—An act to amend section 737kk of the Political Code, relating to the salaries of the superior judges of the superior court in and for the county of San Diego;

Also: Assembly Bill No. 1685—An act making an appropriation to pay the claim of Quaker Oats Company against the State of California;

Also: Assembly Bill No. 1686—An act making an appropriation to pay the claim of California Securities Company against the State of California;

Has had the same under consideration, and respectfully reports the same back with amendments, and recommends that the amendments be adopted, and that they do pass as amended.

Committee membership—18; committee vote: Ayes—16; absent—2.

SWING, Chairman.

SECOND READING OF ASSEMBLY BILLS—(RESUMED).

Assembly Bill No. 359—An act to amend section 737kk of the Political Code, relating to the salaries of the superior judges of the superior court in and for the county of San Diego.

COMMITTEE AMENDMENT.

During the second reading of the bill, the following committee amendment was offered:

AMENDMENT NUMBER ONE.

On page 1, lines 4 and 5, of the printed bill, strike out "eight thousand", and insert in lieu thereof the following: "seven thousand five hundred".

Amendment adopted.

Bill read second time, ordered to print, and on file for third reading.

Assembly Bill No. 1685—An act making an appropriation to pay the claim of Quaker Oats Company against the State of California.

COMMITTEE AMENDMENT.

During the second reading of the bill, the following committee amendment was offered:

AMENDMENT NUMBER ONE.

On page 1, lines 1 and 2, of the printed bill, as amended, strike out the following: "one hundred ninety-one dollars and four cents, or so much thereof as may be necessary," and insert in lieu thereof the following: "four hundred eighty-seven dollars and seventy-three cents."

Amendment adopted.

Bill read second time, ordered to print, and on file for third reading.

Assembly Bill No. 1686—An act making an appropriation to pay the claim of California Securities Company against the State of California.

COMMITTEE AMENDMENT.

During the second reading of the bill, the following committee amendment was offered:

AMENDMENT NUMBER ONE.

On page 1, lines 2 and 3, of the printed bill, as amended, strike out the following: "or so much thereof as may be necessary."

Amendment adopted.

Bill read second time, ordered to print, and on file for third reading.

REPORTS OF STANDING COMMITTEES—(RESUMED).

The following report of standing committee was received and read :

ON FINANCE.

SENATE CHAMBER, SACRAMENTO, MAY 13, 1931.

MR. PRESIDENT: Your Committee on Finance, to which was referred Assembly Bill No. 919—An act making an appropriation for the purchase of additional land

for the Norwalk State Hospital, declaring the urgency thereof, and providing that this act shall take effect immediately—has had the same under consideration, and respectfully reports the same back with amendments, and recommends that the amendments be adopted, and that it do pass as amended.

Committee membership—18; committee vote: Ayes—13; noes—1; absent—2.

SWING, Chairman.

SECOND READING OF ASSEMBLY BILL NUMBER NINE HUNDRED NINETEEN.

Assembly Bill No. 919—An act making an appropriation for the purchase of additional land for the Norwalk State Hospital, declaring the urgency thereof, and providing that this act shall take effect immediately.

COMMITTEE AMENDMENTS.

During the second reading of the bill, the following committee amendments were offered:

AMENDMENT NUMBER ONE.

Strike out the title of the printed bill, and insert in lieu thereof the following:

"An act making an appropriation to provide for an adequate water system for the Norwalk state hospital, declaring the urgency thereof, and providing that this act shall take effect immediately."

Amendment adopted.

AMENDMENT NUMBER TWO.

On page 1 of the printed bill, strike out lines 1 to 23, inclusive, and insert in lieu thereof the following:

"SECTION 1. Out of any money in the state treasury not otherwise appropriated, the sum of twenty-five thousand dollars (\$25,000) is hereby appropriated to be expended in accordance with law, by the director of institutions, with the approval of the director of finance, for the purchase and maintenance of a water system for the Norwalk state hospital, including the purchase of such land and the construction of such works therefor as may be deemed desirable. The title of any land and water rights thereto appertaining acquired in pursuance of this act shall be taken in the name of the State of California, and the deeds therefor shall be filed with the secretary of state.

SEC. 2. This act is hereby declared to be an urgency measure necessary for the immediate preservation of the public peace, health and safety within the meaning of section 1 of article four of the constitution and shall, therefore, go into immediate effect. The facts constituting the necessity are as follows: The existing water supply is insufficient and inadequate and the shortage thereof seriously affects the health and welfare of the inmates of the institution and the officers and employees thereof, and it is necessary that an adequate water system for the institution be provided immediately."

Amendment adopted.

AMENDMENT NUMBER THREE.

On page 2 of the printed bill, strike out lines 1 to 23, inclusive.

Amendment adopted.

Bill read second time, ordered to print, and on file for third reading.

REPORTS OF STANDING COMMITTEES (RESUMED).

The following reports of standing committees were received and read:

ON FEDERAL RELATIONS.

SENATE CHAMBER, SACRAMENTO, May 13, 1931.

MR. PRESIDENT: Your Committee on Federal Relations, to which was referred Assembly Joint Resolution No. 26—Relative to changing the official name of Goat Island to Yerba Buena Island—has had the same under consideration, and respectfully reports the same back, and recommends that the same be adopted.

Committee membership—5; committee vote: Ayes—5.

(Signed out)

SCHOTTKY, Chairman.
HARPER.
McCORMACK.
RILEY.
WAGY.

Assembly Joint Resolution No. 26 read, and ordered on file.

ON FINANCE.

SENATE CHAMBER, SACRAMENTO, May 13, 1931.

MR. PRESIDENT: Your Committee on Finance, to which was referred Assembly Bill No. 563—An act to amend section 737*rr* of the Political Code, relating to the salary of the judge of the superior court in and for the county of Solano;

Also: Assembly Bill No. 299—An act to amend section 737*ss* of the Political Code, relating to the salary of the judge of the superior court, Shasta County;

Also: Assembly Bill No. 194—An act to amend section 737*ii* of the Political Code, relating to the salary of the superior judge in and for the county of San Benito;

Also: Assembly Bill No. 193—An act to amend section 737*rr* of the Political Code, relating to the salary of the superior judge in and for the county of Santa Cruz;

Also: Assembly Bill No. 1944—An act to amend 737*ece* of the Political Code, relating to the salary of the judge of the superior court in and for the county of Yolo;

Also: Assembly Bill No. 1465—An act to amend section 737*nn* of the Political Code, relating to the salary of the judge of the superior court in and for the county of San Luis Obispo;

Also: Assembly Bill No. 751—An act to amend section 737*uu* of the Political Code, relating to salary of superior court judge;

Also: Assembly Bill No. 687—An act increasing the number of judges of the superior court of the State of California, in and for the county of San Mateo, and providing for the appointment of an additional judge and for his compensation;

Also: Assembly Bill No. 288—An act to add a new section to the Code of Civil Procedure, to be known as 67*b*, relating to the superior court of San Diego County, and increasing the number of judges thereof;

Also: Assembly Bill No. 56—An act to add a new section to the Code of Civil Procedure, to be numbered 66*b*, relating to the number of judges of the superior court in the county of Merced;

Also: Assembly Bill No. 30—An act making an appropriation to pay the claim of Edmund M. Moor against the State of California;

Also: Assembly Bill No. 588—An act making an appropriation to pay the claim of Phil Rohan against the State of California;

Also: Assembly Bill No. 631—An act making an appropriation to pay the claim of Pacific Gas and Electric Company against the State of California;

Also: Assembly Bill No. 673—An act appropriating money to pay the claim of International Indemnity Company, a corporation, against the State of California;

Also: Assembly Bill No. 1407—An act making an appropriation to pay the claim of Louis Zeh against the State of California;

Also: Assembly Bill No. 1511—An act appropriating money to pay the claim of the disbursing officer of the Division of Highways, State Department of Public Works, against the State of California;

Also: Assembly Bill No. 1954—An act creating in the State Department of Penology a Division of Prison Terms and Paroles under the control of a Board of Prison Terms and Paroles, defining the powers and duties of said division and of said board, and making an appropriation therefor;

Also: Assembly Bill No. 1857—An act appropriating money to pay the claim of Lehmaier, Schwartz & Co., Inc., against the State of California;

Has had the same under consideration, and respectfully reports the same back, and recommends that they do pass.

Committee membership—18; committee vote: Ayes—16; absent—2.

SWING, Chairman.

SECOND READING OF ASSEMBLY BILLS—(RESUMED).

Assembly Bill No. 563—An act to amend section 737*rr* of the Political Code, relating to the salary of the judge of the superior court in and for the county of Solano.

Bill read second time, and ordered on file for third reading.

Assembly Bill No. 299—An act to amend section 737*ss* of the Political Code, relating to the salary of the judge of the superior court, Shasta County.

Bill read second time, and ordered on file for third reading.

Assembly Bill No. 194—An act to amend section 737*ii* of the Political Code, relating to the salary of the superior judge in and for the county of San Benito.

Bill read second time, and ordered on file for third reading.

Assembly Bill No. 193—An act to amend section 737*rr* of the Political Code, relating to the salary of the superior judge in and for the county of Santa Cruz.

Bill read second time, and ordered on file for third reading.

Assembly Bill No. 1944—An act to amend 737*ccc* of the Political Code, relating to the salary of the judge of the superior court in and for the county of Yolo.

Bill read second time, and ordered on file for third reading.

Assembly Bill No. 1465—An act to amend section 737*nn* of the Political Code, relating to the salary of the judge of the superior court in and for the county of San Luis Obispo.

Bill read second time, and ordered on file for third reading.

Assembly Bill No. 751—An act to amend section 737*uu* of the Political Code, relating to salary of superior court judge.

Bill read second time, and ordered on file for third reading.

Assembly Bill No. 687—An act increasing the number of judges of the superior court of the State of California, in and for the county of San Mateo, and providing for the appointment of an additional judge and for his compensation.

Bill read second time, and ordered on file for third reading.

Assembly Bill No. 288—An act to add a new section to the Code of Civil Procedure, to be known as 67*b*, relating to the superior court of San Diego County, and increasing the number of judges thereof.

Bill read second time, and ordered on file for third reading.

Assembly Bill No. 56—An act to add a new section to the Code of Civil Procedure, to be numbered 66*b*, relating to the number of judges of the superior court in the county of Merced.

Bill read second time, and ordered on file for third reading.

Assembly Bill No. 30—An act making an appropriation to pay the claim of Edmund M. Moor against the State of California.

Bill read second time, and ordered on file for third reading.

Assembly Bill No. 588—An act making an appropriation to pay the claim of Phil Rohan against the State of California.

Bill read second time, and ordered on file for third reading.

Assembly Bill No. 631—An act making an appropriation to pay the claim of Pacific Gas and Electric Company against the State of California.

Bill read second time, and ordered on file for third reading.

Assembly Bill No. 673—An act appropriating money to pay the claim of International Indemnity Company, a corporation, against the State of California.

Bill read second time, and ordered on file for third reading.

Assembly Bill No. 1407—An act making an appropriation to pay the claim of Louis Zeh against the State of California.

Bill read second time, and ordered on file for third reading.

Assembly Bill No. 1511—An act appropriating money to pay the claim of the disbursing officer of the Division of Highways, State Department of Public Works, against the State of California.

Bill read second time, and ordered on file for third reading.

Assembly Bill No. 1954—An act creating in the State Department of Penology a Division of Prison Terms and Paroles under the control of a Board of Prison Terms and Paroles, defining the powers and duties of said division and of said board, and making an appropriation therefor.

Bill read second time, and ordered on file for third reading.

Assembly Bill No. 1857—An act appropriating money to pay the claim of Lehmaier, Schwartz & Co., Inc., against the State of California.

Bill read second time, and ordered on file for third reading.

INTRODUCTION, FIRST READING AND REFERENCE OF BILLS.

The following resolution was offered:

By Senators Swing, Nelson, Crittenden, Mixer, and Sharkey: Senate Concurrent Resolution No. 40—Providing for the appointment of a Commission on Legislation Pertaining to Water Resources.

Referred to Committee on Governmental Efficiency.

RECESS.

On motion of Senator Breed at five o'clock and twenty minutes p.m., the President of the Senate declared recess until eight o'clock p.m.

RECONVENED.

At eight o'clock p.m., the Senate reconvened.

Lieutenant Governor Frank F. Merriam, President of the Senate, in the chair.

Minute Clerk Harold J. Powers at the desk.

MESSAGES FROM THE ASSEMBLY.

The following messages from the Assembly were received and read:

ASSEMBLY CHAMBER, SACRAMENTO, May 13, 1931.

MR. PRESIDENT: I am directed to inform your honorable body that the Assembly on this day passed Senate Bill No. 477—An act to repeal chapter 393, Statutes of 1909, entitled "An act to fix the salaries of the State Forester, deputy forester and assistant forester," approved March 22, 1909, as amended;

Also: Senate Bill No. 516—An act to amend section 356 of the Political Code, relating to exchange of employees between State departments;

Also: Senate Bill No. 201—An act to amend section 30a of the California Irrigation District Act, relating to reports submitted to the California Bond Certification Commission.

ARTHUR A. OHNIMUS, Chief Clerk.

By FRED J. DESCH, Assistant Clerk.

Senate Bills Nos. 477, 516 and 201 ordered to enrollment.

Also:

ASSEMBLY CHAMBER, SACRAMENTO, May 13, 1931.

MR. PRESIDENT: I am directed to inform your honorable body that the Assembly on this day adopted Senate Concurrent Resolution No. 32—Relative to leaves of absence of the Governor, Lieutenant Governor and the members of the Senate and Assembly of the forty-ninth session of the Legislature of the State of California:

Also: Senate Concurrent Resolution No. 31—Relating to the Marshall monument at Coloma, El Dorado County.

ARTHUR A. OHNIMUS, Chief Clerk.

By FRED J. DESCH, Assistant Clerk.

Senate Concurrent Resolutions Nos. 32 and 31 ordered to enrollment.

Also:

ASSEMBLY CHAMBER, SACRAMENTO, May 13, 1931.

MR. PRESIDENT: I am directed to inform your honorable body that the Assembly on this day passed Senate Bill No. 460—An act to amend sections 3, 6, 9, 12, and 17 of, and to add a new section numbered 25 to an act entitled "An act declaring the policy of the State of California relative to toll bridges and creating a board to be known as California Toll Bridge Authority and providing for membership thereof and specifying its duties and powers; also authorizing California Toll Bridge Authority to authorize and direct the Department of Public Works of the State of California to build, purchase, condemn or otherwise acquire for and in the name of the State of California toll bridges and other toll highway crossings and approaches thereto across waters, bays, arms of bays, straits, rivers and streams in California, both navigable and unnavigable or across any stream that is a boundary line between California and any other state, and to acquire franchises, rights, privileges, easements or other property either real or personal, used or to be used in conjunction with any such bridges; also authorizing the Department of Public Works to make recommendations to the California Toll Bridge Authority relative to the acquisition or construction of any toll bridge or toll highway crossing and to submit preliminary estimates of the cost of such acquisition or construction and the amount of revenue bonds required to be issued for such purpose; also authorizing California Toll Bridge Authority to issue and sell revenue bonds to provide funds for the acquisition or construction of toll bridges or other toll highway crossings secured as to the redemption thereof and the interest thereon only by the tolls or other revenues received from such bridge or bridges or other highway crossings and to prescribe the terms and conditions of such bonds; also authorizing the issuance and sale of such revenue bonds for the payment of interest during the period of actual construction of such bridge or other highway crossing and for a period of six months thereafter; also providing for the manner in which such bonds shall be issued and signed and the manner of sale and redemption thereof and the payment of interest thereon; also authorizing said California Toll Bridge Authority to charge and fix the rates of toll on such bridges or other highway crossings and regulating the amount thereof; also authorizing the Department of Public Works of the State of California to operate and maintain all such toll bridges or other toll highway crossings and to collect tolls thereon; also authorizing the Department of Public Works to acquire by eminent domain any toll bridge or bridges or other toll highway crossing or approaches thereto, real estate, personal property, franchises, rights, privileges or easements appurtenant thereto or appropriated to a public use by any person, firm or private corporation or otherwise and defining the procedure therefor; also providing that bonds issued and sold by California Toll Bridge Authority shall not constitute or be a debt or general obligation of the State and shall be secured only by the tolls or other revenues collected from the operation of such bridges or other highway crossings and shall be paid from such tolls or revenues made available by this act; also authorizing any city, county, city and county, incorporated city or town, or joint highway district to advance or contribute money, rights of way, labor, materials or other property in aid of the acquisition, construction, operation or maintenance of any such bridge or highway crossing and to issue and sell general obligation bonds for such purpose; also authorizing the California Toll Bridge Authority to enter into agreements with any such political subdivisions for the repayment of contributions or advances; and providing the time and manner of making such repayments; also providing for the elimination of toll charges on bridges or other highway crossings acquired and constructed under this act; also defining the limits within which other competitive bridges or other highway crossings or free ferries may be constructed or operated; and also authorizing the recital of the terms of such limitations in bonds issued hereunder; also creating and establishing certain funds and regulating the manner in which moneys may be withdrawn therefrom; also prescribing the manner in which any city, county, city and county, incorporated bridge and highway district or joint highway district may acquire or construct toll bridges or other toll highway crossings; also authorizing California Toll Bridge Authority to make agreements with steam and electric or other railroad or transportation companies for the use of portions of toll bridges or other highway crossings acquired or constructed under this act; also providing for the manner in which contracts shall be let for the building of bridges or other highway crossings; also empowering the Department of Public Works to designate certain county roads as State highways; also authorizing the acquisition or construction of tubes or tunnels in connection with such bridges or other highway crossings; also authorizing casualty insurance, indemnity bonds or accident insurance on bridges and other highway crossings constructed under this act; also giving, dedicating and setting apart rights of way through, over, on and across State property for the construction of such toll bridges or other toll highway crossings; also appropriating \$50,000 for the purpose of establishing a revolving fund and providing for the use thereof and the manner of reimbursements thereto," approved June 10, 1929, relating to bonds.

ARTHUR A. OHNIMUS, Chief Clerk.

By FRED J. DESCH, Assistant Clerk.

Senate Bill No. 460 ordered to enrollment.

Also:

ASSEMBLY CHAMBER, SACRAMENTO, May 13, 1931.

MR. PRESIDENT: I am directed to inform your honorable body that the Assembly on this day passed Senate Bill No. 137—An act to amend section 157 of the Code of Civil Procedure, relating to the qualifications of superior judges;

Also: Senate Bill No. 503—An act to amend an act entitled "An act to provide for the organization, incorporation, and government of municipal corporations," approved March 13, 1883, as amended, by amending sections 806 and 882 thereof, relating to the jurisdiction of courts, in municipal corporations of fifth and sixth classes;

Also: Senate Bill No. 342—An act to amend section 750 of the Code of Civil Procedure, relating to the issuance and publication of summons in actions to determine conflicting claims to real property;

Also: Senate Bill No. 761—An act to amend section 1274*b* of the Code of Civil Procedure, relating to escheat.

ARTHUR A. OHNIMUS, Chief Clerk.
By FRED J. DESCH, Assistant Clerk.

Senate Bills Nos. 137, 503, 342 and 761 ordered to enrollment.

Also:

ASSEMBLY CHAMBER, SACRAMENTO, May 13, 1931.

MR. PRESIDENT: I am directed to inform your honorable body that the Assembly on this day passed Senate Bill No. 760—An act to amend chapter 586 of the Statutes of 1913, known as the "Water Commission Act," approved June 16, 1913, as amended, by amending section 36*f* thereof, relating to the adjudication of appropriative water rights and by adding thereto a new section to be numbered 36*g*, relating to modification of court decrees as to quantities of water awarded;

Also: Senate Bill No. 375—An act permitting boards of supervisors of the respective counties and the city council of every incorporated city, and the board of education of every school district, and the board of directors of every duly organized irrigation reclamation water conservatory or flood control district, to require answers to a standard form of questionnaire from persons proposing to bid on any public work;

Also: Senate Bill No. 520—An act to amend section 5 of chapter 845, Statutes of 1929, entitled "An act to establish salesrooms and industrial workshops for the blind, providing for the management, government and administration thereof, and making an appropriation for the establishment of a revolving fund therefor," as approved June 18, 1929, relating to the Industrial Workshop Revolving Fund;

Also: Senate Bill No. 128—An act to pay the claim of the Frederick W. Snook Company against the State of California.

ARTHUR A. OHNIMUS, Chief Clerk.
By FRED J. DESCH, Assistant Clerk.

Senate Bills Nos. 760, 375, 520 and 128 ordered to enrollment.

Also:

ASSEMBLY CHAMBER, SACRAMENTO, May 13, 1931.

MR. PRESIDENT: I am directed to inform your honorable body that the Assembly on this day passed Senate Bill No. 122—An act to add a new section to be numbered 426*b* to the Code of Civil Procedure, relating to the pleadings in divorce actions based on extreme cruelty and adultery;

Also: Senate Bill No. 228—An act to amend sections 595 and 1054 of the Code of Civil Procedure, relating to postponement of trials and extension of time in superior and inferior courts;

Also: Senate Bill No. 9—An act declaring the bridge across the Yuba River at the city of Marysville and the bridge across the Feather River between the city of Marysville and the city of Yuba City to be State highways and parts of the State highway system;

Also: Senate Bill No. 139—An act to repeal section 633*c* of the Political Code, relating to insurance adjusters.

ARTHUR A. OHNIMUS, Chief Clerk.
By FRED J. DESCH, Assistant Clerk.

Senate Bills Nos. 122, 228, 9 and 139 ordered to enrollment.

Also:

ASSEMBLY CHAMBER, SACRAMENTO, May 13, 1931.

MR. PRESIDENT: I am directed to inform your honorable body that the Assembly on this day passed Senate Bill No. 622—An act to amend the title and sections 2 and 4 of an act entitled "An act to create a flood control district to be called 'Los Angeles County Flood Control District'; to provide for the control and conservation of flood and storm waters, and for the protection of harbors, waterways, public highways and property in said district from damage from such waters, and for the

construction of works and the acquisition of property therefor; to authorize the incurring of indebtedness, and the voting, issuing and selling of bonds, and the levying and collecting of taxes by said district; to provide for the government and control of said district, and to define the powers and duties of the officers thereof," approved June 12, 1915, as amended, relating to the objects and purposes of said act and the powers of the board of supervisors thereunder;

Also: Senate Bill No. 426—An act to appropriate the sum of \$28,500 to be used in construction, renewal, and repair of works for restraining, impounding and control of debris resulting from mining operations and other causes along the Yuba River, and to provide for the manner of expending such appropriation;

Also: Senate Bill No. 140—An act to amend section 4.102 of the School Code, relating to an appropriation for vocational rehabilitation;

Also: Senate Bill No. 472—An act in relation to the control and eradication of bovine tuberculosis; to provide an appropriation for the purposes of this act; to prescribe penalties for violation of the provisions hereof and to repeal certain acts therein specified.

ARTHUR A. OHNIMUS, Chief Clerk.
By FRED J. DESCH, Assistant Clerk.

Senate Bills Nos. 622, 426, 140 and 472 ordered to enrollment.

Also:

ASSEMBLY CHAMBER, SACRAMENTO, May 13, 1931.

MR. PRESIDENT: I am directed to inform your honorable body that the Assembly on this day passed Senate Bill No. 941—An act to amend section 5.812 of the School Code, relating to the retirement of teachers;

Also: Senate Bill No. 937—An act to amend section 1980 of the Civil Code, relating to contracts for personal service;

Also: Senate Bill No. 573—An act making appropriation of money to be used by the Attorney General in the payment of expenses in the proceeding brought by the Attorney General in the Court of Claims of the United States in behalf of the Indians of the State of California, in accordance with an act of the Legislature of 1927, Statutes of 1927, chapter 643;

Also: Senate Bill No. 574—An act to amend section 475 of the Political Code, relating to clerks, phonographic reporter, service agent and stenographers of the Attorney General's office.

ARTHUR A. OHNIMUS, Chief Clerk.
By FRED J. DESCH, Assistant Clerk.

Senate Bills Nos. 941, 937, 573 and 574 ordered to enrollment.

ASSISTANT SECRETARY FRANCIS E. DALIN AT THE DESK.

CONSIDERATION OF DAILY FILE.

THIRD READING OF ASSEMBLY BILLS—(RESUMED).

Assembly Bill No. 1949—An act to amend sections 2 and 8 of an act entitled "An act to define commercial feeding stuffs and to establish a standard therefor, providing for the branding and labeling of same, empowering the State Board of Health to enforce the provisions of the act and providing penalties for the violation of same," approved May 16, 1919, relating to commercial feeding stuffs.

Bill read third time.

The question being on the passage of the bill.

The roll was called.

CALL OF THE SENATE.

Pending the announcement of the vote, Senator McKinley moved a call of the Senate.

Motion carried.

The Secretary was directed to call the roll.

The roll was called, and the following answered to their names:

Senators Baker, Cassidy, Christian, Clock, Duval, Edwards, Evans, Harper, Ingels, McKinley, Pedrotti, Riley, Schottky, Slater, Tubbs, Waggy, and Williams—17.

The Secretary announced the absentees.

Time, eight o'clock and eleven minutes p.m.

The President directed the Sergeant-at-Arms to close the doors.

The Sergeant-at-Arms, having been furnished with the names of the absentees, was directed to bring them to the bar of the Senate.

PROCEEDINGS UNDER CALL OF THE SENATE.

Assembly Bill No. 1879—An act to add a new section to the Political Code, to be numbered 2524c, relating to the authority of the Board of State Harbor Commissioners or its successor.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Assembly Bill No. 1879 passed by the following vote:

AYES—Senators Baker, Breed, Bush, Carter, Cassidy, Christian, Cleveland, Clock, Duval, Edwards, Evans, Harper, Ingels, Inman, McKinley, Pedrotti, Schottky, Slater, Swing, Tubbs, Wagy, and Williams—22.

NOES—None.

Title read and approved.

Bill ordered transmitted to the Assembly.

Assembly Bill No. 1880—An act to amend section 2524 of the Political Code, relating to the jurisdiction, powers and duties of the Board of State Harbor Commissioners or its successor.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Assembly Bill No. 1880 passed by the following vote:

AYES—Senators Baker, Breed, Bush, Carter, Cassidy, Christian, Cleveland, Clock, Duval, Edwards, Evans, Harper, Hays, Ingels, Inman, McKinley, Moran, Pedrotti, Schottky, Slater, Swing, Tubbs, Wagy, and Williams—24.

NOES—None.

Title read and approved.

Bill ordered transmitted to the Assembly.

Assembly Bill No. 1156—An act to amend section 2349 of the Political Code, relating to navigable streams and public waterways.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Assembly Bill No. 1156 passed by the following vote:

AYES—Senators Baker, Breed, Bush, Carter, Cassidy, Christian, Cleveland, Clock, Duval, Edwards, Evans, Harper, Hays, Ingels, Inman, McCormack, McKinley, Moran, Pedrotti, Riley, Rochester, Schottky, Slater, Swing, Tubbs, Wagy, and Williams—27.

NOES—None.

Title read and approved.

Bill ordered transmitted to the Assembly.

FURTHER PROCEEDINGS UNDER CALL OF THE SENATE DISPENSED WITH.

At eight o'clock and twenty-four minutes p.m., further proceedings under call of the Senate were dispensed with, on motion of Senator McKinley.

The Secretary was directed to call the roll.

The roll was called, and Assembly Bill No. 1949 passed by the following vote:

AYES—Senators Baker, Breed, Bush, Carter, Cassidy, Christian, Cleveland, Clock, Crittenden, Duval, Edwards, Evans, Harper, Hays, Ingels, Inman, Maloney, McCormack, McKinley, Mixer, Moran, Pedrotti, Riley, Rochester, Schottky, Slater, Swing, Tubbs, Waggy, and Williams—30.

NOES—None.

Title read and approved.

Bill ordered transmitted to the Assembly.

Assembly Bill No. 647—An act authorizing the survey, location, and establishment of the ordinary high-water mark, bordering upon tide-water of the Pacific Ocean, between the westerly boundary line of the city of Santa Monica and the westerly boundary line of the city of Los Angeles.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Assembly Bill No. 647 passed by the following vote:

AYES—Senators Baker, Breed, Bush, Carter, Cassidy, Cleveland, Clock, Crittenden, Edwards, Evans, Harper, Hays, Ingels, Inman, Maloney, McCormack, McKinley, Mixer, Moran, Pedrotti, Riley, Rochester, Schottky, Slater, Swing, Tubbs, Waggy, and Williams—28.

NOES—None.

Title read and approved.

Bill ordered transmitted to the Assembly.

Assembly Bill No. 1081—An act to amend section 62 of an act entitled "An act to divide the State of California into fish and game districts and to repeal an act entitled 'An act to divide the State of California into fish and game districts and to repeal an act entitled 'An act to divide the State of California into six fish and game districts,'" approved March 21, 1911, and all acts or parts of acts inconsistent herewith," approved May 19, 1915," approved May 28, 1917, as amended and revised, and to add a new section thereto to be numbered section 62a.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Assembly Bill No. 1081 passed by the following vote:

AYES—Senators Baker, Breed, Bush, Carter, Cassidy, Christian, Cleveland, Clock, Crittenden, Duval, Edwards, Evans, Harper, Hays, Ingels, Inman, Maloney, McCormack, McKinley, Mixer, Moran, Pedrotti, Riley, Rochester, Schottky, Slater, Swing, Tubbs, Waggy, and Williams—39.

NOES—None.

Title read and approved.

Bill ordered transmitted to the Assembly.

Assembly Bill No. 1082—An act to amend section 636 of the Penal Code, relating to the protection of fish and game.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Assembly Bill No. 1082 passed by the following vote:

AYES—Senators Baker, Breed, Bush, Christian, Cleveland, Clock, Crittenden, Edwards, Evans, Harper, Hays, Ingels, Inman, Jones, Maloney, McCormack, McKinley, Mixer, Moran, Pedrotti, Rich, Riley, Rochester, Schottky, Slater, Swing, Tubbs, Wag, and Williams—29.

NOES—None.

Title read and approved.

Bill ordered transmitted to the Assembly.

Assembly Bill No. 466—An act making it unlawful for an attorney at law to employ any person to solicit law practice; prohibiting any person from soliciting law practice for hire and prescribing the penalty therefor; prohibiting the use of written statements taken from an injured person within thirty days after the injury; also making void certain settlements, compromises, releases and discharges, also certain contracts with attorneys at law, unless approved by the court.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Assembly Bill No. 466 passed by the following vote:

AYES—Senators Baker, Breed, Bush, Carter, Cassidy, Christian, Clock, Crittenden, Ducl, Edwards, Evans, Harper, Hays, Ingels, Inman, Jones, Maloney, McCormack, McKinley, Mixer, Nelson, Pedrotti, Rich, Riley, Rochester, Slater, Swing, Tubbs, Wag, and Williams—30.

NOES—None.

Title read and approved.

Bill ordered transmitted to the Assembly.

Assembly Bill No. 1021—An act authorizing and empowering any county, city and county, or city, in the State of California, to donate, convey and grant to the State of California any real property owned by it, or which it may hereafter acquire, within its corporate limits, and to donate such part of its funds as deemed necessary for the purpose of assisting the State of California to purchase and acquire parks, playgrounds, recreation centers, or beaches for recreational purposes within its corporate limits.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Assembly Bill No. 1021 passed by the following vote:

AYES—Senators Baker, Breed, Bush, Carter, Cassidy, Christian, Cleveland, Clock, Crittenden, Ducl, Duval, Edwards, Evans, Harper, Hays, Inman, Jones, Maloney, McCormack, McKinley, Mixer, Moran, Nelson, Pedrotti, Rich, Riley, Rochester, Slater, Swing, Tubbs, Wag, and Williams—32.

NOES—None.

AMENDMENT TO TITLE.

The following amendment to title was offered, and its adoption moved, by Senator Maloney:

AMENDMENT NUMBER ONE.

In line 9 of the title of the printed bill, as amended, strike out the following: "within its corporate limits".

Amendment adopted.

Title, as amended, read and approved.

Bill ordered to print and transmitted to the Assembly.

ASSEMBLY CONSTITUTIONAL AMENDMENT No. 2.

A resolution proposing to the people of the State of California an amendment to the constitution of said State by adding to article IV thereof a new section to be numbered 31b, relating to the release of lien for taxes in certain cases.

Resolved by the Assembly, the Senate concurring. That the Legislature of the State of California at its forty-ninth regular session, two-thirds of all the members elected to each of the two houses of the Legislature voting in favor thereof, that the constitution of said State be amended by adding to article IV thereof a new section to be numbered 31b and to read as follows:

Sec. 31b. No provision of this constitution shall be construed as a limitation upon the power of the Legislature to provide that the lien of every tax, whether heretofore or hereafter attaching, shall cease to exist for all purposes after 30 years from the time such tax became a lien, or to provide that every tax whether heretofore or hereafter levied shall be conclusively presumed to have been paid after thirty years from the time the same became a lien unless the property subject thereto has been sold in the manner provided by law for the payment of said tax.

Amendment read.

The question being on the adoption of the amendment.

The roll was called, and Assembly Constitutional Amendment No. 2 adopted by the following vote:

AYES—Senators Baker, Breed, Carter, Cassidy, Christian, Crittenden, Deuel, Duval, Edwards, Evans, Harper, Hays, Ingels, Jones, Madoney, McCormack, McKinley, Mixter, Moran, Nelson, Pedrotti, Rich, Riley, Rochester, Slater, Swing, Tubbs, and Williams—28.

NOES—None.

Assembly Constitutional Amendment No. 2 ordered transmitted to the Assembly.

ASSEMBLY CONSTITUTIONAL AMENDMENT No. 32.

A resolution to propose to the people of the State of California an amendment to section 31, article IV, of the constitution of said State, relating to certain payments by the city of Glendale.

Resolved by the Assembly, the Senate concurring. That the Legislature of the State of California, at its forty-ninth regular session commencing on the fifth day of January, 1931, two-thirds of all the members elected to each of the two houses of said Legislature voting in favor thereof, that section 31 of article IV of the constitution of said State be amended to read as follows:

Sec. 31. The Legislature shall have no power to give or to lend, or to authorize the giving or lending, of the credit of the State, or of any county, city and county, city, township or other political corporation or subdivision of the State now existing, or that may be hereafter established, in aid of or to any person, association, or corporation, whether municipal or otherwise, or to pledge the credit thereof, in any manner whatever, for the payment of the liabilities of any individual, association, municipal or other corporation whatever; nor shall it have power to make any gift or authorize the making of any gift, of any public money or thing of value to any individual, municipal or other corporation whatever; *provided*, that nothing in this section shall prevent the Legislature granting aid pursuant to section 22 of this article; and it shall not have power to authorize the State, or any political subdivision thereof, to subscribe for stock, or to become a stockholder in any corporation whatever; *provided, further*, that irrigation districts for the purpose of acquiring the control of any entire international water system necessary for its use and purposes, a part of which is situated in the United States, and a part thereof in a foreign country, may in the manner authorized by law, acquire the stock of any foreign corporation which is the owner of, or which holds the title to the part of such system situated in a foreign country; *provided, further*, that irrigation districts for the purpose of acquiring water and water rights and other property necessary for their uses and purposes, may acquire and hold the stock of corporations, domestic or foreign, owning waters, water rights, canals, waterworks, franchises or concessions subject to the same obligations and liabilities as are imposed by law upon all other stockholders in such corporation; and

Provided, further, that nothing contained in this constitution shall prohibit the use of State money or credit, in aiding veterans who served in the military or naval service of the United States during time of war, in the acquisition of, or payments for, farms or homes, or in projects of land settlement or in the development of such farms or homes or land settlement projects for the benefit of such veterans.

The California Veterans' Welfare Bond Act of 1921 (Statutes of 1921, chapter 578), as enacted at the forty-fourth session of the Legislature of the State of California, authorizing the issuance and sale of State bonds in the sum of \$10,000,000,

for the purpose of creating a fund to carry out the provisions of the California Veterans' Welfare Act, providing land settlement for veterans (Statutes of 1921, chapter 580), and the provisions of the "Veterans' Farm and Home Purchase Act," providing farm and home aid for veterans (Statutes of 1921, chapter 519) is hereby approved, adopted, legalized, validated and made fully and completely effective irrespective of the vote that may be cast upon the proposition of approving or disapproving such Veterans' Welfare Bond Act of 1921 at the general election of November 7, 1922. All provisions of this section shall be self-executing and shall not require any legislative action in furtherance thereof, but this shall not prevent such legislative action.

And provided, still further, that notwithstanding the restrictions contained in this constitution, the treasurer of any city, county, or city and county shall have power and it shall be his duty to make such temporary transfers from the funds in his custody as may be necessary to provide funds for meeting the obligations incurred for maintenance purposes by any city, county, city and county, district, or other political subdivision whose funds are in his custody and are paid out solely through his office. Such temporary transfer of funds to any political subdivision shall be made only upon resolution adopted by the governing body of the city, county, or city and county directing the treasurer of such city, county, or city and county to make such temporary transfer. Such temporary transfer of funds to any political subdivision shall not exceed 85 per cent of the taxes accruing to such political subdivision, shall not be made prior to the first day of the fiscal year nor after the last Monday in April of the current fiscal year, and shall be replaced from the taxes accruing to such political subdivision before any other obligation of such political subdivision is met from such taxes.

And provided, further, that the city of Glendale, of Los Angeles County, may, when authorized so to do, by a majority of the voters thereof voting at an election held for that purpose, pay from the surplus of the public service department of said city the amount of any assessment or assessments levied by said city between the eleventh day of May, 1921, and the ratification of this amendment, for the replacement of water mains, to the person or persons owning the property so assessed at the time said payment is so authorized; and that no statute of limitations shall apply in any manner.

Amendment read.

The question being on the adoption of the amendment.

The roll was called, and Assembly Constitutional Amendment No. 32 adopted by the following vote:

AYES—Senators Baker, Breed, Carter, Cassidy, Crittenden, Deuel, Duval, Edwards, Evans, Harper, Hays, Ingels, Inman, Jones, Maloney, McKinley, Mixter, Moran, Nelson, Pedrotti, Rich, Riley, Rochester, Slater, Swing, Tubbs, Waggy, and Williams—28.

NOES—None.

Assembly Constitutional Amendment No. 32 ordered transmitted to the Assembly.

ASSEMBLY CONSTITUTIONAL AMENDMENT No. 14.

A resolution to propose to the people of the State of California an amendment to the constitution of said State by adding a new section thereto to be known as and numbered section 31b of article IV of the State of California, relating to the ownership by the city of Escondido, California, of stock in a mutual water company.

The Legislature of the State of California, at its regular session commencing on the fifth day of January, 1931, two-thirds of the members elected to each of the two houses of the Legislature voting in favor thereof, hereby proposes an amendment to the constitution of said State by adding a new section thereto to be known as and numbered section 31b of article IV of the State of California to read as follows:

Sec. 31b. Nothing contained in this constitution shall preclude the city of Escondido, California, from acquiring or holding shares of the capital stock of any mutual water company or corporation, when such stock is so acquired or held for the purpose of furnishing a supply of water for public or municipal purposes or for the use of the inhabitants of the city and the city is hereby authorized to acquire and hold such stock, and said holding of such stock shall entitle such holder thereof to all the rights, powers and privileges, and subject such holder to the obligations and liabilities as are given or are imposed by law to or upon other holders of stock in the mutual water corporation in which such stock is so held.

Amendment read.

The question being on the adoption of the amendment.

The roll was called, and Assembly Constitutional Amendment No. 14 adopted by the following vote:

AYES—Senators Baker, Breed, Carter, Cassidy, Crittenden, Deuel, Duval, Edwards, Evans, Harper, Hays, Ingels, Inman, Jones, Maloney, McCormack, McKinley, Mixer, Moran, Nelson, Pedrotti, Rich, Rochester, Slater, Swing, Tubbs, Wagy, and Williams—28.

NOES—Senator Riley—1.

Assembly Constitutional Amendment No. 14 ordered transmitted to the Assembly.

Assembly Bill No. 1938—An act relating to a Convalescent Colony and empowering the Department of Finance to accept land or contributions for the Convalescent Colony upon recommendation of the Convalescent Colony Board, creating a Convalescent Colony Board, and providing for the disposition and expenditure of moneys in connection with said Convalescent Colony.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Assembly Bill No. 1938 passed by the following vote:

AYES—Senators Baker, Breed, Carter, Cassidy, Crittenden, Duval, Edwards, Evans, Harper, Inman, Jones, Maloney, McCormack, McKinley, Mixer, Moran, Nelson, Pedrotti, Riley, Rochester, Slater, Swing, Tubbs, Wagy, and Williams—25.

NOES—None.

Title read and approved.

Bill ordered transmitted to the Assembly.

Assembly Bill No. 1066—An act to amend sections 7, 8, 9, 10, and 11 of an act entitled "An act to define the duties of and to license land surveyors, and to repeal an act entitled 'An act to define the duties of and to license land surveyors,' approved March 31, 1891," approved March 16, 1907, Statutes of 1907, page 310, relating to licensing of surveyors and the preparation and filing of maps.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Assembly Bill No. 1066 passed by the following vote:

AYES—Senators Baker, Breed, Cassidy, Crittenden, Duval, Edwards, Evans, Harper, Inman, Jones, Maloney, McCormack, McKinley, Mixer, Nelson, Pedrotti, Riley, Rochester, Slater, Swing, Tubbs, Wagy, and Williams—23.

NOES—None.

Title read and approved.

Bill ordered transmitted to the Assembly.

Assembly Bill No. 553—An act making an appropriation to pay the claim of Moore Mercantile Company against the State of California.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Assembly Bill No. 553 passed by the following vote:

AYES—Senators Baker, Breed, Cassidy, Crittenden, Edwards, Evans, Harper, Ingels, Inman, Jones, McCormack, McKinley, Mixer, Moran, Nelson, Pedrotti, Riley, Sharkey, Slater, Tubbs, Wagy, and Williams—22.

NOES—None.

Title read and approved.

Bill ordered transmitted to the Assembly.

Assembly Bill No. 705—An act to pay the claim of B. J. Humphreys against the State of California.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Assembly Bill No. 705 passed by the following vote:

AYES—Senators Baker, Breed, Cassidy, Crittenden, Edwards, Evans, Harper, Ingels, Inman, Jones, McCormack, McKinley, Mixter, Moran, Nelson, Pedrotti, Riley, Sharkey, Slater, Tubbs, Waggy, and Williams—22.

NOES—None.

Title read and approved.

Bill ordered transmitted to the Assembly.

Assembly Bill No. 846—An act making an appropriation to pay the claim of Felix Cross Company against the State of California.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Assembly Bill No. 846 passed by the following vote:

AYES—Senators Baker, Breed, Cassidy, Crittenden, Edwards, Evans, Harper, Ingels, Inman, Jones, McCormack, McKinley, Mixter, Moran, Nelson, Pedrotti, Sharkey, Slater, Tubbs, Waggy, and Williams—21.

NOES—None.

Title read and approved.

Bill ordered transmitted to the Assembly.

Assembly Bill No. 847—An act making an appropriation to pay the claim of Gordon's Sea Food Grotto against the State of California.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Assembly Bill No. 847 passed by the following vote:

AYES—Senators Baker, Breed, Cassidy, Crittenden, Edwards, Evans, Harper, Ingels, Inman, Maloney, McCormack, McKinley, Mixter, Moran, Nelson, Pedrotti, Riley, Sharkey, Slater, Tubbs, Waggy, and Williams—22.

NOES—None.

Title read and approved.

Bill ordered transmitted to the Assembly.

Assembly Bill No. 848—An act making an appropriation to pay the claim of Union Fish Company against the State of California.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Assembly Bill No. 848 passed by the following vote:

AYES—Senators Baker, Breed, Cassidy, Crittenden, Duval, Edwards, Evans, Harper, Ingels, Inman, Maloney, McCormack, McKinley, Mixter, Moran, Nelson, Pedrotti, Riley, Sharkey, Slater, Tubbs, Waggy, and Williams—23.

NOES—None.

Title read and approved.

Bill ordered transmitted to the Assembly.

Assembly Bill No. 849—An act making an appropriation to pay the claim of J. D. Fabris against the State of California.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Assembly Bill No. 849 passed by the following vote:

AYES—Senators Baker, Breed, Cassidy, Crittenden, Duval, Edwards, Evans, Harper, Ingels, Maloney, McCormack, McKinley, Mixer, Moran, Nelson, Pedrotti, Riley, Sharkey, Slater, Tubbs, Wagy, and Williams—22.

NOES—None.

Title read and approved.

Bill ordered transmitted to the Assembly.

Assembly Bill No. 850—An act making an appropriation to pay the claim of United Ship Repair Company against the State of California.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Assembly Bill No. 850 passed by the following vote:

AYES—Senators Baker, Breed, Cassidy, Duval, Edwards, Evans, Harper, Ingels, Inman, Maloney, McCormack, McKinley, Mixer, Moran, Nelson, Pedrotti, Riley, Sharkey, Slater, Tubbs, Wagy, and Williams—22.

NOES—None.

Title read and approved.

Bill ordered transmitted to the Assembly.

Assembly Bill No. 851—An act making an appropriation to pay the claim of Associated Oil Company against the State of California.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Assembly Bill No. 851 passed by the following vote:

AYES—Senators Baker, Breed, Cassidy, Duval, Edwards, Evans, Harper, Hays, Ingels, Inman, Maloney, McCormack, McKinley, Mixer, Moran, Pedrotti, Riley, Sharkey, Slater, Tubbs, Wagy, and Williams—22.

NOES—None.

Title read and approved.

Bill ordered transmitted to the Assembly.

Assembly Bill No. 853—An act making an appropriation to pay the claim of Veterans' Bureau of United States government against the State of California.

Bill read third time.

The question being on the passage of the bill.

The roll was called.

CALL OF THE SENATE.

Pending the announcement of the vote, Senator Maloney moved a call of the Senate.

Motion carried.

The Secretary was directed to call the roll.

The roll was called, and the following answered to their names:

Senators Allen, Bush, Carter, Clock, Crittenden, Deuel, Edwards, Evans, Harper, Jones, Rich, Riley, Schottky, Sharkey, Slater, Swing, Treacy, Tubbs, Wagy, and Williams—20.

The Secretary announced the absentees.

Time, nine o'clock and twenty minutes p.m.

The President directed the Sergeant-at-Arms to close the doors.

The Sergeant-at-Arms, having been furnished with the names of the absentees, was directed to bring them to the bar of the Senate.

PROCEEDINGS UNDER CALL OF THE SENATE.

Assembly Bill No. 855—An act making an appropriation to pay the claim of Kimball-Upson Company against the State of California.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Assembly Bill No. 855 passed by the following vote:

AYES—Senators Baker, Breed, Cassidy, Duval, Edwards, Evans, Harper, Ingels, Inman, Maloney, McCormack, McKinley, Mixter, Moran, Pedrotti, Riley, Sharkey, Slater, Tubbs, Waggy, and Williams—21.

NOES—None.

Title read and approved.

Bill ordered transmitted to the Assembly.

Assembly Bill No. 864—An act making an appropriation to pay the claim of Harold E. Smith against the State of California.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Assembly Bill No. 864 passed by the following vote:

AYES—Senators Baker, Breed, Cassidy, Duval, Edwards, Evans, Harper, Ingels, Inman, Maloney, McCormack, McKinley, Mixter, Moran, Nelson, Pedrotti, Riley, Sharkey, Slater, Tubbs, Waggy, and Williams—22.

NOES—None.

Title read and approved.

Bill ordered transmitted to the Assembly.

Assembly Bill No. 136—An act making an appropriation to pay the claim of J. H. Briney against the State of California.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Assembly Bill No. 136 passed by the following vote:

AYES—Senators Baker, Breed, Cassidy, Duval, Edwards, Evans, Harper, Ingels, Inman, Maloney, McCormack, McKinley, Mixter, Moran, Nelson, Pedrotti, Riley, Sharkey, Slater, Tubbs, Waggy, and Williams—22.

NOES—None.

Title read and approved.

Bill ordered transmitted to the Assembly.

Assembly Bill No. 164—An act to appropriate money to pay the claim of J. M. Ocheltree against the State of California.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Assembly Bill No. 164 passed by the following vote:

AYES—Senators Baker, Breed, Cassidy, Duval, Edwards, Evans, Harper, Ingels, Inman, Maloney, McCormack, McKinley, Mixter, Nelson, Pedrotti, Rich, Riley, Sharkey, Slater, Tubbs, Waggy, and Williams—22.

NOES—None.

Title read and approved.

Bill ordered transmitted to the Assembly.

ASSISTANT SECRETARY FRANCIS E. DALIN AT THE DESK.

Assembly Bill No. 195—An act making an appropriation to pay the claim of Samuel F. Miles against the State of California.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Assembly Bill No. 195 passed by the following vote:

AYES—Senators Baker, Breed, Cassidy, Duval, Edwards, Evans, Harper, Ingels, Inman, Maloney, McCormack, McKinley, Mixter, Moran, Nelson, Pedrotti, Riley, Sharkey, Slater, Tubbs, Wagy, and Williams—22.

NOES—None.

Title read and approved.

Bill ordered transmitted to the Assembly.

Assembly Bill No. 197—An act making an appropriation to pay the claim of W. R. Whyte against the State of California.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Assembly Bill No. 197 passed by the following vote:

AYES—Senators Baker, Breed, Cassidy, Duval, Edwards, Evans, Harper, Ingels, Inman, Maloney, McCormack, McKinley, Mixter, Moran, Nelson, Pedrotti, Riley, Sharkey, Slater, Tubbs, Wagy, and Williams—22.

NOES—None.

Title read and approved.

Bill ordered transmitted to the Assembly.

Assembly Bill No. 321—An act making an appropriation to pay the claim of Hugo Michler against the State of California.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Assembly Bill No. 321 passed by the following vote:

AYES—Senators Baker, Breed, Cassidy, Duval, Edwards, Evans, Harper, Ingels, Inman, Maloney, McCormack, McKinley, Mixter, Moran, Nelson, Pedrotti, Riley, Sharkey, Slater, Tubbs, Wagy, and Williams—22.

NOES—None.

Title read and approved.

Bill ordered transmitted to the Assembly.

Assembly Bill No. 407—An act making an appropriation to pay the claim of C. O. DeLand against the State of California.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Assembly Bill No. 407 passed by the following vote:

AYES—Senators Baker, Breed, Cassidy, Duval, Edwards, Evans, Harper, Ingels, Inman, Maloney, McCormack, McKinley, Mixter, Moran, Nelson, Pedrotti, Riley, Sharkey, Slater, Tubbs, Wagy, and Williams—22.

NOES—None.

Title read and approved.

Bill ordered transmitted to the Assembly.

Assembly Bill No. 594—An act appropriating money to pay the claim of the county of Ventura against the State of California.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Assembly Bill No. 594 passed by the following vote:

AYES—Senators Baker, Breed, Cassidy, Duval, Edwards, Evans, Harper, Ingels, Inman, Maloney, McCormack, McKinley, Mixter, Moran, Nelson, Pedrotti, Riley, Sharkey, Slater, Tubbs, Waggy, and Williams—22.

NOES—None.

Title read and approved.

Bill ordered transmitted to the Assembly.

Assembly Bill No. 823—An act appropriating money to pay the claim of city of Los Angeles against the State of California.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Assembly Bill No. 823 passed by the following vote:

AYES—Senators Baker, Breed, Cassidy, Duval, Edwards, Evans, Harper, Ingels, Inman, Maloney, McCormack, McKinley, Mixter, Moran, Nelson, Pedrotti, Riley, Sharkey, Slater, Tubbs, Waggy, and Williams—22.

NOES—None.

Title read and approved.

Bill ordered transmitted to the Assembly.

Assembly Bill No. 836—An act making an appropriation to pay the claim of Minneapolis Steel and Machinery Company against the State of California.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Assembly Bill No. 836 passed by the following vote:

AYES—Senators Baker, Breed, Cassidy, Duval, Edwards, Evans, Harper, Ingels, Inman, Maloney, McCormack, McKinley, Mixter, Moran, Nelson, Pedrotti, Riley, Sharkey, Slater, Tubbs, Waggy, and Williams—22.

NOES—None.

Title read and approved.

Bill ordered transmitted to the Assembly.

Assembly Bill 837—An act making an appropriation to pay the claim of Martha Alice McCartea against the State of California.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Assembly Bill No. 837 passed by the following vote:

AYES—Senators Baker, Breed, Cassidy, Duval, Edwards, Evans, Harper, Ingels, Inman, Maloney, McCormack, McKinley, Mixter, Moran, Nelson, Pedrotti, Riley, Sharkey, Slater, Tubbs, Waggy, and Williams—22.

NOES—None.

Title read and approved.

Bill ordered transmitted to the Assembly.

Assembly Bill No. 838—An act making an appropriation to pay the claim of Frank Rose against the State of California.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Assembly Bill No. 838 passed by the following vote:

AYES—Senators Baker, Breed, Cassidy, Duval, Edwards, Evans, Harper, Ingels, Inman, Maloney, McCormack, McKinley, Mixter, Moran, Nelson, Pedrotti, Riley, Sharkey, Slater, Tubbs, Waggy, and Williams—22.

NOES—None.

Title read and approved.

Bill ordered transmitted to the Assembly.

Assembly Bill No. 839—An act making an appropriation to pay the claim of the assistant Controller General of the United States against the State of California.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Assembly Bill No. 839 passed by the following vote:

AYES—Senators Baker, Breed, Cassidy, Duval, Edwards, Evans, Harper, Ingels, Inman, Maloney, McCormack, McKinley, Mixter, Moran, Nelson, Pedrotti, Riley, Sharkey, Slater, Tubbs, Waggy, and Williams—22.

NOES—None.

Title read and approved.

Bill ordered transmitted to the Assembly.

Assembly Bill No. 840—An act making an appropriation to pay the claim of Charles Skelton against the State of California.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Assembly Bill No. 841 passed by the following vote:

AYES—Senators Baker, Breed, Cassidy, Duval, Edwards, Evans, Harper, Ingels, Inman, Maloney, McCormack, McKinley, Mixter, Moran, Nelson, Pedrotti, Riley, Sharkey, Slater, Tubbs, Waggy, and Williams—22.

NOES—None.

Title read and approved.

Bill ordered transmitted to the Assembly.

Assembly Bill No. 841—An act making an appropriation to pay the claim of John F. Ottoboni against the State of California.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Assembly Bill No. 841 passed by the following vote:

AYES—Senators Baker, Breed, Cassidy, Duval, Edwards, Evans, Harper, Ingels, Inman, Maloney, McCormack, McKinley, Mixter, Moran, Nelson, Pedrotti, Riley, Sharkey, Slater, Tubbs, Waggy, and Williams—22.

NOES—None.

Title read and approved.

Bill ordered transmitted to the Assembly.

Assembly Bill No. 842—An act making an appropriation to pay the claim of Superior Farms, Incorporated, against the State of California.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Assembly Bill No. 842 passed by the following vote:

AYES—Senators Baker, Breed, Cassidy, Duval, Edwards, Evans, Harper, Ingels, Inman, Maloney, McCormack, McKinley, Mixer, Moran, Nelson, Pedrotti, Riley, Sharkey, Slater, Tubbs, Waggy, and Williams—22.

NOES—None.

Title read and approved.

Bill ordered transmitted to the Assembly.

Assembly Bill No. 843—An act making an appropriation to pay the claim of Tony Taix, Jr., against the State of California.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Assembly Bill No. 843 passed by the following vote:

AYES—Senators Baker, Breed, Cassidy, Duval, Edwards, Evans, Harper, Ingels, Inman, Maloney, McCormack, McKinley, Mixer, Moran, Nelson, Pedrotti, Riley, Sharkey, Slater, Tubbs, Waggy, and Williams—22.

NOES—None.

Title read and approved.

Bill ordered transmitted to the Assembly.

Assembly Bill No. 844—An act making an appropriation to pay the claim of Redd and Holden against the State of California.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Assembly Bill No. 844 passed by the following vote:

AYES—Senators Baker, Breed, Cassidy, Duval, Edwards, Evans, Harper, Ingels, Inman, Maloney, McCormack, McKinley, Mixer, Moran, Nelson, Pedrotti, Riley, Sharkey, Slater, Tubbs, Waggy, and Williams—22.

NOES—None.

Title read and approved.

Bill ordered transmitted to the Assembly.

Assembly Bill No. 845—An act making an appropriation to pay the claim of Mabel Campbell against the State of California.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Assembly Bill No. 845 passed by the following vote:

AYES—Senators Baker, Breed, Cassidy, Duval, Edwards, Evans, Harper, Ingels, Inman, Maloney, McCormack, McKinley, Mixer, Moran, Nelson, Pedrotti, Riley, Sharkey, Slater, Tubbs, Waggy, and Williams—22.

NOES—None.

Title read and approved.

Bill ordered transmitted to the Assembly.

Assembly Bill No. 852—An act making an appropriation to pay the claim of P. F. Welsh against the State of California.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Assembly Bill No. 852 passed by the following vote:

AYES—Senators Baker, Beach, Cassady, Deval, Edwards, Evans, Harper, Ingels, Inman, Madoney, McCormack, McKinley, Mixer, Moran, Nelson, Pedrotti, Riley, Sharkey, Slater, Tubbs, Wagy, and Williams—22.

NOES—None.

Title read and approved.

Bill ordered transmitted to the Assembly.

Assembly Bill No. 857—An act making an appropriation to pay the claim of Bertha A. Wilkie against the State of California.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Assembly Bill No. 857 passed by the following vote:

AYES—Senators Baker, Beach, Cassady, Deval, Edwards, Evans, Harper, Ingels, Inman, Madoney, McCormack, McKinley, Mixer, Moran, Nelson, Pedrotti, Riley, Sharkey, Slater, Tubbs, Wagy, and Williams—22.

NOES—None.

Title read and approved.

Bill ordered transmitted to the Assembly.

Assembly Bill No. 858—An act making an appropriation to pay the claim of Frankie M. C. Joseph against the State of California.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Assembly Bill No. 858 passed by the following vote:

AYES—Senators Baker, Beach, Cassady, Deval, Edwards, Evans, Harper, Ingels, Inman, Madoney, McCormack, McKinley, Mixer, Moran, Nelson, Pedrotti, Riley, Sharkey, Slater, Tubbs, Wagy, and Williams—22.

NOES—None.

Title read and approved.

Bill ordered transmitted to the Assembly.

Assembly Bill No. 859—An act making an appropriation to pay the claim of Charles Evans Skidmore against the State of California.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Assembly Bill No. 859 passed by the following vote:

AYES—Senators Baker, Beach, Cassady, Deval, Edwards, Evans, Harper, Ingels, Inman, Madoney, McCormack, McKinley, Mixer, Moran, Nelson, Pedrotti, Riley, Sharkey, Slater, Tubbs, Wagy, and Williams—22.

NOES—None.

Title read and approved.

Bill ordered transmitted to the Assembly.

Assembly Bill No. 860—An act making an appropriation to pay the claim of San Rafael Freight and Transfer Company against the State of California.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Assembly Bill No. 860 passed by the following vote :

AYES—Senators Baker, Breed, Cassidy, Duval, Edwards, Evans, Harper, Ingels, Inman, Maloney, McCormack, McKinley, Mixer, Nelson, Pedrotti, Riley, Sharkey, Slater, Tubbs, Wag, and Williams—21.

NOES—Senator Moran—1.

Title read and approved.

Bill ordered transmitted to the Assembly.

Assembly Bill No. 861—An act making an appropriation to pay the claim of B. Grant Taylor against the State of California.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Assembly Bill No. 861 passed by the following vote :

AYES—Senators Baker, Breed, Cassidy, Duval, Edwards, Evans, Harper, Ingels, Inman, Maloney, McCormack, McKinley, Mixer, Moran, Nelson, Pedrotti, Riley, Sharkey, Slater, Tubbs, Wag, and Williams—22.

NOES—None.

Title read and approved.

Bill ordered transmitted to the Assembly.

Assembly Bill No. 863—An act making an appropriation to pay the claim of M. H. Iverson against the State of California.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Assembly Bill No. 863 passed by the following vote :

AYES—Senators Baker, Breed, Cassidy, Duval, Edwards, Evans, Harper, Ingels, Inman, Maloney, McCormack, McKinley, Mixer, Moran, Nelson, Pedrotti, Riley, Sharkey, Slater, Tubbs, Wag, and Williams—22.

NOES—None.

Title read and approved.

Bill ordered transmitted to the Assembly.

Assembly Bill No. 865—An act making an appropriation to pay the claim of Joseph L. Willecox against the State of California.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Assembly Bill No. 865 passed by the following vote :

AYES—Senators Baker, Breed, Cassidy, Duval, Edwards, Evans, Harper, Ingels, Inman, Maloney, McCormack, McKinley, Mixer, Moran, Nelson, Pedrotti, Riley, Sharkey, Slater, Tubbs, Wag, and Williams—22.

NOES—None.

Title read and approved.

Bill ordered transmitted to the Assembly.

Assembly Bill No. 968—An act making an appropriation to pay the claim of the city auditor of the city of Stockton against the State of California.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Assembly Bill No. 968 passed by the following vote:

AYES—Senators Baker, Breed, Cassidy, Duval, Edwards, Evans, Harper, Ingels, Inman, Maloney, McCormack, McKinley, Mixter, Moran, Nelson, Pedrotti, Riley, Sharkey, Slater, Tubbs, Waggy, and Williams—22.

NOES—None.

Title read and approved.

Bill ordered transmitted to the Assembly.

Assembly Bill No. 1033—An act appropriating money to pay the claim of J. Charles Jones against the State of California.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Assembly Bill No. 1033 passed by the following vote:

AYES—Senators Baker, Breed, Cassidy, Duval, Edwards, Evans, Harper, Ingels, Inman, Maloney, McCormack, McKinley, Mixter, Moran, Nelson, Pedrotti, Riley, Sharkey, Slater, Tubbs, Waggy, and Williams—22.

NOES—None.

Title read and approved.

Bill ordered transmitted to the Assembly.

Assembly Bill No. 1152—An act making appropriation to pay the claim of the Lassen Advocate against the State of California.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Assembly Bill No. 1152 passed by the following vote:

AYES—Senators Baker, Breed, Cassidy, Duval, Edwards, Evans, Harper, Ingels, Inman, Maloney, McCormack, McKinley, Mixter, Moran, Nelson, Pedrotti, Riley, Sharkey, Slater, Tubbs, Waggy, and Williams—22.

NOES—None.

Title read and approved.

Bill ordered transmitted to the Assembly.

Assembly Bill No. 1679—An act appropriating money to pay the claim of Harold E. Smith against the State of California.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Assembly Bill No. 1679 passed by the following vote:

AYES—Senators Baker, Breed, Cassidy, Duval, Edwards, Evans, Harper, Ingels, Inman, Maloney, McCormack, McKinley, Mixter, Moran, Nelson, Pedrotti, Riley, Sharkey, Slater, Tubbs, Waggy, and Williams—22.

NOES—None.

Title read and approved.

Bill ordered transmitted to the Assembly.

Assembly Bill No. 1739—An act to pay the claim of Vermont Marble Company against the State of California.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Assembly Bill No. 1739 passed by the following vote:

AYES—Senators Baker, Breed, Cassidy, Duval, Edwards, Evans, Harper, Ingels, Inman, Maloney, McCormack, McKinley, Mixer, Moran, Nelson, Pedrotti, Riley, Sharkey, Slater, Tubbs, Wagy, and Williams—22.

NOES—None.

Title read and approved.

Bill ordered transmitted to the Assembly.

Assembly Bill No. 1884—An act making an appropriation to pay the claim of Walter E. Evans and Miles H. Ledbetter against the State of California.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Assembly Bill No. 1884 passed by the following vote:

AYES—Senators Baker, Breed, Cassidy, Duval, Edwards, Evans, Harper, Ingels, Inman, Maloney, McCormack, McKinley, Mixer, Moran, Nelson, Pedrotti, Riley, Sharkey, Slater, Tubbs, Wagy, and Williams—22.

NOES—None.

Title read and approved.

Bill ordered transmitted to the Assembly.

Assembly Bill No. 1619—An act to amend section 2322.4 to the Political Code, relating to the office of agricultural commissioner in counties of the fourth class.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Assembly Bill No. 1619 passed by the following vote:

AYES—Senators Baker, Breed, Cassidy, Duval, Edwards, Evans, Harper, Ingels, Inman, Maloney, McCormack, McKinley, Mixer, Moran, Nelson, Pedrotti, Riley, Sharkey, Slater, Tubbs, Wagy, and Williams—22.

NOES—None.

Title read and approved.

Bill ordered transmitted to the Assembly.

Assembly Bill No. 1585—An act to amend section 2322.33 of the Political Code, relating to the office of agricultural commissioner in counties of the thirty-third class.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Assembly Bill No. 1585 passed by the following vote:

AYES—Senators Baker, Breed, Cassidy, Duval, Edwards, Evans, Harper, Ingels, Inman, Maloney, McCormack, McKinley, Mixer, Moran, Nelson, Pedrotti, Riley, Sharkey, Slater, Tubbs, Wagy, and Williams—22.

NOES—None.

Title read and approved.

Bill ordered transmitted to the Assembly.

Assembly Bill No. 1586—An act to amend section 19.33 of the Juvenile Court Law, relating to probation officers in counties of the thirty-third class.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Assembly Bill No. 1586 passed by the following vote:

AYES—Senators Baker, Breed, Cassidy, Deuel, Duval, Edwards, Evans, Harper, Ingels, Inman, Maloney, McCormack, McKinley, Mixter, Moran, Nelson, Pedrotti, Riley, Sharkey, Slater, Tubbs, Wagy, and Williams—23.
NOES—None.

Title read and approved.

Bill ordered transmitted to the Assembly.

Assembly Bill No. 1599—An act to amend section 19x50 of the Juvenile Court Law, relating to probation officers in counties of the fiftieth class.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Assembly Bill No. 1599 passed by the following vote:

AYES—Senators Baker, Breed, Cassidy, Deuel, Duval, Edwards, Evans, Harper, Ingels, Inman, Maloney, McCormack, McKinley, Mixter, Moran, Nelson, Pedrotti, Riley, Sharkey, Slater, Tubbs, Wagy, and Williams—23.
NOES—None.

Title read and approved.

Bill ordered transmitted to the Assembly.

Assembly Bill No. 1622—An act to amend section 19x4 of the Juvenile Court Law, relating to probation officers in counties of the fourth class.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Assembly Bill No. 1622 passed by the following vote:

AYES—Senators Baker, Breed, Cassidy, Deuel, Duval, Edwards, Evans, Harper, Ingels, Inman, Maloney, McCormack, McKinley, Mixter, Moran, Nelson, Pedrotti, Riley, Sharkey, Slater, Tubbs, Wagy, and Williams—23.
NOES—None.

Title read and approved.

Bill ordered transmitted to the Assembly.

Assembly Bill No. 410—An act to amend section 4277 of the Political Code, relating to salaries and fees of officials in counties of the forty-seventh class.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Assembly Bill No. 410 passed by the following vote:

AYES—Senators Baker, Breed, Cassidy, Duval, Edwards, Evans, Harper, Ingels, Inman, Maloney, McCormack, McKinley, Mixter, Moran, Nelson, Pedrotti, Riley, Sharkey, Slater, Tubbs, Wagy, and Williams—22.
NOES—None.

Title read and approved.

Bill ordered transmitted to the Assembly.

Assembly Bill No. 286—An act to amend section 4280 of the Political Code, relating to the salaries and fees of officials in counties of the fifty-first class.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Assembly Bill No. 286 passed by the following vote:

AYES—Senators Baker, Breed, Cassidy, Duval, Edwards, Evans, Harper, Ingels, Inman, Jones, Maloney, McCormack, McKinley, Mixter, Moran, Nelson, Pedrotti, Riley, Sharkey, Slater, Tubbs, Wag, and Williams—23.

NOES—None.

Title read and approved.

Bill ordered transmitted to the Assembly.

Assembly Bill No. 1825—An act to amend section 2322, 26 of the Political Code, relating to the office of agricultural commissioner in counties of the twenty-sixth class.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Assembly Bill No. 1825 passed by the following vote:

AYES—Senators Baker, Breed, Cassidy, Denel, Duval, Edwards, Evans, Harper, Ingels, Inman, Maloney, McCormack, McKinley, Mixter, Moran, Nelson, Riley, Sharkey, Slater, Tubbs, Wag, and Williams—22.

NOES—None.

Title read and approved.

Bill ordered transmitted to the Assembly.

Assembly Bill No. 982—An act to amend section 4260 of the Political Code, relating to compensation of county and township officers in counties of the thirty-first class.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Assembly Bill No. 982 passed by the following vote:

AYES—Senators Baker, Breed, Cassidy, Denel, Duval, Edwards, Evans, Harper, Ingels, Inman, Maloney, McCormack, McKinley, Mixter, Moran, Nelson, Pedrotti, Riley, Sharkey, Slater, Tubbs, Wag, and Williams—23.

NOES—None.

Title read and approved.

Bill ordered transmitted to the Assembly.

Assembly Bill No. 677—An act to amend section 4234 and to repeal section 4235a of the Political Code, relating to the compensation of county and township officers in counties of the fifth class.

Bill read third time.

MOTION TO REFER TO SPECIAL COMMITTEE OF ONE.

During third reading of the bill, Senator Jones moved to refer Assembly Bill No. 677 to Senator Inman, as a Special Committee of One, to amend as follows:

AMENDMENT NUMBER ONE.

On page 5, line 5, of the printed bill, strike out "two thousand one hundred", and insert in lieu thereof "two thousand two hundred fifty".

AMENDMENT NUMBER TWO.

On page 5, line 10, of the printed bill, strike out "two thousand two hundred fifty", and insert in lieu thereof "two thousand one hundred".

Motion carried.

REPORT OF SPECIAL COMMITTEE OF ONE.

SENATE CHAMBER, SACRAMENTO, May 13, 1931.

MR. PRESIDENT: Your Special Committee of One, to which was referred Assembly Bill No. 677, with instructions to amend, respectfully reports the same back, amended as per instructions.

INMAN, Committee.

Report read, and on motion of Senator Jones adopted.

Bill ordered to print.

Assembly Bill No. 1806—An act to amend section 19x26 of the Juvenile Court Law, relating to probation officers in counties of the twenty-sixth class.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Assembly Bill No. 1806 passed by the following vote:

AYES—Senators Baker, Breed, Cassidy, Cleveland, Denel, Duval, Edwards, Evans, Ingels, Maloney, McCormack, McKinley, Mixer, Moran, Nelson, Pedrotti, Riley, Sharkey, Slater, Tubbs, Waggy, and Williams—22.

NOES—None.

Title read and approved.

Bill ordered transmitted to the Assembly.

Assembly Bill No. 248—An act to amend section 4283 of the Political Code, relating to compensation of county officers in counties of the fifty-fourth class.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Assembly Bill No. 248 passed by the following vote:

AYES—Senators Baker, Breed, Cassidy, Cleveland, Denel, Edwards, Evans, Harper, Ingels, Maloney, McCormack, McKinley, Mixer, Moran, Nelson, Pedrotti, Riley, Sharkey, Slater, Tubbs, Waggy, and Williams—22.

NOES—None.

Title read and approved.

Bill ordered transmitted to the Assembly.

Assembly Bill No. 1531—An act to add section 19x20 to the Juvenile Court Law, relating to the compensation of the probation officers in counties of the twentieth class.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Assembly Bill No. 1531 passed by the following vote:

AYES—Senators Baker, Breed, Cassidy, Denel, Duval, Edwards, Evans, Harper, Ingels, Inman, Maloney, McCormack, McKinley, Mixer, Moran, Nelson, Pedrotti, Riley, Sharkey, Slater, Tubbs, Waggy, and Williams—23.

NOES—None.

Title read and approved.

Bill ordered transmitted to the Assembly.

Assembly Bill No. 1775—An act to amend section 2322r16 of the Political Code, relating to the salary of the county agricultural commissioner, his deputies and inspectors, in counties of the sixteenth class.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Assembly Bill No. 1775 passed by the following vote:

AYES—Senators Baker, Breed, Cassidy, Deuel, Duval, Edwards, Evans, Harper, Ingels, Maloney, McCormack, McKinley, Mixter, Moran, Nelson, Pedrotti, Riley, Sharkey, Slater, Tubbs, Wagy, and Williams—22.

NOES—None.

Title read and approved.

Bill ordered transmitted to the Assembly.

Assembly Bill No. 1649—An act to amend section 4246 of the Political Code, relating to compensation of county and township officers in counties of the seventeenth class.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Assembly Bill No. 1649 passed by the following vote:

AYES—Senators Baker, Breed, Cassidy, Cleveland, Deuel, Duval, Edwards, Evans, Harper, Ingels, Maloney, McCormack, McKinley, Mixter, Moran, Nelson, Pedrotti, Riley, Sharkey, Slater, Tubbs, Wagy, and Williams—23.

NOES—None.

Title read and approved.

Bill ordered transmitted to the Assembly.

Assembly Bill No. 1846—An act to amend sections 19r25 and 19r41 of the Juvenile Court Law, relating to probation officers in counties of the twenty-fifth and forty-first classes.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Assembly Bill No. 1846 passed by the following vote:

AYES—Senators Baker, Breed, Cassidy, Cleveland, Deuel, Duval, Edwards, Evans, Harper, Ingels, Maloney, McCormack, McKinley, Mixter, Moran, Nelson, Pedrotti, Riley, Sharkey, Slater, Tubbs, Wagy, and Williams—23.

NOES—None.

Title read and approved.

Bill ordered transmitted to the Assembly.

Assembly Bill No. 610—An act to amend the Political Code by repealing sections 4254 thereof and adding new sections thereto, to be numbered 4254, 4254a, 4254b, 4254c, 4254d, 4254e, 4254f, 4254g, 4254h, 4254i, 4254j, 4254k, 4254l, 4254m, 4254n, 4254o, 4254p, 4254q, 4254r, 4254s, relating to county and township officers in counties of the twenty-fifth class and providing for the compensation of said officers and said assistants and deputies and other employees.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Assembly Bill No. 610 passed by the following vote:

AYES—Senators Baker, Breed, Cassidy, Cleveland, Denel, Duval, Edwards, Evans, Harper, Ingels, Maloney, McCormack, McKinley, Mixer, Moran, Nelson, Pedrotti, Riley, Sharkey, Slater, Tubbs, Wagy, and Williams—23.

NOES—None.

Title read and approved.

Bill ordered transmitted to the Assembly.

Assembly Bill No. 1764—An act to amend section 16x41 of the Weights and Measures Act, relating to sealers of weights and measures in counties of the forty-first class.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Assembly Bill No. 1764 passed by the following vote:

AYES—Senators Baker, Breed, Cassidy, Cleveland, Denel, Duval, Edwards, Evans, Harper, Ingels, Maloney, McCormack, McKinley, Mixer, Moran, Nelson, Pedrotti, Riley, Sharkey, Slater, Tubbs, Wagy, and Williams—23.

NOES—None.

Title read and approved.

Bill ordered transmitted to the Assembly.

Assembly Bill No. 1781—An act to add a new section to be numbered 9a25 to an act entitled "An act to provide for the establishment and maintenance of county free libraries in the State of California, and repealing 'An act entitled 'An act to provide county library systems,' approved April 12, 1909, and all acts and parts of acts in conflict with this act.' " approved February 25, 1911, as amended, relating to libraries in the counties of the twenty-fifth class.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Assembly Bill No. 1781 passed by the following vote:

AYES—Senators Baker, Breed, Cassidy, Cleveland, Denel, Duval, Edwards, Evans, Harper, Ingels, Maloney, McCormack, McKinley, Mixer, Moran, Nelson, Pedrotti, Riley, Sharkey, Slater, Tubbs, Wagy, and Williams—23.

NOES—None.

Title read and approved.

Bill ordered transmitted to the Assembly.

Assembly Bill No. 1828—An act to amend sections 2322x25 and 2322x41 of the Political Code, relating to the office of agricultural commissioner in counties of the twenty-fifth and forty-first classes.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Assembly Bill No. 1828 passed by the following vote:

AYES—Senators Baker, Breed, Cassidy, Cleveland, Denel, Duval, Edwards, Evans, Harper, Ingels, Maloney, McCormack, McKinley, Mixer, Moran, Nelson, Pedrotti, Riley, Sharkey, Slater, Tubbs, Wagy, and Williams—23.

NOES—None.

Title read and approved.

Bill ordered transmitted to the Assembly.

Assembly Bill No. 1278—An act to amend section 19.28 of the Juvenile Court Law, relating to the compensation of the probation officer in counties of the twenty-eighth class.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Assembly Bill No. 1278 passed by the following vote:

AYES—Senators Baker, Breed, Cassidy, Cleveland, Deuel, Duval, Edwards, Evans, Harper, Ingels, Maloney, McCormack, McKinley, Mixter, Moran, Nelson, Pedrotti, Riley, Sharkey, Slater, Tubbs, Wagy, and Williams—23.

NOES—None.

Title read and approved.

Bill ordered transmitted to the Assembly.

Assembly Bill No. 1279—An act to add section 9a28 to an act entitled "An act to provide for the establishment and maintenance of county free libraries in the State of California, and repeal an act entitled 'An act to provide county library systems,' approved April 12, 1909, and all acts and parts of acts in conflict with this act," approved February 25, 1911, as amended, relating to the salary of county librarian in counties of the twenty-eighth class.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Assembly Bill No. 1279 passed by the following vote:

AYES—Senators Baker, Breed, Cassidy, Cleveland, Deuel, Duval, Edwards, Evans, Harper, Ingels, Maloney, McCormack, McKinley, Mixter, Moran, Nelson, Pedrotti, Riley, Sharkey, Slater, Tubbs, Wagy, and Williams—23.

NOES—None.

Title read and approved.

Bill ordered transmitted to the Assembly.

Assembly Bill No. 1280—An act to amend section 4259 of the Political Code, relating to the salaries, fees and expenses of officers in counties of the twenty-eighth class.

Bill read third time.

MOTION TO REFER TO SPECIAL COMMITTEE OF ONE.

During third reading of the bill, Senator Baker moved to refer Assembly Bill No. 1280 to Senator Harper, as a Special Committee of One, to amend as follows:

AMENDMENT NUMBER ONE.

In line 1 of the title of the printed bill, strike out "4259", and insert in lieu thereof the following: "4257, and to repeal section 4257a".

AMENDMENT NUMBER TWO.

On page 1, line 1, of the printed bill, strike out "4259", and insert in lieu thereof the following: "4257".

AMENDMENT NUMBER THREE.

On page 1, line 3, of the printed bill, strike out "4259", and insert in lieu thereof the following: "4257".

AMENDMENT NUMBER FOUR.

On page 6, line 51, of the printed bill, strike out the word "ten", and insert in lieu thereof the word "fifteen".

AMENDMENT NUMBER FIVE.

On page 7, after line 16, of the printed bill, insert the following:
"SEC. 2. Section 4257a of the Political Code is hereby repealed."

Motion carried.

REPORT OF SPECIAL COMMITTEE OF ONE.

SENATE CHAMBER, SACRAMENTO, May 13, 1931.

MR. PRESIDENT: Your Special Committee of One, to which was referred Assembly Bill No. 1280, with instructions to amend, respectfully reports the same back, amended as per instructions.

HARPER, Committee.

Report read, and on motion of Senator Baker adopted.

Bill ordered to print.

Assembly Bill No. 1464—An act to amend section 2322~~r~~28 of the Political Code, relating to the office of agricultural commissioner in counties of the twenty-eighth class.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Assembly Bill No. 1464 passed by the following vote:

AYES—Senators Baker, Breed, Cassidy, Cleveland, Deuel, Duval, Edwards, Evans, Harper, Ingels, Maloney, McCormack, McKinley, Mixter, Moran, Nelson, Pedrotti, Riley, Sharkey, Slater, Tubbs, Wag~~y~~, and Williams—23.

NOES—None.

Title read and approved.

Bill ordered transmitted to the Assembly.

Assembly Bill No. 1756—An act to amend section 16~~r~~21 of the Weights and Measures Act, relating to sealers of weights and measures in counties of the twenty-first class.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Assembly Bill No. 1756 passed by the following vote:

AYES—Senators Baker, Breed, Cassidy, Cleveland, Deuel, Duval, Edwards, Evans, Harper, Ingels, Maloney, McCormack, McKinley Mixter, Moran, Nelson, Pedrotti, Riley, Sharkey, Slater, Tubbs, Wag~~y~~, and Williams—23.

NOES—None.

Title read and approved.

Bill ordered transmitted to the Assembly.

Assembly Bill No. 1805—An act to amend section 19~~r~~21 of the Juvenile Court Law, relating to probation officers in counties of the twenty-first class.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Assembly Bill No. 1805 passed by the following vote:

AYES—Senators Baker, Breed, Cassidy, Cleveland, Deuel, Duval, Edwards, Evans, Harper, Ingels, Maloney, McCormack, McKinley, Mixter, Moran, Nelson, Pedrotti, Riley, Sharkey, Slater, Tubbs, Wag~~y~~, and Williams—23.

NOES—None.

Title read and approved.

Bill ordered transmitted to the Assembly.

Assembly Bill No. 505—An act to amend section 2322.30 of the Political Code, relating to the salaries of the county horticultural commissioner, deputies, inspectors, and clerks of the counties of the thirtieth class.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Assembly Bill No. 505 passed by the following vote:

AYES—Senators Baker, Breed, Cassidy, Cleveland, Deuel, Duval, Edwards, Evans, Harper, Ingels, Maloney, McCormack, McKinley, Mixter, Moran, Nelson, Pedrotti, Riley, Sharkey, Slater, Wag, and Williams—22.

NOES—None.

Title read and approved.

Bill ordered transmitted to the Assembly.

Assembly Bill No. 623—An act to amend section 4259 of the Political Code, relating to salaries of officers of counties of the thirtieth class.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Assembly Bill No. 623 passed by the following vote:

AYES—Senators Baker, Breed, Cassidy, Cleveland, Deuel, Duval, Edwards, Evans, Harper, Ingels, Maloney, McCormack, McKinley, Mixter, Moran, Nelson, Pedrotti, Riley, Sharkey, Slater, Tubbs, Wag, and Williams—23.

NOES—None.

Title read and approved.

Bill ordered transmitted to the Assembly.

Assembly Bill No. 1795—An act to amend section 16.30 of the Weights and Measures Act, relating to sealers of weights and measures in counties of the thirtieth class.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Assembly Bill No. 1795 passed by the following vote:

AYES—Senators Baker, Breed, Cassidy, Cleveland, Deuel, Duval, Edwards, Evans, Harper, Ingels, Maloney, McCormack, McKinley, Mixter, Moran, Nelson, Pedrotti, Riley, Sharkey, Slater, Wag, and Williams—22.

NOES—None.

Title read and approved.

Bill ordered transmitted to the Assembly.

Assembly Bill No. 1849—An act to amend section 19.30 of the Juvenile Court Law, relating to probation officers in counties of the thirtieth class.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Assembly Bill No. 1849 passed by the following vote:

AYES—Senators Baker, Breed, Cassidy, Cleveland, Deuel, Duval, Edwards, Evans, Harper, Ingels, Maloney, McCormack, McKinley, Mixter, Moran, Nelson, Pedrotti, Riley, Sharkey, Slater, Wag, and Williams—22.

NOES—None.

Title read and approved.

Bill ordered transmitted to the Assembly.

SECRETARY JOSEPH A. BEEK AT THE DESK.

Assembly Bill No. 492—An act to add a new section to the Political Code to be numbered 3881a, to authorize the county auditor to enter corrections on the county assessment book and the county tax collector to cancel payments made in error under certain conditions.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Assembly Bill No. 492 passed by the following vote:

AYES—Senators Baker, Breed, Cassidy, Cleveland, Deuel, Duval, Edwards, Evans, Harper, Ingels, Inman, Maloney, McCormack, McKinley, Mixter, Nelson, Pedrotti, Riley, Schottky, Sharkey, Slater, Tubbs, and Wagye—23.

NOES—Senator Moran—1.

Title read and approved.

Bill ordered transmitted to the Assembly.

Assembly Bill No. 375—An act to amend section 3629 of the Political Code, relating to the statement of property owned subject to taxation.

Bill read third time.

MOTION TO REFER TO SPECIAL COMMITTEE OF ONE.

During third reading of the bill, Senator Nelson moved to refer Assembly Bill No. 375 to Senator Breed, as a Special Committee of One, to amend as follows:

AMENDMENT NUMBER ONE.

On page 3, line 24, of the printed amended bill, after the word "corporation", strike out the comma, and insert in lieu thereof the word "or".

AMENDMENT NUMBER TWO.

On page 3, line 25, of the printed amended bill, strike out the words "public corporation or public quasi corporation".

Motion carried.

REPORT OF SPECIAL COMMITTEE OF ONE.

SENATE CHAMBER, SACRAMENTO, May 13, 1931.

MR. PRESIDENT: Your Special Committee of One, to which was referred Assembly Bill No. 375, with instructions to amend, respectfully reports the same back, amended as per instructions.

BREED, Committee.

Report read, and on motion of Senator Nelson adopted.

Bill ordered to print.

Assembly Bill No. 234—An act to amend section 3 of an act entitled "An act to allow unincorporated towns and villages to establish, equip and maintain systems of street lights on public highways; to provide for the formation, government, and operation of highway lighting districts; the calling and holding of elections in such districts; the assessment, collection, custody and disbursement of taxes therein; and the creation of ex officio boards of supervisors." approved March 20, 1909, Statutes 1909, page 551, relating to formation of such districts.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Assembly Bill No. 234 passed by the following vote:

AYES—Senators Baker, Breed, Cassidy, Cleveland, Deuel, Edwards, Evans, Harper, Ingels, Inman, Maloney, McCormack, McKinley, Mixer, Moran, Nelson, Pedrotti, Riley, Sharkey, Slater, Wagy, and Williams—22.

NOES—None.

Title read and approved.

Bill ordered transmitted to the Assembly.

Assembly Bill No. 1900—An act to amend an act entitled "An act to provide for the incorporation and organization and management of county water districts, and to provide for the acquisition of water rights or construction thereby of water works and for the acquisition of all property necessary therefor, and also to provide for the distribution and sale of water by said districts," approved June 10, 1913, as amended, by amending section 26 thereof to provide that lands situated within any such county water district may nevertheless be included within the boundaries of an irrigation district.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Assembly Bill No. 1900 passed by the following vote:

AYES—Senators Baker, Breed, Cassidy, Cleveland, Clock, Deuel, Edwards, Evans, Harper, Hays, Ingels, Inman, Maloney, McCormack, McKinley, Mixer, Moran, Nelson, Pedrotti, Riley, Rochester, Sharkey, Slater, Tubbs, and Wagy—25.

NOES—None.

Title read and approved.

Bill ordered transmitted to the Assembly.

Assembly Bill No. 1911—An act authorizing and empowering any city and county, or county, or city operating under freeholders' charter or otherwise, or any town, or any municipal corporation in the State of California, to donate and grant to the United States of America any real property owned by it, or which it may hereafter acquire, within its corporate limits, for a site upon which the United States of America may erect post-office and/or federal office buildings or maintain grounds in connection therewith, and also authorizing the incurring of indebtedness for any of the purposes aforesaid, and validating any bonded indebtedness which may be incurred in furtherance of any such purpose.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Assembly Bill No. 1911 passed by the following vote:

AYES—Senators Breed, Cassidy, Christian, Cleveland, Clock, Crittenden, Deuel, Edwards, Evans, Harper, Hays, Ingels, Inman, Maloney, McCormack, McKinley, Mixer, Moran, Nelson, Pedrotti, Riley, Rochester, Schottky, Sharkey, Slater, Tubbs, Wagy, and Williams—28.

NOES—None.

Title read and approved.

Bill ordered transmitted to the Assembly.

Assembly Bill No. 438—An act to provide for the funding and refunding of the indebtedness of, and for the issue and sale or exchange of funding bonds and the retirement of outstanding bonds of districts organized under and in pursuance of the Acquisition and Improvement Act of 1925, and to provide for payment of such bonds and for proceedings to test the validity of the same, and for such funding or

refunding to levy assessments and reassessments and enforce the liens thereof.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Assembly Bill No. 438 passed by the following vote:

AYES—Senators Breed, Carter, Cassidy, Christian, Cleveland, Clock, Crittenden, Edwards, Evans, Harper, Hays, Ingels, Inman, Maloney, McCormack, McKinley, Mixer, Moran, Nelson, Pedrotti, Riley, Rochester, Schottky, Sharkey, Slater, Swing, Tubbs, Waggy, and Williams—29.

NOES—None.

Title read and approved.

Bill ordered transmitted to the Assembly.

Assembly Bill No. 228—An act to amend sections 3, 5, 6, 7, 10, 17, 21, 23, 24, 25, 26, 60 and 61 of an act entitled "An act to provide for work in and upon streets, avenues, lanes, alleys, courts, places and sidewalks within municipalities, and upon property and rights of way owned by municipalities or of which a municipality has possession and the right of use under the provisions of section 14 of article I of the constitution, and for establishing and changing the grades of any such streets, avenues, lanes, alleys, courts, places, sidewalks, properties or rights of way, and providing for the issuance and payment of street improvement bonds to represent certain assessments for the cost thereof, and providing a method for the payment of such bonds," approved April 7, 1911, Statutes 1911, page 730, as amended, and to add sections 1a, 20k, 30a and 65a, relating to the doing of work upon streets, avenues, lanes, alleys, courts, places and sidewalks, and the disposal of certain of said works and the method of providing for the payment for such works.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Assembly Bill No. 228 passed by the following vote:

AYES—Senators Breed, Bush, Carter, Cassidy, Christian, Cleveland, Clock, Crittenden, Edwards, Evans, Harper, Hays, Ingels, Maloney, McCormack, McKinley, Mixer, Moran, Nelson, Pedrotti, Riley, Rochester, Schottky, Sharkey, Swing, Tubbs, and Waggy—27.

NOES—None.

AMENDMENT TO TITLE.

The following amendment to the title was offered, and its adoption moved by Senator Rochester:

AMENDMENT NUMBER ONE.

In line 1 of the title of the printed bill, strike out "3,".

Amendment adopted.

Title, as amended, read and approved.

Bill ordered to print, and transmitted to the Assembly.

ASSEMBLY CONSTITUTIONAL AMENDMENT No. 31.

A resolution to propose to the people of the State of California an amendment to section 8, of article XI, of the constitution of the State of California, relating to the drafting of a charter by the board of freeholders.

Resolved by the Assembly, the Senate concurring. That the Legislature of the State of California, at its forty-ninth session, commencing on the fifth day of January, 1931, two-thirds of all of the members elected to each of the two houses voting in favor thereof, hereby proposes to the people of the State of California that

section 8, of article XI of the constitution of the State of California, be amended to read as follows:

Sec. 8. Any city or city and county containing a population of more than 2500 inhabitants, as ascertained by the last preceding census taken under the authority of the Congress of the United States or of the Legislature of California, may frame a charter for its own government, consistent with and subject to this constitution; and any city, or city and county having adopted a charter may adopt a new one. Any such charter shall be framed by a board of 15 freeholders chosen by the electors of such city at any general or special election, but no person shall be eligible as a candidate for such board unless he shall have been, for the five years next preceding, an elector of said city. An election for choosing freeholders may be called by a two-thirds vote of the legislative body of such city, and on presentation of a petition signed by not less than 15 per cent of the registered electors of such city, the legislative body shall call such election at any time not less than 30 nor more than 60 days from date of the filing of the petition. Any such petition shall be verified by the authority having charge of the registration records of such city, or city and county and the expenses of such verification shall be provided by the legislative body thereof. Candidates for the office of freeholders shall be nominated either in such manner as may be provided for the nomination of officers of the municipal government or by petition, substantially in the same manner as may be provided by general laws for the nomination by petition of electors of candidates for public offices to be voted for at general elections. The board of freeholders shall, within one (1) year after the result of the election is declared, prepare and propose a charter for the government of such city. The charter so prepared shall be signed by a majority of the board of freeholders and filed in the office of the clerk of the legislative body of said city. The legislative body of said city shall, within fifteen (15) days after such filing, cause such charter to be published once in the official newspaper of said city and each edition thereof, during the day of publication (or in case there be no such official newspaper, in a newspaper of general circulation within such city and all the editions thereof issued during the day of publication) and in any city or city and county with over 50,000 population shall cause copies of such charter to be printed in convenient pamphlet form and in type of not less than 10 point and shall cause copies thereof to be mailed to each of the qualified electors of such city, and shall, until the day fixed for the election upon such charter, advertise in one or more newspapers of general circulation in said city a notice that copies thereof may be had upon application therefor. Such charter shall be submitted to the electors of such city at a date to be fixed by the board of freeholders, before such filing and designated on such charter, either at a special election held not less than 60 days from the completion of the publication of such charter as above provided, or at the general election next following the expiration of said 60 days. If a majority of the qualified voters voting thereon at such general or special election shall vote in favor of such proposed charter, it shall be deemed to be ratified, and shall be submitted to the Legislature, if then in session, or at the next regular or special session of the Legislature. The Legislature shall by concurrent resolution approve or reject such charter as a whole, without power of alteration or amendment; and if approved by a majority of the members elected to each house it shall become the organic law of such city, or city and county and supersede any existing charter and all laws inconsistent therewith. One copy of the charter so ratified and approved shall be filed with the Secretary of State, one with the recorder in the county in which such city is located, and one in the archives of the city; and thereafter the courts shall take judicial notice of the provisions of such charter. The charter of any city, or city and county, may be amended by proposals therefor submitted by the legislative body of the city on its own motion or on petition signed by 15 per cent of the registered electors, or both. Such proposals shall be submitted to the electors at either a special election called for that purpose or at any general or special election. Petitions for the submission of any amendment shall be filed with the legislative body of the city, or city and county not less than 60 days prior to the general election next preceding a regular session of the Legislature. The signatures on such petitions shall be verified by the authority having charge of the registration records of such city, or city and county, and the expenses of such verification shall be provided by the legislative body thereof. If such petitions have a sufficient number of signatures the legislative body of the city, or city and county shall so submit the amendment or amendments so proposed to the electors. Amendments proposed by the legislative body and amendments proposed by petition of the electors may be submitted at the same election. The amendments so submitted shall be advertised in the same manner as herein provided for the advertisement of a proposed charter, and the election thereon held at a date to be fixed by the legislative body of such city, not less than 40, and not more than 60, days after the completion of the advertising in the official paper. If a majority of the qualified voters voting on any such amendment vote in favor thereof, it shall be deemed ratified, and shall be submitted to the Legislature at the regular session next following such election; and approved or rejected without power of alteration in the same manner as herein provided for the approval or rejection of a charter. In submitting any such charter or amendment separate

The roll was called, and Assembly Bill No. 1568 passed by the following vote:

AYES—Senators Baker, Breed, Bush, Carter, Cassidy, Christian, Cleveland, Clock, Crittenden, Duval, Edwards, Evans, Harper, Hays, Ingels, Jones, McCormack, McKinley, Mixter, Moran, Nelson, Pedrotti, Rich, Riley, Rochester, Schottky, Sharkey, Slater, Tubbs, Wagy, and Williams—31.

NOES—None.

Title read and approved.

Bill ordered transmitted to the Assembly.

Assembly Bill No. 546—An act to repeal chapter 18, Statutes of 1929, entitled "An act making appropriation to meet the deficiency in the appropriation for contingent expenses of the Assembly for the seventy-ninth and eightieth fiscal years," approved March 7, 1929.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Assembly Bill No. 546 passed by the following vote:

AYES—Senators Baker, Breed, Bush, Carter, Cassidy, Christian, Cleveland, Clock, Crittenden, Duval, Edwards, Evans, Harper, Hays, Ingels, Jones, Maloney, McCormack, McKinley, Mixter, Moran, Nelson, Pedrotti, Rich, Rochester, Schottky, Sharkey, Slater, Tubbs, Wagy, and Williams—31.

NOES—None.

Title read and approved.

Bill ordered transmitted to the Assembly.

Assembly Bill No. 985—An act providing for the establishment of a for a Summer School of Music.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Assembly Bill No. 985 passed by the following vote:

AYES—Senators Baker, Breed, Bush, Carter, Cassidy, Cleveland, Clock, Crittenden, Duval, Edwards, Evans, Harper, Hays, Ingels, Maloney, McCormack, McKinley, Mixter, Moran, Nelson, Pedrotti, Rich, Rochester, Schottky, Sharkey, Slater, Tubbs, Wagy, and Williams—29.

NOES—None.

AMENDMENT TO TITLE.

The following amendment to the title was offered, and its adoption moved by Senator Hays:

AMENDMENT NUMBER ONE.

In line 3 of the title of the printed bill, strike out the following: "for a".

Amendment adopted.

Title, as amended, read and approved.

Bill ordered to print, and transmitted to the Assembly.

Assembly Bill No. 1178—An act to add a new section to the School Code, to be numbered 5.805, providing for the exemption of certain persons from the benefits and burdens of part IV of division V of the School Code.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Assembly Bill No. 1178 passed by the following vote:

AYES—Senators Baker, Breed, Bush, Cassidy, Christian, Cleveland, Clock, Deuel, Duval, Edwards, Evans, Harper, Hays, Ingels, Jones, Maloney, McCormack, McKinley, Mixer, Moran, Nelson, Pedrotti, Rich, Riley, Schottky, Sharkey, Slater, Tubbs, Wagy, and Williams—30.

NOES—None.

Title read and approved.

Bill ordered transmitted to the Assembly.

Assembly Bill No. 1545—An act to add section 4327 to the Political Code, relating to vacations and sick leaves of county officers and employees.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Assembly Bill No. 1545 passed by the following vote:

AYES—Senators Baker, Bush, Cassidy, Clock, Crittenden, Duval, Edwards, Evans, Harper, Hays, Ingels, Inman, Jones, Maloney, McCormack, McKinley, Mixer, Moran, Nelson, Pedrotti, Rich, Riley, Rochester, Schottky, Sharkey, Slater, Tubbs, Wagy, and Williams—29.

NOES—None.

Title read and approved.

Bill ordered transmitted to the Assembly.

Assembly Bill No. 1542—An act to add a new section to the Political Code, to be numbered 4259*a*, relative to fees for official services.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Assembly Bill No. 1542 passed by the following vote:

AYES—Senators Baker, Bush, Cassidy, Christian, Cleveland, Clock, Crittenden, Deuel, Duval, Edwards, Evans, Harper, Hays, Ingels, Inman, Jones, Maloney, McCormack, McKinley, Mixer, Moran, Nelson, Pedrotti, Rich, Riley, Rochester, Schottky, Sharkey, Slater, Tubbs, Wagy, and Williams—32.

NOES—None.

Title read and approved.

Bill ordered transmitted to the Assembly.

Assembly Bill No. 1802—An act to amend the Political Code by adding thereto new sections to be numbered 3440*a*, 3440*b*, 3440*c* and 3440*d*, by amending sections 3512, 3513, and 3514 and by repealing sections 3422, 3423, 3424, 3425, 3426, 3427 and 3429, all relating to public lands.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Assembly Bill No. 1802 passed by the following vote:

AYES—Senators Baker, Bush, Cassidy, Christian, Cleveland, Clock, Crittenden, Duval, Edwards, Evans, Harper, Hays, Ingels, Inman, Jones, Maloney, McCormack, McKinley, Mixer, Moran, Nelson, Pedrotti, Rich, Riley, Rochester, Schottky, Sharkey, Slater, Swing, Tubbs, Wagy, and Williams—32.

NOES—None.

Title read and approved.

Bill ordered transmitted to the Assembly.

Assembly Bill No. 1053—An act to amend sections 1, 6, 7, 9, 10 and 13 of the California Nautical School Act, approved June 3, 1929, relating to the State Nautical School.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Assembly Bill No. 1053 passed by the following vote:

AYES—Senators Baker, Breed, Bush, Cassidy, Christian, Cleveland, Clock, Crittenden, Duval, Edwards, Evans, Harper, Ingels, Inman, Jones, Maloney, McCormack, McKinley, Mixer, Moran, Nelson, Pedrotti, Rich, Riley, Rochester, Schottky, Sharkey, Slater, Swing, Tubbs, Wag, and Williams—32.

NOES—None.

Title read and approved.

Bill ordered transmitted to the Assembly.

Assembly Bill No. 1181—An act to amend section 3.24 of the School Code, relating to the maximum school day for pupils in the public schools.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Assembly Bill No. 1181 passed by the following vote:

AYES—Senators Baker, Breed, Bush, Cassidy, Christian, Crittenden, Duval, Edwards, Evans, Harper, Hays, Ingels, Jones, Maloney, McCormack, McKinley, Mixer, Nelson, Pedrotti, Rich, Riley, Rochester, Schottky, Sharkey, Slater, Swing, Tubbs, Wag, and Williams—29.

NOES—None.

Title read and approved.

Bill ordered transmitted to the Assembly.

Assembly Bill No. 1266—An act to add a new section to the School Code, to be numbered 6.5, relating to the providing of a water supply for schools.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Assembly Bill No. 1266 passed by the following vote:

AYES—Senators Baker, Breed, Bush, Christian, Clock, Crittenden, Duval, Edwards, Evans, Harper, Hays, Ingels, Jones, Maloney, McCormack, McKinley, Mixer, Nelson, Pedrotti, Rich, Rochester, Schottky, Sharkey, Swing, Tubbs, Wag, and Williams—27.

NOES—None.

Title read and approved.

Bill ordered transmitted to the Assembly.

Assembly Bill No. 1491—An act to add a new section to the School Code to be numbered 1.73, providing for the payment of the cost of food and lodging to secondary school pupils by governing boards of secondary school districts in lieu of the transportation of such pupils.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Assembly Bill No. 1491 passed by the following vote:

AYES—Senators Baker, Breed, Bush, Christian, Clock, Crittenden, Duval, Edwards, Evans, Harper, Jones, Maloney, McCormack, McKinley, Mixer, Moran, Nelson, Pedrotti, Rich, Rochester, Schottky, Sharkey, Swing, Tubbs, Wagy, and Williams—26.
NOES—None.

Title read and approved.

Bill ordered transmitted to the Assembly.

Assembly Bill No. 446—An act to add new sections to the School Code to be numbered 5.722 and 5.723 providing for the granting of leaves of absence to certificated employees of school districts for the purpose of permitting study or travel by such employees.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Assembly Bill No. 446 passed by the following vote:

AYES—Senators Breed, Bush, Christian, Clock, Crittenden, Deuel, Duval, Edwards, Evans, Harper, Ingels, Jones, Maloney, McCormack, McKinley, Nelson, Pedrotti, Rich, Rochester, Schottky, Sharkey, Slater, Tubbs, Wagy, and Williams—25.
NOES—None.

Title read and approved.

Bill ordered transmitted to the Assembly.

Assembly Bill No. 448—An act to add a new section to the School Code to be numbered 5.721, providing for the granting of leaves with compensation to certificated employees of school districts because of accident, illness, quarantine or temporary inability to perform duties.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Assembly Bill No. 448 passed by the following vote:

AYES—Senators Breed, Bush, Carter, Clock, Duval, Edwards, Evans, Harper, Ingels, Inman, Jones, Maloney, McCormack, McKinley, Moran, Nelson, Pedrotti, Rich, Riley, Rochester, Schottky, Sharkey, Slater, Tubbs, Wagy, and Williams—26.
NOES—None.

Title read and approved.

Bill ordered transmitted to the Assembly.

Assembly Bill No. 660—An act to amend chapter IV, part I, division VI of the School Code, by adding thereto a new article, to be numbered IVa, relating to the sale of buildings, structures, and other fixtures by one school district to another, where the governing boards have the same personnel.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Assembly Bill No. 660 passed by the following vote:

AYES—Senators Baker, Bush, Carter, Cassidy, Cleveland, Clock, Crittenden, Deuel, Duval, Edwards, Evans, Harper, Hays, Maloney, McCormack, McKinley, Mixer, Moran, Nelson, Pedrotti, Rich, Riley, Slater, Swing, Tubbs, Wagy, and Williams—27.
NOES—None.

Title read and approved.

Bill ordered transmitted to the Assembly.

Assembly Bill No. 752—An act to amend section 2.970 of the School Code and to add thereto a new section to be numbered 2.971, relating to the election of members of boards of education in cities.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Assembly Bill No. 752 passed by the following vote:

AYES—Senators Baker, Bush, Carter, Cassidy, Cleveland, Clock, Crittenden, Ducl, Duval, Edwards, Evans, Harper, Hays, Ingels, Inman, Maloney, McCormack, McKinley, Mixter, Moran, Nelson, Pedrotti, Rich, Riley, Rochester, Schottky, Sharkey, Slater, Swing, Tubbs, Wagy, and Williams—32.

NOES—None.

Title read and approved.

Bill ordered transmitted to the Assembly.

Assembly Bill No. 731—An act to add a new section to the Civil Code, to be numbered 2178, limiting the liability of steam and electric railroad common carriers and sleeping car companies of property carried in trunks, valises, suit cases, traveling bags, boxes, bundles or packages, in the event of loss of or injury to the same.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Assembly Bill No. 731 passed by the following vote:

AYES—Senators Baker, Carter, Cassidy, Cleveland, Crittenden, Ducl, Duval, Edwards, Evans, Harper, Ingels, Inman, Maloney, McCormack, McKinley, Mixter, Moran, Nelson, Pedrotti, Rich, Riley, Rochester, Schottky, Sharkey, Slater, Swing, Tubbs, Wagy, and Williams—29.

NOES—None.

Title read and approved.

Bill ordered transmitted to the Assembly.

Assembly Bill No. 1485—An act to repeal chapter 660 of the Statutes of 1927, entitled "An act requiring certain reports to be made concerning children with impaired hearing," approved May 20, 1927; to add a new chapter to part II of division I of the School Code, to be known as chapter III, to embrace sections 1.500 to 1.512, both inclusive, providing for the education of minors who are deaf or have impaired hearing.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Assembly Bill No. 1485 passed by the following vote:

AYES—Senators Baker, Bush, Carter, Cassidy, Cleveland, Clock, Crittenden, Ducl, Duval, Edwards, Evans, Harper, Ingels, Inman, Maloney, McCormack, McKinley, Mixter, Moran, Nelson, Pedrotti, Rich, Riley, Rochester, Schottky, Sharkey, Slater, Swing, Tubbs, Wagy, and Williams—31.

NOES—None.

Title read and approved.

Bill ordered transmitted to the Assembly.

Assembly Bill No. 1264—An act to repeal section 4.921 of the School Code, relating to the counting of attendance of pupils in part-time vocational work.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Assembly Bill No. 1264 passed by the following vote:

AYES—Senators Baker, Bush, Carter, Cassidy, Clock, Crittenden, Deuel, Duval, Edwards, Evans, Harper, Hays, Ingels, Inman, Jones, Maloney, McCormack, McKinley, Mixer, Moran, Nelson, Pedrotti, Rich, Riley, Rochester, Schottky, Sharkey, Slater, Tubbs, Wagy, and Williams—31.

NOES—None.

Title read and approved.

Bill ordered transmitted to the Assembly.

Assembly Bill No. 1265—An act to repeal section 4.32 of the School Code, relating to annual estimates of amounts of State funds necessary for the support of high schools.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Assembly Bill No. 1265 passed by the following vote:

AYES—Senators Baker, Bush, Carter, Cassidy, Cleveland, Clock, Crittenden, Deuel, Duval, Edwards, Evans, Harper, Hays, Ingels, Inman, Jones, Maloney, McCormack, McKinley, Mixer, Moran, Nelson, Pedrotti, Rich, Riley, Rochester, Sharkey, Slater, Swing, Tubbs, Wagy, and Williams—32.

NOES—None.

Title read and approved.

Bill ordered transmitted to the Assembly.

Assembly Bill No. 1268—An act to amend section 4.395 of the School Code, relating to the deposit of money received from taxes levied upon a school district situated in two or more counties.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Assembly Bill No. 1268 passed by the following vote:

AYES—Senators Baker, Bush, Carter, Cassidy, Cleveland, Clock, Crittenden, Deuel, Edwards, Evans, Harper, Hays, Ingels, Inman, Jones, Maloney, McCormack, McKinley, Mixer, Moran, Nelson, Pedrotti, Rich, Riley, Rochester, Sharkey, Slater, Swing, Tubbs, Wagy, and Williams—31.

NOES—None.

Title read and approved.

Bill ordered transmitted to the Assembly.

Assembly Bill No. 1269—An act to amend section 4.896 of the School Code, relating to the apportionment of the county high school fund.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Assembly Bill No. 1269 passed by the following vote:

AYES—Senators Baker, Bush, Carter, Cassidy, Cleveland, Clock, Crittenden, Deuel, Duval, Edwards, Evans, Harper, Hays, Ingels, Inman, Jones, Maloney, McCormack, McKinley, Mixter, Nelson, Pedrotti, Riley, Rochester, Schottky, Sharkey, Slater, Swing, Tubbs, Waggy, and Williams—31.

NOES—None.

Title read and approved.

Bill ordered transmitted to the Assembly.

Assembly Bill No. 1486—An act to add a new section to the School Code to be numbered 6.36, relating to the powers and duties of governing boards of school districts.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Assembly Bill No. 1486 passed by the following vote:

AYES—Senators Baker, Breed, Bush, Carter, Cassidy, Christian, Clock, Crittenden, Deuel, Duval, Edwards, Evans, Harper, Hays, Ingels, Inman, Jones, Maloney, McCormack, McKinley, Mixter, Moran, Nelson, Pedrotti, Rich, Riley, Rochester, Schottky, Sharkey, Slater, Swing, Tubbs, Waggy, and Williams—34.

NOES—None.

Title read and approved.

Bill ordered transmitted to the Assembly.

Assembly Bill No. 185—An act to amend an act entitled "An act to authorize and control the deposit in banks of money belonging to or in the custody of the State and to repeal all acts or parts of acts in conflict with this act," approved April 12, 1923, as amended, by amending section 4 thereof with reference to the security to be given for such deposits.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Assembly Bill No. 185 passed by the following vote:

AYES—Senators Baker, Breed, Bush, Carter, Cassidy, Christian, Cleveland, Clock, Crittenden, Deuel, Edwards, Evans, Harper, Hays, Ingels, Inman, Jones, Maloney, McCormack, McKinley, Mixter, Moran, Nelson, Pedrotti, Rich, Riley, Rochester, Schottky, Sharkey, Slater, Swing, Tubbs, Waggy, and Williams—34.

NOES—None.

Title read and approved.

Bill ordered transmitted to the Assembly.

ASSEMBLY CONCURRENT RESOLUTION No. 34.

Relative to a coordinated State-wide plan for highway beautification.

WHEREAS, The matter of roadside beautification is coming to be a subject of discussion by the United States Bureau of Public Roads in its relation to the United States highway system; and

WHEREAS, Various women's clubs and other civic organizations in California are earnestly working for the beautification of areas immediately adjacent to our State and county highways; and

WHEREAS, The Division of Highways of the Department of Public Works and the Division of Parks of the Department of Natural Resources have been in the past and now are interesting themselves, each in its own sphere, in making the highways and by-ways of California more attractive, and it is desirable that a State-wide plan be developed whereby the work of the various groups and agencies concerned may the better be coordinated; now, therefore, be it

Resolved by the Assembly, the Senate concurring, That the Division of Highways and the Division of Parks be, and they hereby are, requested to consider the develop-

ment of a coordinated and cooperative plan through which they may supply a definite leadership in the matter of roadside beautification and the development of small roadside parking and recreational areas and the making accessible of such recreational areas; and be it further

Resolved, That the Division of Highways and the Division of Parks be, and they are hereby requested to formulate a suitable roadside beautification plan as set forth herein; and that the United States Bureau of Public Roads, through its regional office in San Francisco be invited to cooperate with these State agencies; and be it further

Resolved, That the Division of Highways of the Department of Public Works and the Division of Parks of the Department of Natural Resources shall make a concurrent report to the Assembly during the month of January, 1933, showing what progress has been made in carrying out the provisions of this resolution.

Resolution read.

The question being on the adoption of the resolution.

The roll was called, and Assembly Concurrent Resolution No. 34 adopted by the following vote:

AYES—Senators Baker, Breed, Bush, Carter, Cassidy, Christian, Cleveland, Clock, Crittenden, Edwards, Evans, Harper, Hays, Ingels, Inman, Jones, Maloney, McCormack, McKinley, Mixter, Moran, Pedrotti, Rich, Rochester, Schottky, Sharkey, Slater, Swing, Tubbs, Waggy, and Williams—31.

NOES—None.

Assembly Concurrent Resolution No. 34 ordered transmitted to the Assembly.

Assembly Concurrent Resolution No. 30—Relative to the protection of wild vegetation.

Resolution read.

The question being on the adoption of the resolution.

The roll was called, and Assembly Concurrent Resolution No. 30 refused adoption by the following vote:

AYES—Senators Breed, Carter, Cleveland, Crittenden, Evans, Pedrotti, and Waggy—7.

NOES—Senators Baker, Bush, Cassidy, Clock, Dencl, Edwards, Harper, Hays, Ingels, Inman, Jones, Maloney, McCormack, McKinley, Mixter, Moran, Nelson, Rich, Riley, Rochester, Schottky, Sharkey, Slater, Swing, Tubbs, and Williams—26.

MESSAGE FROM THE ASSEMBLY.

The following message from the Assembly was received and read:

ASSEMBLY CHAMBER, SACRAMENTO, May 13, 1931.

MR. PRESIDENT: I am directed to inform your honorable body that the Assembly amended, and on this day passed as amended, Senate Bill No. 402—An act to promote the development of the egg industry in California, to prohibit the sale of eggs unfit for human food, to provide standards of quality and weight for the sale of eggs, to provide for proper labeling of all eggs displayed for sale to the consumer, to protect the consuming public by preventing deception in the sale of eggs, providing penalties for the violation of the provisions of this act, and repealing all acts or parts of acts in conflict herewith—and respectfully requests your honorable body to concur in said amendments.

ARTHUR A. OHNIMUS, Chief Clerk.
By FRED J. DESCH, Assistant Clerk.

CONSIDERATION OF ASSEMBLY AMENDMENTS.

The Senate took up for consideration Assembly amendments to Senate Bill No. 402—An act to promote the development of the egg industry in California, to prohibit the sale of eggs unfit for human food, to provide standards of quality and weight for the sale of eggs,

to provide for proper labeling of all eggs displayed for sale to the consumer, to protect the consuming public by preventing deception in the sale of eggs, providing penalties for the violation of the provisions of this act, and repealing all acts or parts of acts in conflict herewith.

ASSEMBLY AMENDMENTS TO SENATE BILL NUMBER FOUR HUNDRED TWO.

AMENDMENT NUMBER ONE.

On page 4, line 6, of the printed bill, as amended, strike out the words "treasurer of the State of", and insert in lieu thereof the words "department of public health for payment into the state treasury to the credit of the general fund".

AMENDMENT NUMBER TWO.

On page 4 of the printed bill, as amended, strike out all of line 7.

The question being: Shall the Senate concur in Assembly amendments to Senate Bill No. 402?

The roll was called, and Assembly amendments to Senate Bill No. 402 concurred in by the following vote:

AYES—Senators Baker, Breed, Bush, Carter, Cassidy, Christian, Cleveland, Clock, Crittenden, Deuel, Duval, Edwards, Evans, Harper, Hays, Ingels, Inman, Jones, Maloney, McCormack, McKinley, Mixer, Moran, Nelson, Pedrotti, Rich, Riley, Rochester, Schottky, Sharkey, Slater, Swing, Tubbs, Wagy, and Williams—35.

NOES—None.

Senate Bill No. 402 ordered to print, and enrollment.

MESSAGE FROM THE ASSEMBLY.

The following message from the Assembly was received and read:

ASSEMBLY CHAMBER, SACRAMENTO, May 13, 1931.

MR. PRESIDENT: I am directed to inform your honorable body that the Assembly amended, and on this day passed as amended, Senate Bill No. 308—An act to provide for the formation, management and dissolution of county fire protection districts composed of lands within one or more counties and annexations to such districts; to set forth the powers of such districts and to provide for levying and collecting taxes on property in such district to defray the expenses thereof—and respectfully requests your honorable body to concur in said amendment.

ARTHUR A. OHNMUS, Chief Clerk.

By FRED J. DESCH, Assistant Clerk.

CONSIDERATION OF ASSEMBLY AMENDMENT.

The Senate took up for consideration Assembly amendment to Senate Bill No. 308—An act to provide for the formation, management and dissolution of county fire protection districts composed of lands within one or more counties and annexations to such districts; to set forth the powers of such districts and to provide for levying and collecting taxes on property in such district to defray the expenses thereof.

ASSEMBLY AMENDMENT TO SENATE BILL NUMBER THREE HUNDRED EIGHT.

AMENDMENT NUMBER ONE.

On page 3, line 39, of the printed bill, after the word "cast", insert the following: "in the district (and in each portion of the counties included in the district in case lands in more than one county are included therein)".

The question being: Shall the Senate concur in Assembly amendment to Senate Bill No. 308?

The roll was called, and Assembly amendment to Senate Bill No. 308 concurred in by the following vote:

AYES—Senators Baker, Breed, Bush, Cassidy, Christian, Cleveland, Clock, Crittenden, Deuel, Duval, Edwards, Evans, Harper, Hays, Ingels, Inman, Maloney,

McCormack, McKinley, Mixter, Moran, Nelson, Pedrotti, Rich, Riley, Rochester, Schottky, Sharkey, Slater, Swing, Tubbs, Wagy, and Williams—33.
NOES—None.

Senate Bill No. 308 ordered to print, and enrollment.

MESSAGE FROM THE ASSEMBLY.

The following message from the Assembly was received and read:

ASSEMBLY CHAMBER, SACRAMENTO, May 13, 1931.

MR. PRESIDENT: I am directed to inform your honorable body that the Assembly amended, and on this day passed as amended, Senate Bill No. 17—An act appropriating money for the control and conservation of flood waters in the Los Angeles County Flood Control District—and respectfully requests your honorable body to concur in said amendments.

ARTHUR A. OHNIMUS, Chief Clerk.
By FRED J. DESCH, Assistant Clerk.

CONSIDERATION OF ASSEMBLY AMENDMENTS.

The Senate took up for consideration Assembly amendments to Senate Bill No. 17—An act appropriating money for the control and conservation of flood waters in the Los Angeles County Flood Control District.

ASSEMBLY AMENDMENTS TO SENATE BILL NUMBER SEVENTEEN.

AMENDMENT NUMBER ONE.

On page 1, line 1, of the printed bill, strike out the word "six", and insert in lieu thereof the word "four".

AMENDMENT NUMBER TWO.

On page 1, line 11, of the printed bill, strike out the word "three", and insert in lieu thereof the word "two".

The question being: Shall the Senate concur in Assembly amendments to Senate Bill No. 17?

The roll was called, and the Senate refused to concur in Assembly amendments to Senate Bill No. 17 by the following vote:

AYES—None.

NOES—Senators Baker, Breed, Bush, Carter, Cassidy, Christian, Cleveland, Clock, Crittenden, Deuel, Duval, Edwards, Evans, Harper, Ingels, Inman, Maloney, McKinley, Mixter, Moran, Pedrotti, Rich, Riley, Rochester, Schottky, Sharkey, Slater, Swing, Tubbs, Wagy, and Williams—31.

MESSAGE FROM THE ASSEMBLY.

The following message from the Assembly was received and read:

ASSEMBLY CHAMBER, SACRAMENTO, May 13, 1931.

MR. PRESIDENT: I am directed to inform your honorable body that the Assembly amended, and on this day passed as amended, Senate Bill No. 51—An act relating to and providing for the construction of flood control works on the Santa Ana River system and for the prevention of floods and conserving of the flood waters of said river and its tributaries and making an appropriation therefor—and respectfully requests your honorable body to concur in said amendments.

ARTHUR A. OHNIMUS, Chief Clerk.
By FRED J. DESCH, Assistant Clerk.

CONSIDERATION OF ASSEMBLY AMENDMENTS.

The Senate took up for consideration Assembly amendments to Senate Bill No. 51—An act relating to and providing for the construction of flood control works on the Santa Ana River system and for the prevention of floods and conserving of the flood waters of said river and its tributaries and making an appropriation therefor.

ASSEMBLY AMENDMENTS TO SENATE BILL NUMBER FIFTY-ONE.

AMENDMENT NUMBER ONE.

On page 1 of the printed bill, immediately following line 21, insert the following: "No dams or reservoirs for impounding water shall be constructed at any point or places under the provisions of this act without the concurrence and approval of the boards of supervisors of the counties of Riverside, Orange and San Bernardino, and no work shall be done or moneys spent under this act on the main stream of the Santa Ana river or the debris cone at the mouth thereof, or on any of its tributaries or debris cones thereof, easterly of the line of Tippecanoe street in the city of San Bernardino, without the concurrence and approval of said three boards of supervisors, and no warrants drawn for any work done on said main stream of the Santa Ana river or its tributaries easterly of said Tippecanoe street shall be paid without the approval of said three boards of supervisors or the duly authorized representative of each of said boards."

AMENDMENT NUMBER TWO.

On page 2, line 11, of the printed bill, after the word "districts", insert the following: "or by any city or any other interested agency affected or benefited by such work or having charge of the construction thereof".

The question being: Shall the Senate concur in Assembly amendments to Senate Bill No. 51?

The roll was called, and Assembly amendments to Senate Bill No. 51 concurred in by the following vote:

AYES—Senators Breed, Bush, Carter, Cassidy, Christian, Cleveland, Crittenden, Deuel, Duval, Edwards, Evans, Harper, Hays, Ingels, Inman, Jones, Maloney, McCormack, McKinley, Mixer, Moran, Nelson, Pedrotti, Rich, Riley, Rochester, Schottky, Sharkey, Slater, Swing, Tubbs, Waggy, and Williams—33.

NOES—None.

Senate Bill No. 51 ordered to print, and enrollment.

MESSAGE FROM THE ASSEMBLY.

The following message from the Assembly was received and read:

ASSEMBLY CHAMBER, SACRAMENTO, May 13, 1931.

MR. PRESIDENT: I am directed to inform your honorable body that the Assembly amended, and on this day passed as amended, Senate Bill No. 731—An act defining cemetery and the various words and terms used in connection therewith, providing for the permanency of cemeteries by limiting their operation to corporations of unlimited existence, authorizing the operation of cemeteries for or without profit, prohibits crematories without provision for completing final interments of the cremated remains, provides for the acquisition of cemetery property, the dedication thereof to cemetery purposes, declares dedication supreme until removed by decree of court, exempts dedicated cemetery property from condemnation and from public improvement assessment, declares liens subject to dedication, provides for the sale of dedicated cemetery property for interment purposes, authorizes its sale subject to conditions and restrictions imposed by owner, defines the property rights of plot owners and the alienable and inalienable character of burial plots, provides for joint ownership and joint ownership representation, authorizes the establishing and enforcing of rules and regulations for cemetery government, authorizes perpetual care and the establishment of irreducible perpetual care funds, provides how perpetual care shall be administered, provides how and in what securities perpetual care funds shall be invested, authorizes the sale through court proceedings of surplus road and other space in cemeteries without perpetual care for purpose of providing a perpetual care fund therefor, authorizes special care of cemetery property and the administration of funds contributed therefor, specifies upon whom the right to control the disposition of remains and the duty of interring devolves, authorizes the payment for burial plot and memorial out of estate, requires records to be made and kept of the final disposition of all remains and of all removals thereof, prohibits vandalism and prescribes punishment therefor, provides method for removal of dedication through court proceedings, confers police power upon sextons and superintendents, makes sales under misrepresentations a misdemeanor, recognizes and adopts by reference the Mausoleum Construction Act, exempts certain religious and public cemeteries from operation of act, defines scope of act, repeals the "Rural Cemetery Corporation Act," adopted in 1859, and all acts amendatory and supplementary thereof, repeals sections 608, 609, 610, 611, 612, 613, 614, 615, 616 and 617 of the Civil Code, repeals sections 292, 294, 296 and 297 of the Penal Code, repeals all acts and parts of acts in conflict there-

with, and declares the constitutionality of the act and all parts thereof—and respectfully requests your honorable body to concur in said amendments.

ARTHUR A. OHNIMUS, Chief Clerk.
By FRED J. DESCH, Assistant Clerk.

CONSIDERATION OF ASSEMBLY AMENDMENT.

The Senate took up for consideration Assembly amendment to Senate Bill No. 731—An act defining cemetery and the various words and terms used in connection therewith, providing for the permanency of cemeteries by limiting their operation to corporations of unlimited existence, authorizing the operation of cemeteries for or without profit, prohibits crematories without provision for completing final interments of the cremated remains, provides for the acquisition of cemetery property, the dedication thereof to cemetery purposes, declares dedication supreme until removed by decree of court, exempts dedicated cemetery property from condemnation and from public improvement assessment, declares liens subject to dedication, provides for the sale of dedicated cemetery property for interment purposes, authorizes its sale subject to conditions and restrictions imposed by owner, defines the property rights of plot owners and the alienable and inalienable character of burial plots, provides for joint ownership and joint ownership representation, authorizes the establishing and enforcing of rules and regulations for cemetery government, authorizes perpetual care and the establishment of irreducible perpetual care funds, provides how perpetual care shall be administered, provides how and in what securities perpetual care funds shall be invested, authorizes the sale through court proceedings of surplus road and other space in cemeteries without perpetual care for purpose of providing a perpetual care fund therefor, authorizes special care of cemetery property and the administration of funds contributed therefor, specifies upon whom the right to control the disposition of remains and the duty of interring devolves, authorizes the payment for burial plot and memorial out of estate, requires records to be made and kept of the final disposition of all remains and of all removals thereof, prohibits vandalism and prescribes punishment therefor, provides method for removal of dedication through court proceedings, confers police power upon sextons and superintendents, makes sales under misrepresentations a misdemeanor, recognizes and adopts by reference the Mausoleum Construction Act, exempts certain religious and public cemeteries from operation of act, defines scope of acts, repeals the "Rural Cemetery Corporation Act," adopted in 1859, and all acts amendatory and supplementary thereof, repeals sections 608, 609, 610, 611, 612, 613, 614, 615, 616 and 617 of the Civil Code, repeals sections 292, 294, 296 and 297 of the Penal Code, repeals all acts and parts of acts in conflict therewith and declares the constitutionality of the act and all parts thereof.

ASSEMBLY AMENDMENT TO SENATE BILL NUMBER SEVEN HUNDRED
THIRTY-ONE.

AMENDMENT NUMBER ONE.

In line 5 of the title of the printed bill, beginning with the word "prohibits", strike out the remainder of the title, and insert in lieu thereof the following: "prohibiting crematories without provision for completing final interment of the cremated remains, providing for the acquisition of cemetery property, the dedication thereof to cemetery purposes, declaring dedication supreme until removed by decree of court, exempting dedicated cemetery property from condemnation and from public improvement assessment, declaring liens subject to dedication, providing for the sale of dedi-

cated cemetery property for interment purposes, authorizing its sale subject to conditions and restrictions imposed by owner, defining the property rights of plot owners and the alienable and inalienable character of burial plots, providing for joint ownership and joint ownership representation, authorizing the establishing and enforcing of rules and regulations for cemetery government, authorizing perpetual care and the establishment of irreducible perpetual care funds, providing how perpetual care shall be administered, providing how and in what securities perpetual care funds shall be invested, authorizing the sale through court proceedings of surplus road and other space in cemeteries without perpetual care for purpose of providing a perpetual care fund therefor, authorizing special care of cemetery property and the administration of funds contributed therefor, specifying upon whom the right to control the disposition of remains and the duty of interring devolves, authorizing the payment for burial, plot and memorial out of estate, requiring records to be made and kept of the final disposition of all remains and of all removals thereof, prohibiting vandalism and prescribing punishment therefor, providing method for removal of dedication through court proceedings, conferring police power upon sextons and superintendents, making sales under misrepresentations a misdemeanor, recognizing and adopting by reference that certain legislative act relating to abandonment of cemeteries and parts thereof, approved June 5, 1923, and amendment thereto, exempting certain religious, community and public cemeteries from operation of act, defining scope of act, repealing the Rural Cemetery Corporation Act adopted in 1859, and all acts amendatory and supplementary thereof, repealing sections 608, 609, 610, 611, 612, 613, 614, 615, 616 and 617 of the Civil Code, repealing sections 292, 294 and 296 of the Penal Code, repealing all acts and parts of acts in conflict therewith, and declaring the constitutionality of the act and all parts thereof."

The question being: Shall the Senate concur in Assembly amendment to Senate Bill No. 731?

The roll was called, and Assembly amendment to Senate Bill No. 731 concurred in by the following vote:

AYES—Senators Baker, Breed, Bush, Carter, Cassidy, Christian, Cleveland, Cloek, Crittenden, Deuel, Duval, Edwards, Evans, Harper, Hays, Ingels, Jones, Maloney, McCormack, McKinley, Mixter, Moran, Pedrotti, Rich, Riley, Rochester, Schottky, Sharkey, Slater, Swing, Tubbs, Waggy, and Williams—33.

NOES—None.

Senate Bill No. 731 ordered to print, and enrollment.

MESSAGE FROM THE ASSEMBLY.

The following message from the Assembly was received and read:

ASSEMBLY CHAMBER, SACRAMENTO, May 13, 1931.

MR. PRESIDENT: I am directed to inform your honorable body that the Assembly amended, and on this day passed as amended, Senate Bill No. 393—An act making an appropriation to pay the claim of W. H. Carlson against the State of California—and respectfully requests your honorable body to concur in said amendments.

ARTHUR A. OHNIMUS, Chief Clerk.
By FRED J. DESCH, Assistant Clerk.

CONSIDERATION OF ASSEMBLY AMENDMENT.

The Senate took up for consideration Assembly amendment to Senate Bill No. 393—An act making an appropriation to pay the claim of W. H. Carlson against the State of California.

ASSEMBLY AMENDMENT TO SENATE BILL NUMBER THREE HUNDRED NINETY-THREE.

AMENDMENT NUMBER ONE.

On page 1, line 3, of the printed bill, strike out the following: "of the San Diego harbor improvement fund", and insert in lieu thereof the following: "in the State Treasury not otherwise appropriated".

The question being: Shall the Senate concur in Assembly amendment to Senate Bill No. 393?

The roll was called, and Assembly amendment to Senate Bill No. 393 concurred in by the following vote:

AYES—Senators Baker, Bush, Carter, Cassidy, Christian, Cleveland, Clock, Crittenden, Deuel, Duval, Edwards, Evans, Harper, Hays, Ingels, Inman, Jones, Maloney, McCormack, McKinley, Mixer, Moran, Nelson, Pedrotti, Rich, Riley, Rochester, Schottky, Sharkey, Slater, Swing, Waggy, and Williams—33.

NOES—None.

Senate Bill No. 393 ordered to print, and enrollment.

MESSAGE FROM THE ASSEMBLY.

The following message from the Assembly was received and read:

ASSEMBLY CHAMBER, SACRAMENTO, May 13, 1931.

MR. PRESIDENT: I am directed to inform your honorable body that the Assembly amended, and on this day passed as amended, Senate Bill No. 566—An act to amend section 537 of the Civil Code, relating to liability for damage done fixtures and cables of a telegraph, telephone or electric power corporation and fixtures and pipe lines of a gas corporation—and respectfully requests your honorable body to concur in said amendments.

ARTHUR A. OHNIMUS, Chief Clerk.
By FRED J. DESCH, Assistant Clerk.

CONSIDERATION OF ASSEMBLY AMENDMENTS.

The Senate took up for consideration Assembly amendments to Senate Bill No. 566—An act to amend section 537 of the Civil Code, relating to liability for damage done fixtures and cables of a telegraph, telephone or electric power corporation and fixtures and pipe lines of a gas corporation.

ASSEMBLY AMENDMENTS TO SENATE BILL NUMBER FIVE HUNDRED SIXTY-SIX.

AMENDMENT NUMBER ONE.

On page 1 of the printed bill, after the word "power", in line 5, insert the word "corporation".

AMENDMENT NUMBER TWO.

On page 1 of the printed bill, before the word "gas", in line 5, insert the following: "the pipe line, valves or fittings of any".

The question being: Shall the Senate concur in Assembly amendments to Senate Bill No. 566?

The roll was called, and Assembly amendments to Senate Bill No. 566 concurred in by the following vote:

AYES—Senators Baker, Breed, Bush, Carter, Cassidy, Christian, Clock, Crittenden, Deuel, Duval, Edwards, Evans, Harper, Hays, Ingels, Inman, Jones, Maloney, McCormack, McKinley, Mixer, Moran, Nelson, Pedrotti, Rich, Riley, Rochester, Schottky, Sharkey, Slater, Swing, Tubbs, Waggy, and Williams—34.

NOES—None.

Senate Bill No. 566 ordered to print, and enrollment.

MESSAGE FROM THE ASSEMBLY.

The following message from the Assembly was received and read:

ASSEMBLY CHAMBER, SACRAMENTO, May 13, 1931.

MR. PRESIDENT: I am directed to inform your honorable body that the Assembly amended, and on this day passed as amended, Senate Bill No. 577—An act defining the obligations of any person, company, association or corporation owning or operating any street or interurban railroad or railway track or tracks upon public highways, roads, streets, avenues, boulevards, lanes, alleys, courts, places, public ways, or other property or rights of way of the public in connection with paving, repaving, repairing, macadamizing, remacadamizing or otherwise improving thereof; requiring any such person, company, association or corporation to restore pavements disturbed by it and to put its track and track structures in good operating condition; superseding all acts inconsistent therewith and repealing all other acts and parts of acts in

conflict therewith—and respectfully requests your honorable body to concur in said amendments.

ARTHUR A. OHNIMUS, Chief Clerk.
By FRED J. DESCH, Assistant Clerk

CONSIDERATION OF ASSEMBLY AMENDMENTS.

The Senate took up for consideration Assembly amendments to Senate Bill No. 577—An act defining the obligations of any person, company, association or corporation owning or operating any railroad or railway track or tracks upon public highways, roads, streets, avenues, boulevards, lanes, alleys, courts, places, public ways, or other property or rights of way of the public in connection with paving, repaving, repairing, macadamizing, remacadamizing or otherwise improving thereof; requiring any such person, company, association or corporation to restore pavements disturbed by it and to put its track and track structures in good operating condition; superseding all acts inconsistent therewith and repealing all other acts and parts of acts in conflict therewith.

ASSEMBLY AMENDMENTS TO SENATE BILL NUMBER FIVE HUNDRED SEVENTY-SEVEN.

AMENDMENT NUMBER ONE.

In line 2 of the title of the printed bill, after the word "any", insert "street or interurban".

AMENDMENT NUMBER TWO.

On page 1, line 2, of the printed bill, after the word "any", insert "street or interurban".

AMENDMENT NUMBER THREE.

On page 2, line 6, of the printed bill, after the word "any", insert the word "such".

AMENDMENT NUMBER FOUR.

On page 2, line 40, of the printed bill, after the figure "3", insert the following: "Except as otherwise provided in section 43 of that certain statute known as the public utilities act, chapter 91, statutes 1915, as amended."

AMENDMENT NUMBER FIVE.

On page 2, line 40, of the printed bill, strike out the word "The", and insert the word "the".

AMENDMENT NUMBER SIX.

On page 2, line 48, of the printed bill, strike out the word "nonoperative".

AMENDMENT NUMBER SEVEN.

On page 3 of the printed bill, strike out lines 12 and 13.

AMENDMENT NUMBER EIGHT.

On page 3, line 14, of the printed bill, strike out the figure "5", and insert in lieu thereof the figure "4".

AMENDMENT NUMBER NINE.

On page 3, line 34, of the printed bill, after the word "Sec.", strike out the figure "6", and insert in lieu thereof the figure "5".

AMENDMENT NUMBER TEN.

On page 3 of the printed bill, between lines 39 and 40, insert the following section:

"Sec. 6. All other acts or parts of acts, laws, and other enactments in conflict herewith are hereby repealed."

AMENDMENT NUMBER ELEVEN.

On page 2, line 32, of the printed bill, after the word "work", strike out the semicolon and insert in lieu thereof a period.

AMENDMENT NUMBER TWELVE.

On page 2, line 32, of the printed bill, strike out the word "provided", and strike out all of lines 33 to 39, inclusive.

The question being: Shall the Senate concur in Assembly amendments to Senate Bill No. 577?

The roll was called, and Assembly amendments to Senate Bill No. 577 concurred in by the following vote:

AYES—Senators Baker, Breed, Bush, Carter, Christian, Cleveland, Clock, Crittenden, Deuel, Duval, Edwards, Evans, Harper, Hays, Ingels, Jones, Maloney, McCormack, McKinley, Mixter, Moran, Nelson, Pedrotti, Rich, Riley, Rochester, Schottky, Sharkey, Slater, Swing, Tubbs, Waggy, and Williams—33.

NOES—None.

Senate Bill No. 577 ordered to print, and enrollment.

MESSAGE FROM THE ASSEMBLY.

The following message from the Assembly was received and read:

ASSEMBLY CHAMBER, SACRAMENTO, May 13, 1931.

MR. PRESIDENT: I am directed to inform your honorable body that the Assembly amended, and on this day passed as amended, Senate Bill No. 932—An act to amend section 452c of the Civil Code, relating to mutual benefit and life associations, minimum membership thereof, time in which such membership shall be obtained, notification of commissioner in event membership falls below minimum, disposition of association in event of failure to obtain membership within required time limit, and time limit within which existing corporations shall maintain required minimum membership—and respectfully requests your honorable body to concur in said amendment.

ARTHUR A. OHNIMUS, Chief Clerk.
By FRED J. DESCH, Assistant Clerk.

CONSIDERATION OF ASSEMBLY AMENDMENT.

The Senate took up for consideration Assembly amendment to Senate Bill No. 932—An act to amend section 452c of the Civil Code, relating to mutual benefit and life associations, minimum membership thereof, time in which such membership shall be obtained, notification of commissioner in event membership falls below minimum, disposition of association in event of failure to obtain membership within required time limit, and time limit within which existing corporations shall maintain required minimum membership.

ASSEMBLY AMENDMENT TO SENATE BILL NUMBER NINE HUNDRED THIRTY-TWO.

AMENDMENT NUMBER ONE.

On page 1, line 17, of the printed bill, strike out "existing corporations", and insert in lieu thereof the following: "*however*, that corporations organized under the provisions of this chapter".

The question being: Shall the Senate concur in Assembly amendment to Senate Bill No. 932?

The roll was called, and Assembly amendment to Senate Bill No. 932 concurred in by the following vote:

AYES—Senators Baker, Breed, Carter, Christian, Cleveland, Clock, Crittenden, Deuel, Duval, Edwards, Evans, Harper, Hays, Ingels, Jones, Maloney, McCormack, McKinley, Mixter, Moran, Nelson, Pedrotti, Rich, Riley, Rochester, Schottky, Sharkey, Slater, Swing, Tubbs, Waggy, and Williams—32.

NOES—None.

Senate Bill No. 932 ordered to print, and enrollment.

MESSAGE FROM THE ASSEMBLY.

The following message from the Assembly was received and read:

ASSEMBLY CHAMBER, SACRAMENTO, May 13, 1931.

MR. PRESIDENT: I am directed to inform your honorable body that the Assembly amended, and on this day passed as amended, Senate Bill No. 187. An act to fix the fees to be paid to referees, appraisers or commissioners appointed by the court in condemnation proceedings—and respectfully requests your honorable body to concur in said amendment.

ARTHUR A. OHNIMUS, Chief Clerk.
By FRED J. DESCH, Assistant Clerk.

CONSIDERATION OF ASSEMBLY AMENDMENT.

The Senate took up for consideration Assembly amendment to Senate Bill No. 187—An act to fix the fees to be paid to referees, appraisers or commissioners appointed by the court in condemnation proceedings.

ASSEMBLY AMENDMENT TO SENATE BILL NUMBER ONE HUNDRED EIGHTY-SEVEN.

AMENDMENT NUMBER ONE.

On page 1, line 9, of the printed bill, as amended in the Senate, April 2, 1931, strike out the words "twenty-five", and insert in lieu thereof the word "fifty".

The question being: Shall the Senate concur in Assembly amendment to Senate Bill No. 187?

The roll was called, and Assembly amendment to Senate Bill No. 187 concurred in by the following vote:

AYES—Senators Baker, Breed, Bush, Carter, Christian, Cleveland, Clock, Crittenden, Duell, Duval, Edwards, Evans, Harper, Hays, Ingels, Inman, Jones, Maloney, McCormack, McKinley, Mixer, Moran, Nelson, Pedrotti, Rich, Riley, Rochester, Sharkey, Slater, Swing, Tubbs, Waggy, and Williams—33.

NOES—None.

Senate Bill No. 187 ordered to print, and enrollment.

MESSAGE FROM THE ASSEMBLY.

The following message from the Assembly was received and read:

ASSEMBLY CHAMBER, SACRAMENTO, May 13, 1931.

MR. PRESIDENT: I am directed to inform your honorable body that the Assembly amended, and on this day passed as amended, Senate Bill No. 857—An act to amend section 1 of chapter 834 of the Statutes of 1927, relating to acceptance of the Workmen's Compensation Act—and respectfully requests your honorable body to concur in said amendments.

ARTHUR A. OHNIMUS, Chief Clerk.
By FRED J. DESCH, Assistant Clerk.

CONSIDERATION OF ASSEMBLY AMENDMENTS.

The Senate took up for consideration Assembly amendments to Senate Bill No. 857—An act to amend section 1 of chapter 834 of the Statutes of 1927, relating to acceptance of the Workmen's Compensation Act.

ASSEMBLY AMENDMENTS TO SENATE BILL NUMBER EIGHT HUNDRED FIFTY-SEVEN.

AMENDMENT NUMBER ONE.

On page 1, lines 16 and 17, of the printed bill, strike out the following: "and having an annual payroll in excess of five hundred dollars,".

AMENDMENT NUMBER TWO.

On page 2 of the printed bill, strike out lines 6 to 12, inclusive, and insert in lieu thereof the following: "This section shall not apply to any such employer and employee where the pay roll of such employer for the preceding calendar year has not exceeded five hundred dollars."

The question being: Shall the Senate concur in Assembly amendments to Senate Bill No. 857?

The roll was called, and Assembly amendments to Senate Bill No. 857 concurred in by the following vote:

AYES—Senators Baker, Bush, Carter, Christian, Cleveland, Clock, Crittenden, Duell, Duval, Edwards, Evans, Harper, Hays, Ingels, Inman, Jones, Maloney, McCormack, McKinley, Mixer, Moran, Nelson, Pedrotti, Rich, Riley, Rochester, Sharkey, Slater, Swing, Tubbs, Waggy, and Williams—32.

NOES—None.

Senate Bill No. 857 ordered to print, and enrollment.

MESSAGE FROM THE ASSEMBLY.

The following message from the Assembly was received and read:

ASSEMBLY CHAMBER, SACRAMENTO, May 13, 1931.

MR. PRESIDENT: I am directed to inform your honorable body that the Assembly amended, and on this day passed as amended, Senate Bill No. 3—An act to amend section 596 of the Penal Code, relating to the exposure of poisonous substances for animals—and respectfully requests your honorable body to concur in said amendments.

ARTHUR A. OHNIMUS, Chief Clerk.
By FRED J. DESCH, Assistant Clerk.

CONSIDERATION OF ASSEMBLY AMENDMENTS.

The Senate took up for consideration Assembly amendments to Senate Bill No. 3—An act to amend section 596 of the Penal Code, relating to the poisoning of any animal, the property of another.

ASSEMBLY AMENDMENTS TO SENATE BILL NUMBER THREE.

AMENDMENT NUMBER ONE.

In the title of the printed bill, strike out line 2, and insert in lieu thereof the following: "the exposure of poisonous substances for animals."

AMENDMENT NUMBER TWO.

On page 1, lines 7 and 8, of the printed bill, strike out "in the state prison not exceeding three years, or".

AMENDMENT NUMBER THREE.

On page 1, line 8, of the printed bill, strike out "one year", and insert the words "six months".

AMENDMENT NUMBER FOUR.

On page 1 of the printed bill, after line 10, add the following:

"However, the provisions of this section shall not apply in the case of persons who expose poisonous substances upon premises or property owned or controlled by them for the purpose of controlling or destroying predatory animals and if, prior to or during the placing out of such poisonous substances, he shall have posted upon the property conspicuous signs located at intervals of distance not greater than one-third of a mile apart, and in any case not less than three such signs having words with letters at least one inch high reading 'Warning—poisoned bait placed out on these premises', which signs shall be kept in place until the poisonous substances have been removed. Whenever such signs have been conspicuously located upon the property or premises owned or controlled by him as hereinabove provided, such person shall not be charged with any civil liability to another party in the event that any domestic animal belonging to such party becomes injured or killed by trespassing or partaking of the poisonous substance or substances so placed."

The question being: Shall the Senate concur in Assembly amendments to Senate Bill No. 3?

The roll was called, and Assembly amendments to Senate Bill No. 3 concurred in by the following vote:

AYES—Senators Baker, Breed, Bush, Carter, Christian, Cook, Crittenden, Donel, Duval, Edwards, Evans, Harper, Hays, Ingels, Inman, Jones, Maloney, McKinley, Mixter, Moran, Nelson, Padgett, Rich, Riley, Rochester, Schottay, Sharkey, Slater, Tubbs, Wagy, and Williams—31.

NOES—Senator McCormack—1.

Senate Bill No. 3 ordered to print, and enrollment.

MESSAGE FROM THE ASSEMBLY.

The following message from the Assembly was received and read:

ASSEMBLY CHAMBER, SACRAMENTO, May 12, 1931.

MR. PRESIDENT: I am directed to inform your honorable body that the Assembly amended, and on this day passed as amended, Senate Bill No. 120—An act to amend sections 3, 9, 12 and 20a of, and to add new sections numbered 5, 3b, 3c and 12a to the California Real Estate Act, relating to the State Real Estate Department, the issuance and revocation of licenses, the examination of subdivision projects, and

creating the California Real Estate Advisory Council—and respectfully requests your honorable body to concur in said amendments.

ARTHUR A. OHNIMUS, Chief Clerk.
By A. W. ENGELKE, Assistant Clerk.

CONSIDERATION OF ASSEMBLY AMENDMENTS.

The Senate took up for consideration Assembly amendments to Senate Bill No. 120—An act to amend sections 3, 9, 12 and 20a of, and to add new sections numbered 3a, 3b, 3c and 12a to the California Real Estate Act, relating to the State Real Estate Department, the issuance and revocation of licenses, the examination of subdivision projects, and creating the California Real Estate Advisory Council.

ASSEMBLY AMENDMENTS TO SENATE BILL NUMBER ONE HUNDRED TWENTY.

AMENDMENT NUMBER ONE.

On page 7, line 22, of the printed bill, strike out "and the holders thereof".

AMENDMENT NUMBER TWO.

On page 7, lines 32 and 33, of the printed bill, strike out "or any obligation relating to the subdivided lands".

AMENDMENT NUMBER THREE.

On page 7, line 39, of the printed bill, strike out "when due,".

AMENDMENT NUMBER FOUR.

On page 7 of the printed bill, strike out lines 41 to 44, inclusive; also in line 45, strike out "trust agreement", and insert in lieu thereof the following: "trust agreement, upon completion of all payments and performance of all the terms and provisions required to be made and/or performed by the vendee under the agreement of sale."

AMENDMENT NUMBER FIVE.

On page 7 of the printed bill, strike out lines 48 and 49, and as the beginning of a new paragraph, insert the following:
"The commissioner shall".

AMENDMENT NUMBER SIX.

On page 8 of the printed bill, after line 42, add the following:
"No lien, encumbrance, option, contract or trust agreement existing on the ninety-first day after the adjournment of the 1931 session of the Legislature, and no extension, renewal or refinancing of any such existing lien, encumbrance, option, contract or trust agreement shall be affected by any amendment to this section adopted at such session."

AMENDMENT NUMBER SEVEN.

In line 1 of the title of the printed bill, after "9.", insert the figure "10.", and in the same line of the title, after the word "add", insert the letter "a": strike out all of line 2, and insert in lieu thereof "section to be numbered 12a, to the California"; in line 4 of the title, after the word "licenses", strike out the comma, and insert the word "and"; in line 5 of the title, after the word "projects", strike out the comma, and insert in lieu thereof a period, and strike out the remainder of line 5 and all of line 6, the title then to read as follows:

"An act to amend sections 3, 9, 10, 12 and 20a of, and to add a new section to be numbered 12a, to the California real estate act, relating to the State Real Estate Department, the issuance and revocation of licenses and the examination of subdivision projects."

The question being: Shall the Senate concur in Assembly amendments to Senate Bill No. 120?

The roll was called, and Assembly amendments to Senate Bill No. 120 concurred in by the following vote:

AYES—Senators Baker, Breed, Bush, Carter, Christian, Cleveland, Clock, Crittenden, Deuel, Duval, Edwards, Evans, Harper, Hays, Ingels, Inman, Jones, Maloney, McCormack, McKinley, Mixer, Moran, Pedrotti, Rich, Riley, Rochester, Schottky, Sharkey, Slater, Swing, Tubbs, Waggy, and Williams—33.

NOES—Senator Nelson—1.

Senate Bill No. 120 ordered to print, and enrollment.

MESSAGE FROM THE ASSEMBLY.

The following message from the Assembly was received and read:

ASSEMBLY CHAMBER, SACRAMENTO, May 13, 1931.

MR. PRESIDENT: I am directed to inform your honorable body that the Assembly amended, and on this day passed as amended, Senate Bill No. 517—An act to amend sections 656, 663, 674, 675, 675a, 677, 679, 688 and 689 of, and to add sections 658a and 686a to, the Political Code, and to repeal sections 683, 684, and 686 thereof as added by chapter 516 of the Statutes of 1929, relating to the Department of Finance—and respectfully requests your honorable body to concur in said amendments.

ARTHUR A. OIINIMUS, Chief Clerk.

By FRED J. DESCH, Assistant Clerk.

CONSIDERATION OF ASSEMBLY AMENDMENTS.

The Senate took up for consideration Assembly amendments to Senate Bill No. 517—An act to amend sections 674, 675, 679 and 689 of, and to add section 658a to, the Political Code, relating to the Department of Finance.

ASSEMBLY AMENDMENTS TO SENATE BILL NUMBER FIVE HUNDRED SEVENTEEN.

(AMENDMENTS OF MARCH 30, 1931.)

AMENDMENT NUMBER ONE.

In line 1 of the title of the printed bill, after the word "Sections", add the following: "656, 663," and after the comma following the figure "675", add the following: "677," and after the figure "679", insert a comma and add the following: "686".

AMENDMENT NUMBER TWO.

In line 2 of the title of the printed bill, after the figure "658a", add the following: "and section 679a".

AMENDMENT NUMBER THREE.

On page 1 of the printed bill, before line 1, insert the following:

"SECTION 1. Section 656 of the Political Code is hereby amended to read as follows:

656. For the purpose of administration, the department shall be forthwith organized by the director, with the approval of the governor, in such manner as shall be deemed necessary properly to segregate and conduct the work of the department. The work of the department is hereby divided into at least three divisions, to be known respectively as the division of budgets and accounts, the division of service and supply and the division of motor vehicles. The director of finance shall have power to arrange and classify the work of the department, and with the approval of the governor may create such other divisions and subdivisions as may be necessary, and change or abolish the same from time to time. The chief of the division of service and supply shall be appointed by and hold office at the pleasure of the governor. The chief of each division shall receive such annual salary as may be fixed by the director of finance, with the approval of the governor, and before entering upon the duties of his office shall execute to the State of California an official bond in the penal sum of twenty-five thousand dollars. The director of finance may also be chief of the division of budgets and accounts without additional compensation. The director shall have power to appoint and fix the salary of one attorney for the division of state lands, which position shall be exempt from the provisions of the civil service law."

AMENDMENT NUMBER FOUR.

On page 1, line 1, of the printed bill, strike out the first word "Section", and the figure "1", and insert in lieu thereof "Sec. 2."

AMENDMENT NUMBER FIVE.

On page 1 of the printed bill, between lines 10 and 11, insert the following:

"SEC. 3. Section 663 of the Political Code is hereby amended to read as follows: 663. A state board of control is hereby created to consist of the director of finance, the chief of the division of service and supply and the department of finance, and the state controller, all acting ex officio.

The members of the state board of control shall receive no additional compensation for their services as ex officio members of said board. The director of finance shall be chairman of said board of control.

The board must keep a record of all its proceedings and any member may cause his dissent to the action of the majority upon any matter to be entered upon such record.

The board may appoint a secretary and assistant secretaries who shall hold office at its pleasure. It shall be the duty of the secretary to keep a full and true record of all proceedings of the commission, to issue all necessary process, writs, warrants and notices, and to perform such other duties as the board may prescribe. The secretary and the assistant secretaries shall have power to administer oaths, certify to all official acts, and issue subpoenas for the attendance of witnesses and the production of papers, books, accounts, documents, testimony in any inquiry, investigation, hearing or proceeding in any part of the state.

The board shall have power to employ, during its pleasure, such officers, experts, engineers, statisticians, accountants, inspectors, clerks and employees as it may deem necessary to perform the duties and exercise the powers conferred by law upon the board. The board shall have power to employ, during its pleasure, examiners who shall have the power to administer oaths, examine witnesses, issue subpoenas and receive evidence, under such rules and regulations as the board may adopt.

The board shall have a seal, bearing the following inscription: "State board of control." The seal shall be affixed to all writs and authentications of copies of records and to such other instruments as the commission shall direct.

A majority of the board shall constitute a quorum for the transaction of any business, for the performance of any duty or for the exercise of any power of the board. No vacancy in the board shall impair the right of the remaining members to exercise all the powers of the board. The act of a majority of the board when in session as a board shall be deemed to be the act of the board; but any investigation, inquiry or hearing which the board has power to undertake or to hold may be undertaken or held by or before any member or members designated for the purpose by the board. The evidence in any investigation, inquiry or hearing may be taken by the member or members to whom such investigation, inquiry or hearing has been assigned or, in his or their behalf, by an examiner designated for that purpose. Every finding, opinion and order made by the member or members, so designated, pursuant to such investigation, inquiry or hearing, when approved or confirmed by the board and ordered filed in its office at state capitol, Sacramento, shall be deemed to be the finding, opinion and order of the commission."

AMENDMENT NUMBER SIX.

On page 1, line 11, of the printed bill, strike out the figure "2", and insert in lieu thereof the figure "4".

AMENDMENT NUMBER SEVEN.

On page 1, line 23, of the printed bill, strike out the figure "3", and insert in lieu thereof the figure "5".

AMENDMENT NUMBER EIGHT.

On page 2 of the printed bill, strike out lines 46 and 47, and insert in lieu thereof the following: "9. To grant and convey by deed or otherwise to abutting property owners all the right, title and interest of the State of California, in and to abandoned river channels."

AMENDMENT NUMBER NINE.

On page 2 of the printed bill, between lines 47 and 48, insert the following:

"SEC. 6. Section 677 of the Political Code is hereby amended to read as follows:

677. The department of finance shall devise, install, supervise, and at its discretion revise and modify a modern and complete accounting system for each and every office, department, institution, board, commission, officer and other agency of the state to the end that all revenues, expenditures, receipts, disbursements, resources, obligations, and property of the state be properly, accurately, and systematically accounted for and that there shall be obtained accurate and comparable records, reports, and statements, of all of the financial affairs of the state.

SEC. 7. A new section is hereby added to the Political Code, to be numbered 679a and to read as follows:

679a. The department of finance, through its officers, deputies, and appointees, is hereby authorized and empowered to examine the books and accounts of any and all persons, firms and corporations required by law to pay taxes for state purposes to the State of California, and to employ an expert accountant, or accountants, to assist in the examination of such books and accounts whenever in the judgment of the department of finance the exigency of the case may so require.

Any officer, deputy or appointee of the department of finance who, while holding such position, or thereafter or any other person who divulges or makes known in any manner whatever not provided by law, any information concerning the business or financial affairs of any such person, firm or corporation gained from an examination of its books and accounts, or from an exercise of the authority herein granted except that information which is required to be reported to the board of equalization and thereupon becomes a matter of public record, is guilty of a misdemeanor and shall be punished by a fine not exceeding five hundred dollars or by imprisonment not exceeding six months, or both. The governor may authorize the department of finance to divulge any information to other state officers, when in his discretion, he

deems it necessary. Upon receiving said information, such other state officers, their deputies and employees become subject to the penal provisions of this section for divulging such information in the same manner as officers of the department of finance."

AMENDMENT NUMBER TEN.

On page 2, line 48, of the printed bill, strike out the figure "4", and insert in lieu thereof the figure "8".

AMENDMENT NUMBER ELEVEN.

On page 3 of the printed bill, between lines 10 and 11, add the following:

"SEC. 9. Section 686 of the Political Code is hereby amended to read as follows:
686. For the purpose of administering the provisions of sections 658, 659, 660, 677, 678, and 679 of this code the director of finance shall have power to appoint, prescribe the duties, and fix the salaries of one superintendent of accounts and such number of skillful accountants or assistants as the director may deem necessary. Each such appointee shall be a civil executive officer and before entering upon the discharge of the duties of his office shall execute to the State of California an official bond conditioned upon the faithful performance of his duties in such penal sum, not less than five thousand dollars, as the director shall prescribe."

AMENDMENT NUMBER TWELVE.

On page 3, line 11, of the printed bill, strike out the figure "5", and insert in lieu thereof the figure "10".

(AMENDMENTS OF APRIL 9, 1931.)

AMENDMENT NUMBER ONE.

In line 1 of the title of the printed bill, strike out "686".

AMENDMENT NUMBER TWO.

In line 2 of the title of the printed bill, strike out the word "and".

AMENDMENT NUMBER THREE.

In line 2 of the title of the printed bill, insert after "679a", the following: "and 686a and 688".

AMENDMENT NUMBER FOUR.

In line 2 of the title of the printed bill, insert after "Code," the following: "and to repeal section 686 thereof as added by chapter 516 of the statutes of 1929".

AMENDMENT NUMBER FIVE.

On page 5 of the printed bill, strike out lines 35 to 37, inclusive, and insert in lieu thereof the following:

"SEC. 9. A new section to be numbered 686a is hereby added to the Political Code to read as follows:

686a. For the purpose of administering the provisions of"

AMENDMENT NUMBER SIX.

On page 6 of the printed bill, insert after line 24, the following:

"SEC. 11. Section 686 of the Political Code as added to the Political Code by chapter 516, statutes of 1929, is hereby repealed."

AMENDMENT NUMBER SEVEN.

On page 6 of the printed bill, following line 24, add the following:

"SEC. 11. Section 688 of the Political Code is hereby amended to read as follows:

688. Any person who has, or shall hereafter have, a claim on contract or for negligence against the state must present the claim to the state board of control in accordance with the provisions of section 667 of this code. Should the claim not be allowed by the state board of control, the person having the claim is hereby authorized, subject to the conditions contained in this section, to bring suit against the state on such claim and to prosecute such suit to final judgment.

Except as otherwise provided in this section, the rules of practice in civil suits shall apply to all suits brought under this section. No suit shall be maintained under this section unless such claim be presented to the state board of control in accordance with the provisions of section 667 of this code within two years after such claim shall have first arisen or accrued, and unless such a suit be brought within six months after such claim is rejected or not allowed in whole or in part by the state board of control as provided in section 667 of this code: *provided*, that, if such claim be rejected or disallowed only in part, suit may be maintained only on that portion of the claim so rejected or not allowed, but the periods of limitation herein prescribed shall not apply to or affect the rights, interests or claims of any minor or insane person or a person imprisoned on a criminal charge or undergoing execution of sentence of a criminal court, or a married woman if her husband be a necessary party with her in commencing such action, or an incompetent person, but in such latter cases the claim may be presented as hereinbefore provided within two years after such disability shall cease, and in case such claim be rejected or not allowed as hereinabove provided, suit may be maintained thereafter as hereinbefore provided, if brought within six months after rejection or nonallowance by said state board of control.

At the time of filing the complaint in any such suit, the plaintiff shall file therewith an undertaking in such sum, but not less than five hundred dollars, as a judge of the court shall fix, with two sufficient sureties, to be approved by a judge of the court, and conditioned that, in case the plaintiff fails to recover judgment, he shall pay all costs incurred by the state in such suit, including a reasonable counsel fee, to be fixed by the court.

Service of summons in such suits shall be made on the governor and the attorney general. It shall be the duty of the attorney general to defend all such suits; and upon his written demand made at or before the time of answering, the place of trial of any such suit must be changed to the county of Sacramento.

In case judgment be rendered for the plaintiff in any such suit, it shall be for the legal amount actually found due from the state to the plaintiff, with legal interest thereon from the time the claim or obligation first arose or accrued, and without costs.

It shall be the duty of the governor to report to the Legislature, at each session, all judgments rendered against the state and not theretofore reported.

It shall be the duty of the controller to draw his warrant for the payment of any such judgment, without any presentation to, or approval of such claim by, the state board of control, whenever a sufficient appropriation for such payment shall have been made by the Legislature. All claims upon such judgments are hereby expressly exempted from the operation of section 669 of this code."

(AMENDMENTS OF APRIL 21, 1931.)

AMENDMENT NUMBER ONE.

In line 1 of the title of the printed bill, as amended, after the figures "675", insert the following: ", 675a", and after the figures "679", insert the following: ", 688".

AMENDMENT NUMBER TWO.

In line 2 of the title of the printed bill, as amended, strike out the figures "679a", and strike out the following: "686 and 688", and insert the figures "686a".

AMENDMENT NUMBER THREE.

In line 3 of the title of the printed bill, as amended, strike out the word "section", and insert in lieu thereof the following: "section 683, 684, and".

AMENDMENT NUMBER FOUR.

On page 4 of the printed bill, as amended, between lines 35 and 36, insert the following:

"SEC. 6. Section 675a of the Political Code is hereby amended to read as follows: 675a. All contracts entered into by any state officer, board, commission, department, or bureau for the purchase of supplies, materials, textbooks for use in the day and evening elementary schools of the state, or services, shall before the same become effective be transmitted with all papers, estimates and recommendations concerning the same to the state department of finance for consideration. If such department approve the same, the contract shall, from the date of such approval, be in force and effect.

No state officer, board, commission, department or bureau shall purchase supplies and materials, or either, in open market, unless permission has been given, upon a presentation of the necessity therefor, by the state department of finance; *provided*, that to meet an emergency, supplies and materials of a perishable nature, in an amount not exceeding one hundred dollars in value, may be purchased by such state officer, board, commission, department, or bureau without the permission of the said department of finance.

Every state office, board, commission, or department to whom is given by law the authority to make purchases of materials or supplies must upon the request of the department of finance designate some certain officer or employee in such office, board, commission, or department whose duty it shall be to make such reports at such times and in such manner to the department of finance as such department shall from time to time require."

AMENDMENT NUMBER FIVE.

On page 4, line 36, of the printed bill, as amended, strike out the figure "6", after the word "Sec.", and insert the figure "7".

AMENDMENT NUMBER SIX.

On page 4, line 48, of the printed bill, as amended, strike out all of lines 48 to 52, inclusive.

AMENDMENT NUMBER SEVEN.

On page 5 of the printed bill, as amended, strike out all of lines 1 to 24, inclusive.

AMENDMENT NUMBER EIGHT.

On page 6 of the printed bill, as amended, between lines 22 and 23, insert the following:

"(c) The pro rata cost of workmen's compensation insurance covering the officers and employees of such department, officer, board, or commission".

AMENDMENT NUMBER NINE.

On page 6, line 33, of the printed bill, as amended, strike out the figures "11", and insert in lieu thereof the figures "10".

AMENDMENT NUMBER TEN.

On page 7 of the printed bill, as amended, after line 46, add the following:
"Sec. 12. Sections 683 and 684 of the Political Code are hereby repealed".

(AMENDMENTS OF MAY 7, 1931.)

AMENDMENT NUMBER ONE.

On page 1, line 10, of the printed bill, as amended, strike out the following:
"and the division of motor vehicles".

AMENDMENT NUMBER TWO.

On page 2, line 45, of the printed bill, as amended, strike out the comma following the word "employ", and strike out the following in line 36: "during its pleasure".

AMENDMENT NUMBER THREE.

On page 3, line 21, of the printed bill, as amended, strike out the word "commission", and insert in lieu thereof the word "board".

AMENDMENT NUMBER FOUR.

On page 7, line 14, of the printed bill, as amended, strike out "10", and insert in lieu thereof "11".

AMENDMENT NUMBER FIVE.

On page 7, line 17, of the printed bill, as amended, strike out "11", and insert in lieu thereof "12".

(AMENDMENTS OF MAY 13, 1931.)

AMENDMENT NUMBER ONE.

In lines 1 and 2 of the printed bill, as amended, after "658a", insert a comma, and the following: "675a, 677a", and after the figure "679", insert the following: ", 680".

AMENDMENT NUMBER TWO.

On page 1, line 8, of the printed bill, as amended, strike out the word "three" and insert in lieu thereof the word "two".

AMENDMENT NUMBER THREE.

On page 2, line 41, of the printed bill, as amended, strike out the comma following the word "employ", and strike out the following: "during its pleasure".

AMENDMENT NUMBER FOUR.

On page 4 of the printed bill, as amended, between lines 35 and 36, insert the following:

"10. Upon such terms and conditions and under such rules and regulations as he shall prescribe, to lease any land belonging to the state or in which the state has an interest, for the production of minerals, oil, gas, or other hydrocarbons, if in his judgment it is for the best interest of the state to do so and if no other state agency has express authority in law to lease the land for such purposes."

AMENDMENT NUMBER FIVE.

On page 5 of the printed bill as amended, between lines 12 and 13, insert the following:

"Sec. 7. A new section is hereby added to the Political Code, to be numbered 675b, and to read as follows:

675b. Whenever any state department, board, commission, court or officer fixes the salary or compensation of an employee or officer, which salary is payable out of state funds, the salary shall be subject to the approval of the state department of finance before it becomes effective and payable."

AMENDMENT NUMBER SIX.

On page 5, line 13, of the printed bill, as amended, strike out the figure "7", after the word "Sec.", and insert in lieu thereof the figure "8".

AMENDMENT NUMBER SEVEN.

On page 5 of the printed bill, as amended, between lines 24 and 25, insert the following:

"Sec. 9. A new section is hereby added to the Political Code, to be numbered 677a, and to read as follows:

677a. Every state office, department, institution, board, court, commission, bureau, officer and other agency of the state, for whom appropriations have been made, shall submit to the department of finance for approval, a complete and detailed budget at such time and in such form as may be prescribed by the department of finance, setting forth all proposed expenditures and estimate revenues for the ensuing fiscal year.

Any officer or employees who incurs any expenditure in excess of the provisions of the fiscal year budget, as approved by the department of finance, shall be liable both personally and on his official bond for the amount of such expenditures."

AMENDMENT NUMBER EIGHT.

On page 5, line 25, of the printed bill, as amended, strike out the figure "8", and insert in lieu thereof the figure "10".

AMENDMENT NUMBER NINE.

On page 5, line 40, of the printed bill, as amended, strike out the figure "9", and insert in lieu thereof the figure "12".

AMENDMENT NUMBER TEN.

On page 6, line 1, of the printed bill, as amended, strike out the figure "10", and insert in lieu thereof the figure "13".

AMENDMENT NUMBER ELEVEN.

On page 6, line 32, of the printed bill, as amended, strike out the following: "in managing and controlling said buildings".

AMENDMENT NUMBER TWELVE.

On page 6, line 33, of the printed bill, as amended, strike out the figure "11", and insert in lieu thereof the figure "14".

AMENDMENT NUMBER THIRTEEN.

On page 6, line 36, of the printed bill, as amended, strike out the figure "12", and insert in lieu thereof the figure "15".

AMENDMENT NUMBER FOURTEEN.

On page 7, line 47, of the printed bill, as amended, strike out the figure "12", and insert in lieu thereof the figure "16".

AMENDMENT NUMBER FIFTEEN.

On page 5 of the printed bill, as amended, between lines 39 and 40, insert the following:

"SEC. 11. Section 680 of the Political Code is hereby amended to read as follows: 680. Any officer or person who shall fail or neglect to make, verify and file with the department of finance any such report as is required by this article, or who shall fail or neglect to follow the directions of the department of finance in keeping the accounts of his office, or who shall refuse to permit the examination or access to the records, files, books, accounts, papers, documents or cash drawers or cash of his office to a representative of said department, or who shall in any way interfere with the examination, shall be guilty of a misdemeanor and upon conviction shall be fined not less than one hundred dollars nor more than one thousand dollars or shall be imprisoned in the county jail not less than thirty days, or both."

The question being: Shall the Senate concur in Assembly amendments to Senate Bill No. 517?

The roll was called, and Assembly amendments to Senate Bill No. 517 concurred in by the following vote:

AYES—Senators Baker, Breed, Bush, Carter, Cassidy, Christian, Cleveland, Clock, Crittenden, Deuel, Duval, Edwards, Evans, Harper, Hays, Ingels, Inman, Jones, Maloney, McCormack, McKinley, Mixer, Moran, Nelson, Pedrotti, Riley, Rochester, Schottky, Sharkey, Slater, Swing, Tubbs, Wagy, and Williams—34.

NOES—None.

Senate Bill No. 517 ordered to print, and enrollment.

MESSAGE FROM THE ASSEMBLY.

The following message from the Assembly was received and read:

ASSEMBLY CHAMBER, SACRAMENTO, May 12, 1931.

MR. PRESIDENT: I am directed to inform your honorable body that the Assembly amended, and on this day passed as amended, Senate Bill No. 26—An act to provide for the payment of not less than the general prevailing rate of wages on public works, and not less than the general prevailing rate of wages for legal holiday and overtime work on public works, providing for the ascertainment of such general prevailing rate by the public body awarding the contract and its insertion in the contract and call for bids for the contract, providing for the keeping of records of the wages paid all workers engaged in public work and the inspection of such records by the proper public officials, providing for a forfeiture for each calendar day, or portion thereof, any worker is paid less than the said rate and for a stipulation to this effect in the contract, and providing other penalties for violation of the

provisions thereof—and respectfully requests your honorable body to concur in said amendments.

ARTHUR A. OHNIMUS, Chief Clerk.
By A. W. ENGELKE, Assistant Clerk.

CONSIDERATION OF ASSEMBLY AMENDMENTS.

The Senate took up for consideration Assembly amendments to Senate Bill No. 26—An act to provide for the payment of the general prevailing rate of wages on public works done by contract, performed on legal holidays, providing for the ascertainment of such general prevailing rate by the public body awarding the contract and its insertion in the contract and bids for the contract, providing for the keeping of records of the wages paid all workers engaged in public contract work and the inspection of such records by the proper public officials, providing for a forfeiture for each calendar day, or portion thereof, any worker is paid less than the said rate and for a stipulation to this effect in the contract, and providing other penalties for violation of the provisions thereof.

ASSEMBLY AMENDMENTS TO SENATE BILL NUMBER TWENTY-SIX.

AMENDMENT NUMBER ONE.

In lines 2 and 3 of the title of the printed bill, as amended, strike out the following: "work, whether the work is", and insert in lieu thereof the word "works".

AMENDMENT NUMBER TWO.

In line 3 of the title of the printed bill, as amended, strike out the words "or otherwise".

AMENDMENT NUMBER THREE.

In line 3 of the title of the printed bill, as amended, insert after the word "and", the word "for".

AMENDMENT NUMBER FOUR.

In lines 3 and 4 of the title of the printed bill, as amended, strike out the words "legal holiday", and insert in lieu thereof the word "such".

AMENDMENT NUMBER FIVE.

In line 4 of the title of the printed bill, as amended, insert before the word "and", the words "performed on legal holidays".

AMENDMENT NUMBER SIX.

In line 9 of the title of the printed bill, as amended, insert after the word "public", the word "contract".

AMENDMENT NUMBER SEVEN.

On page 1, line 9, of the printed bill, as amended, strike out the words "and laborers", and insert in lieu thereof the following: "engaged in the construction of public works, exclusive of maintenance work or repairs not under contract. Laborers".

AMENDMENT NUMBER EIGHT.

On page 1, line 11, of the printed bill, as amended, after "contract or contracts", insert "for public works".

AMENDMENT NUMBER NINE.

On page 1, line 13, of the printed bill, as amended, insert after the word "contract", the words "or contracts for public works".

AMENDMENT NUMBER TEN.

On page 2, line 30, of the printed bill, as amended, after "cognizance", insert the words "of complaints".

AMENDMENT NUMBER ELEVEN.

On page 2, line 47, of the printed bill, as amended, strike out the words "Work done", and insert in lieu thereof the following: "Construction or repair work done under contract".

AMENDMENT NUMBER TWELVE.

On page 3, line 2, of the printed bill, as amended, after the word "any", insert "construction or repair".

AMENDMENT NUMBER THIRTEEN.

On page 3, line 2, of the printed bill, as amended, after the word "work", insert "done under contract and".

AMENDMENT NUMBER FOURTEEN.

On page 3, line 5, of the printed bill, as amended, insert after the word "the", the words "city and county,".

AMENDMENT NUMBER FIFTEEN.

On page 3, line 5, of the printed bill, as amended, insert after the word "county", the words "or counties".

AMENDMENT NUMBER SIXTEEN.

On page 3, lines 14 and 15, of the printed bill, as amended, strike out the following: "or authorizing the work, or hiring the workers, or allowing the claims, as the case may be,".

AMENDMENT NUMBER SEVENTEEN.

On page 3, line 24, of the printed bill, as amended, strike out the following: ", including Saturday afternoon".

AMENDMENT NUMBER EIGHTEEN.

On page 3, line 27, of the printed bill, as amended, insert after the word "who", the word "wilfully".

AMENDMENT NUMBER NINETEEN.

On page 3, line 7, of the printed bill, as amended, strike out the following: ", or major portion thereof,".

AMENDMENT NUMBER TWENTY.

In line 1 of the title of the printed bill, as amended, strike out "highest".

AMENDMENT NUMBER TWENTY-ONE.

In line 5 of the title of the printed bill, as amended, strike out "highest".

AMENDMENT NUMBER TWENTY-TWO.

On page 1, line 1, of the printed bill, as amended, strike out "highest".

AMENDMENT NUMBER TWENTY-THREE.

On page 2, line 7, of the printed bill, as amended, strike out "highest".

AMENDMENT NUMBER TWENTY-FOUR.

On page 2, line 12, of the printed bill, as amended, strike out "highest".

AMENDMENT NUMBER TWENTY-FIVE.

On page 3, line 12, of the printed bill, as amended, strike out "highest".

AMENDMENT NUMBER TWENTY-SIX.

On page 3, line 19, of the printed bill, as amended, strike out "highest".

AMENDMENT NUMBER TWENTY-SEVEN.

In lines 3, 4 and 5 of the title of the printed bill, as amended, strike out "and double pay for legal holiday work and for such overtime work as is permitted by law,".

AMENDMENT NUMBER TWENTY-EIGHT.

On page 1, lines 3 to 5, of the printed bill, as amended, strike out the phrase "and no less than double such per diem rate for legal holiday work and for such overtime work as is permitted by law,".

AMENDMENT NUMBER TWENTY-NINE.

On page 2, line 14, of the printed bill, as amended, strike out the phrase "also the legal holiday and overtime rate".

AMENDMENT NUMBER THIRTY.

On page 3 of the printed bill, as amended, strike out lines 8 to 11, inclusive, and the words "other cases", in line 12.

AMENDMENT NUMBER THIRTY-ONE.

On page 3, lines 22 to 24, inclusive, of the printed bill, as amended, strike out the following: "The term legal holiday means such holidays as are designated as such in section 10 of the Political Code, including Saturday afternoon."

AMENDMENT NUMBER THIRTY-TWO.

In line 1 of the title of the printed amended bill, following the words "Payment of", add the following: "not less than the"; in line 3 of the title, following the word "works", add the following words: " and not less than the general prevailing rate of wages for legal holiday and overtime work on public works,"; in line 3 of the title, strike out the words "done by contract,"; in line 4 of the title, strike out the words "performed on legal holidays"; in line 8 of the title, following the words "contract and", insert the words "call for"; in line 10 of the title, strike out the word "contract".

AMENDMENT NUMBER THIRTY-THREE.

On page 1, line 3, of the printed amended bill, following the word "performed", insert the following words: ", and not less than the general prevailing rate of per diem wages for legal holiday and overtime work,".

AMENDMENT NUMBER THIRTY-FOUR.

On page 2, line 2, of the printed amended bill, insert a period following the word "work", and strike out the words "or repairs not under contract."

AMENDMENT NUMBER THIRTY-FIVE.

On page 2, line 14, of the printed amended bill, following the word "thereof," insert the following words: "or otherwise undertaking any public works,".

AMENDMENT NUMBER THIRTY-SIX.

On page 2, line 18, of the printed amended bill, following the words "specify in the", insert the words "call for".

AMENDMENT NUMBER THIRTY-SEVEN.

On page 2, line 21, of the printed amended bill, following the word "contract," insert the words "also the general prevailing rate for legal holiday and overtime work,".

AMENDMENT NUMBER THIRTY-EIGHT.

On page 2, line 24, of the printed amended bill, strike out the words "at least", and insert in lieu thereof the words "not less than".

AMENDMENT NUMBER THIRTY-NINE.

On page 2, line 32, of the printed amended bill, following the first word "contract", insert a comma, and strike out the words "or by virtue of said contract,".

AMENDMENT NUMBER FORTY.

On page 2, line 43, of the printed amended bill, begin a new section with the words "The contractor", numbering it "Sec. 3".

AMENDMENT NUMBER FORTY-ONE.

On page 2, line 43, of the printed amended bill, following the word "contractor", insert the words "and each subcontractor".

AMENDMENT NUMBER FORTY-TWO.

On page 2, line 43, of the printed amended bill, strike out the period after the word "act", and insert in lieu thereof the following: ". *provided, however,* that no sum shall be so withheld, retained or forfeited, except from the final payment, unless and until said contractor, or a subcontractor under him, shall after full investigation by said awarding body been found to have violated the provisions of this act. It shall be lawful for any contractor to withhold from any subcontractor under him sufficient sums to cover any penalties withheld from him by the awarding body on account of the said subcontractor's failure to comply with the terms of this act, and if payment has already been made to him the contractor may recover from him the amount of the penalty or forfeiture in a suit at law."

AMENDMENT NUMBER FORTY-THREE.

On page 2, line 46, of the printed amended bill, strike out the words "or by any subcontractor under him,".

AMENDMENT NUMBER FORTY-FOUR.

On page 3, line 3, of the printed amended bill, strike out the figure "3", and insert in lieu thereof the figure "4".

AMENDMENT NUMBER FORTY-FIVE.

On page 3, line 3, of the printed amended bill, strike out the words "or repair".

AMENDMENT NUMBER FORTY-SIX.

On page 3, line 4, of the printed amended bill, strike out the words "under contract".

AMENDMENT NUMBER FORTY-SEVEN.

On page 3, line 18, of the printed amended bill, following the word "cases", add the following words: "in which the contract is awarded by the state; or any public body thereof, and shall be held to mean the limits of the county, city and county, city, town, township, district or other political subdivisions on whose behalf the contract is awarded in all other cases."

AMENDMENT NUMBER FORTY-EIGHT.

On page 3, line 25, of the printed amended bill, restore the words "or authorizing the work,".

AMENDMENT NUMBER FORTY-NINE.

On page 3, line 36, of the printed amended bill, strike out the figure "4", and insert in lieu thereof the figure "5".

AMENDMENT NUMBER FIFTY.

On page 3, line 17, of the printed amended bill, strike out the comma after the word "improvement".

AMENDMENT NUMBER FIFTY-ONE.

In line 8 of the title of the printed bill, strike out the words "call for".

AMENDMENT NUMBER FIFTY-TWO.

In line 9 of the title of the printed bill, before the word "bids", insert the words "call for".

AMENDMENT NUMBER FIFTY-THREE.

On page 2, line 19, of the printed bill, before the word "call", insert the word "the".

AMENDMENT NUMBER FIFTY-FOUR.

On page 2, line 19, of the printed bill, after the word "for", strike out the word "the".

AMENDMENT NUMBER FIFTY-FIVE.

On page 3, line 17, of the printed bill, after the word "reclamation", strike out the word "and", and insert in lieu thereof a comma.

AMENDMENT NUMBER FIFTY-SIX.

On page 3, line 17, of the printed bill, insert after the word "improvement", the words "and other".

AMENDMENT NUMBER FIFTY-SEVEN.

On page 3, line 18, of the printed bill, strike out the words "and other districts of this type," and insert in lieu thereof the following: "or other public agency or agencies, public officer or body,".

AMENDMENT NUMBER FIFTY-EIGHT.

On page 3, line 20, of the printed bill, after the word "supervision", insert the words "or by the authority of any officer or public body".

AMENDMENT NUMBER FIFTY-NINE.

On page 3, line 25, of the printed bill, before the word "shall", insert the following: "other than work done directly by any public utility company pursuant to order of the railroad commission or other public authority, whether or not done under public supervision or direction, or paid for wholly or in part out of public funds,".

AMENDMENT NUMBER SIXTY.

On page 3, lines 25 and 26, of the printed bill, strike out the words "come under the provisions of this act", and insert in lieu thereof the following: "be "public works" within the meaning of this act".

AMENDMENT NUMBER SIXTY-ONE.

On page 3, line 31, of the printed bill, strike out the semicolon after the word "state", and insert in lieu thereof a comma.

AMENDMENT NUMBER SIXTY-TWO.

On page 3, line 37, of the printed bill, after the word "work", insert a comma.

AMENDMENT NUMBER SIXTY-THREE.

On page 3, line 47, of the printed bill, after the words "provisions of", strike out the word "the", and insert in lieu thereof the word "this".

AMENDMENT NUMBER SIXTY-FOUR.

On page 4 of the printed bill, at the end of the bill, add a new section reading as follows:

"SEC. 6. If any section, sentence, clause or part of this act, is for any reason held to be unconstitutional, such decision shall not affect the remaining portions of this act. The Legislature hereby declares that it would have passed this act, and each section, sentence, clause, or part thereof, irrespective of the fact that one or more sections, sentences, clauses, or parts be declared unconstitutional."

AMENDMENT NUMBER SIXTY-FIVE.

On page 2, line 49, of the printed bill, following the word "act", strike out the period and insert a semicolon, and the following words: "and provided further, that in all cases of assessment or improvement districts or otherwise, wherein the contractor receives final payment in the form of a warrant or other evidence of full payment after completion and acceptance of the work, the awarding body shall accept from the contractor in the form of cash or securities or a satisfactory corporate surety bond, a sum sufficient to equal any amount so withheld, retained or forfeited from the final payment, and said awarding body shall then release the final warrant or payment in full."

AMENDMENT NUMBER SIXTY-SIX.

On page 3, line 48, of the printed bill, as amended in Assembly April 21, 1931, following the word "contractor", insert the following: "or any subcontractor under him,".

AMENDMENT NUMBER SIXTY-SEVEN.

On page 3, line 52, of the printed bill, as amended in Assembly April 21, 1931, delete the words "or by any subcontractor under him,".

AMENDMENT NUMBER SIXTY-EIGHT.

On page 2, line 48, of the printed bill, as amended in Assembly April 21, 1931, following the word "body", insert the word "have".

AMENDMENT NUMBER SIXTY-NINE.

On page 2, line 43, of the printed bill, strike out the comma after the word "act", and insert in lieu thereof a semicolon.

AMENDMENT NUMBER SEVENTY.

On page 2, lines 45 and 46, of the printed bill, strike out the words "unless and until said contractor, or a subcontractor under him, shall after", and insert in lieu thereof the following: "without a".

AMENDMENT NUMBER SEVENTY-ONE.

On page 2, line 46, of the printed bill, after the word "by", insert the words "either the division of labor statistics and law enforcement of the state department of industrial relations or by".

AMENDMENT NUMBER SEVENTY-TWO.

On page 2, line 47, of the printed bill, strike out the words "have been found to have violated the provisions of this act".

AMENDMENT NUMBER SEVENTY-THREE.

On page 2, line 48, of the printed bill, after the word "provided", insert a comma.

AMENDMENT NUMBER SEVENTY-FOUR.

On page 2, line 48, of the printed bill, before the word "assessment", insert the words "contracts with".

AMENDMENT NUMBER SEVENTY-FIVE.

On page 2, lines 49, 50 and 51, of the printed bill, strike out the words "or otherwise, wherein the contractor receives final payment in the form of a warrant or other evidence of full payment", and insert in lieu thereof the following: "where full payment is made in the form of a single warrant, or other evidence of full payment,".

AMENDMENT NUMBER SEVENTY-SIX.

On page 3, lines 1, 2 and 3, of the printed bill, strike out the words "the form of cash or securities or a satisfactory corporate surety bond, a sum sufficient to equal any amount so withheld, retained or forfeited from the final payment," and insert in lieu thereof the following: "cash a sum equal to, and in lieu of, any amount required to be withheld, retained or forfeited under the provisions of this section,".

AMENDMENT NUMBER SEVENTY-SEVEN.

On page 3, line 26, of the printed bill, after the word "supervision", insert the words "or by the authority of any officer or public body".

AMENDMENT NUMBER SEVENTY-EIGHT.

On page 3, lines 27 and 28, of the printed bill, strike out the words "or by the authority of any officer or public body".

AMENDMENT NUMBER SEVENTY-NINE.

On page 4, line 9, of the printed bill, after the word "tractor", at the beginning of the line and before the comma, insert "or subcontractor".

AMENDMENT NUMBER EIGHTY.

On page 4, lines 9 and 10, of the printed bill, strike out the words "of any contractor, or any subcontractor under him", and insert in lieu thereof the word "thereof".

The question being: Shall the Senate concur in Assembly amendments to Senate Bill No. 26?

The roll was called, and Assembly amendments to Senate Bill No. 26 concurred in by the following vote:

AYES—Senators Baker, Breed, Bush, Carter, Cassidy, Christian, Cleveland, Clock, Crittenden, Deuel, Duval, Edwards, Evans, Hays, Ingels, Inman, Jones, Muloney,

McCormack, McKinley, Mixter, Pedrotti, Rich, Riley, Sharkey, Slater, Swing, Tubbs, Wagy, and Williams—30.

NOES—Senators Harper, Moran, Nelson, Rochester, and Schottky—5.

Senate Bill No. 26 ordered to print, and enrollment.

MESSAGE FROM THE ASSEMBLY.

The following message from the Assembly was received and read:

ASSEMBLY CHAMBER, SACRAMENTO, May 11, 1931.

MR. PRESIDENT: I am directed to inform your honorable body that the Assembly amended, and on this day passed as amended, Senate Bill No. 380—An act to add a new section to be numbered 4½ to chapter 397, Statutes 1911, entitled "An act to provide for work in and upon streets, avenues, lanes, alleys, courts, places and sidewalks within municipalities, and upon property and rights of way owned by municipalities or of which a municipality has possession and the right of use under the provisions of section 14 of article I of the constitution, and for the establishing and changing the grades of any such streets, avenues, lanes, alleys, courts, places, sidewalks, properties or rights of way, and providing for the issuance and payment of street improvement bonds to represent certain assessments for the cost thereof, and providing a method for the payment of such bonds," relating to the laying of water pipes and mains in public streets in cases where the water is supplied by a public agency other than the city ordering the improvement—and respectfully requests your honorable body to concur in said amendment.

ARTHUR A. OHNIMUS, Chief Clerk.
By FRED J. DESCH, Assistant Clerk.

CONSIDERATION OF ASSEMBLY AMENDMENT.

The Senate took up for consideration Assembly amendment to Senate Bill No. 380—An act to add a new section to be numbered 4½ to chapter 397, Statutes 1911, entitled "An act to provide for work in and upon streets, avenues, lanes, alleys, courts, places and sidewalks within municipalities, and upon property and rights of way owned by municipalities or of which a municipality has possession and the right of use under the provisions of section 14 of article I of the constitution, and for the establishing and changing the grades of any such streets, avenues, lanes, alleys, courts, places, sidewalks, properties or rights of way, and providing for the issuance and payment of street improvement bonds to represent certain assessments for the cost thereof, and providing a method for the payment of such bonds," relating to the laying of water pipes and mains in public streets in cases where the water is supplied by a public agency other than the city ordering the improvement.

ASSEMBLY AMENDMENT TO SENATE BILL NUMBER THREE HUNDRED EIGHTY.

AMENDMENT NUMBER ONE.

On page 2, lines 45 and 46, of the printed bill, after the word "accepted", strike out the words "by the city council".

The question being: Shall the Senate concur in Assembly amendment to Senate Bill No. 380?

The roll was called, and Assembly amendment to Senate Bill No. 380 concurred in by the following vote:

AYES—Senators Baker, Breed, Carter, Cassidy, Christian, Cleveland, Clock, Crittenden, Deuel, Duval, Edwards, Evans, Harper, Hays, Ingels, Inman, Jones, Maloney, McCormack, McKinley, Mixter, Nelson, Pedrotti, Rich, Riley, Schottky, Sharkey, Slater, Swing, Tubbs, Wagy, and Williams—32.

NOES—None.

Senate Bill No. 380 ordered to print, and enrollment.

SECRETARY JOSEPH A. BEEK AT THE DESK.

MESSAGE FROM THE ASSEMBLY.

The following message from the Assembly was received and read:

ASSEMBLY CHAMBER, SACRAMENTO, May 11, 1931.

MR. PRESIDENT: I am directed to inform your honorable body that the Assembly amended, and on this day passed as amended, Senate Bill No. 448—An act to amend section 1142 of the Political Code, relating to boards of election, appointment and duties of election officers—and respectfully requests your honorable body to concur in said amendment.

ARTHUR A. OHNIMUS, Chief Clerk.
By FRED J. DESCH, Assistant Clerk.

CONSIDERATION OF ASSEMBLY AMENDMENT.

The Senate took up for consideration Assembly amendment to Senate Bill No. 448—An act to amend section 1142 of the Political Code, relating to boards of election, appointment and duties of election officers.

ASSEMBLY AMENDMENT TO SENATE BILL NUMBER FOUR HUNDRED FORTY-EIGHT.

AMENDMENT NUMBER ONE.

On page 4, lines 38 and 39, of the printed bill, strike out "a daily or weekly newspaper", and insert in lieu thereof the following: "any daily or weekly newspapers of general circulation".

The question being: Shall the Senate concur in Assembly amendment to Senate Bill No. 448?

The roll was called, and Assembly amendment to Senate Bill No. 448 concurred in by the following vote:

AYES—Senators Baker, Breed, Carter, Cassidy, Cleveland, Clock, Crittenden, Deuel, Fayal, Edwards, Evans, Harper, Hays, Ingels, Inman, Jones, Maloney, McCormack, McKinley, Pedrotti, Riley, Sharkey, Slater, Swing, and Wagy—25.
NOES—Senators Moran, Nelson, Rich, Schottky, Tubbs, and Williams—6.

Senate Bill No. 448 ordered to print, and enrollment.

MESSAGE FROM THE ASSEMBLY.

The following message from the Assembly was received and read:

ASSEMBLY CHAMBER, SACRAMENTO, May 11, 1931.

MR. PRESIDENT: I am directed to inform your honorable body that the Assembly amended, and on this day passed as amended, Senate Bill No. 691—An act to amend section 28 of chapter 643, Statutes of 1917, entitled "An act to divide the State of California into fish and game districts and to repeal an act entitled 'An act to divide the State of California into fish and game districts and to repeal an act entitled 'An act to divide the State of California into six fish and game districts,' approved March 21, 1911, and all acts or parts of acts inconsistent herewith,' approved May 19, 1915,' approved May 28, 1917—and respectfully requests your honorable body to concur in said amendment.

ARTHUR A. OHNIMUS, Chief Clerk.
By FRED J. DESCH, Assistant Clerk.

CONSIDERATION OF ASSEMBLY AMENDMENT.

The Senate took up for consideration Assembly amendment to Senate Bill No. 691—An act to amend section 28 of chapter 643, Statutes of 1917, entitled "An act to divide the State of California into fish and game districts and to repeal an act entitled 'An act to divide the State of California into fish and game districts and to repeal an act entitled 'An act to divide the State of California into six fish and game districts,' approved March 21, 1911, and all acts or parts of acts inconsistent herewith,' approved May 19, 1915,' approved May 28, 1917.

ASSEMBLY AMENDMENT TO SENATE BILL NUMBER SIX HUNDRED
NINETY-ONE.

AMENDMENT NUMBER ONE.

On page 1, lines 8 and 9, of the printed bill, strike out "by chapter 699, statutes of 1929".

The question being: Shall the Senate concur in Assembly amendment to Senate Bill No. 691?

The roll was called, and Assembly amendment to Senate Bill No. 691 concurred in by the following vote:

AYES—Senators Baker, Breed, Bush, Carter, Cassidy, Cleveland, Clock, Crittenden, Duval, Edwards, Evans, Harper, Hays, Ingels, Inman, Jones, Maloney, McCormack, McKinley, Mixter, Moran, Nelson, Pedrotti, Rich, Riley, Schottky, Sharkey, Slater, Swing, Tubbs, Waggy, and Williams—32.

NOES—None.

Senate Bill No. 691 ordered to print, and enrollment.

MESSAGE FROM THE ASSEMBLY.

The following message from the Assembly was received and read:

ASSEMBLY CHAMBER, SACRAMENTO, May 11, 1931.

MR. PRESIDENT: I am directed to inform your honorable body that the Assembly amended, and on this day passed as amended, Senate Bill No. 131—An act to amend sections 615*b* and 651*d* of the Civil Code, relating to colleges and seminaries of learning—and respectfully requests your honorable body to concur in said amendments.

ARTHUR A. OHNIMUS, Chief Clerk.

By FRED J. DESCH, Assistant Clerk.

CONSIDERATION OF ASSEMBLY AMENDMENTS.

The Senate took up for consideration Assembly amendments to Senate Bill No. 131—An act to amend sections 615*b* and 651*d* of the Civil Code, relating to colleges and seminaries of learning.

ASSEMBLY AMENDMENTS TO SENATE BILL NUMBER ONE HUNDRED
THIRTY-ONE.

AMENDMENT NUMBER ONE.

In line 1 of the title of the printed bill, strike out the figures "615", and also the capital letter "B", and insert in lieu thereof the figures "651", and the small letter "b".

AMENDMENT NUMBER TWO.

On page 1, line 8, of the printed bill, after the word "any", and before the word "professional", strike out the words "academic or".

AMENDMENT NUMBER THREE.

On page 1, line 10, of the printed bill, following the word "corporation", strike out the comma, and insert in lieu thereof the following: "together with the names and addresses of said students,".

The question being: Shall the Senate concur in Assembly amendments to Senate Bill No. 131?

The roll was called, and Assembly amendments to Senate Bill No. 131 concurred in by the following vote:

AYES—Senators Baker, Breed, Bush, Carter, Cassidy, Christian, Cleveland, Clock, Crittenden, Duval, Edwards, Evans, Harper, Hays, Ingels, Inman, Jones, Maloney, McCormack, Mixter, Moran, Nelson, Pedrotti, Rich, Riley, Rochester, Sharkey, Slater, Swing, Tubbs, Waggy, and Williams—32.

NOES—None.

Senate Bill No. 131 ordered to print, and enrollment.

MESSAGE FROM THE ASSEMBLY.

The following message from the Assembly was received and read:

ASSEMBLY CHAMBER, SACRAMENTO, May 12, 1931.

MR. PRESIDENT: I am directed to inform your honorable body that the Assembly amended, and on this day passed as amended, Senate Bill No. 359—An act to amend sections 1, 2, 3, 5 and 14 of chapter 216, Statutes of 1929, entitled "An act to regulate the sale, possession, distribution and use of habit forming narcotic and other dangerous drugs and substances, and providing penalties for the violation thereof," relating to narcotic drugs—and respectfully requests your honorable body to concur in said amendment.

ARTHUR A. OHNIMUS, Chief Clerk.
By A. W. ENGELKE, Assistant Clerk.

CONSIDERATION OF ASSEMBLY AMENDMENT.

The Senate took up for consideration Assembly amendment to Senate Bill No. 359—An act to amend sections 1, 2, 3, 5 and 14 of chapter 216, Statutes of 1929, entitled "An act to regulate the sale, possession, distribution and use of habit forming narcotic and other dangerous drugs and substances, and providing penalties for the violation thereof," relating to narcotic drugs.

ASSEMBLY AMENDMENT TO SENATE BILL NUMBER THREE HUNDRED FIFTY-NINE.

AMENDMENT NUMBER ONE.

On page 6, line 19, of the printed bill, after the word "that", insert a comma, and the following: "subject to the approval of the attorney general,".

The question being: Shall the Senate concur in Assembly amendment to Senate Bill No. 359?

The roll was called, and Assembly amendment to Senate Bill No. 359 concurred in by the following vote:

AYES—Senators Baker, Breed, Bush, Carter, Cassidy, Christian, Cleveland, Clock, Crittenden, Deuel, Edwards, Evans, Harper, Hays, Ingels, Inman, Jones, Maloney, McCormack, McKinley, Mixter, Moran, Nelson, Pedrotti, Rich, Riley, Rochester, Schottky, Sharkey, Slater, Swing, and Wagye—32.

NOES—None.

Senate Bill No. 359 ordered to print, and enrollment.

MESSAGE FROM THE ASSEMBLY.

The following message from the Assembly was received and read:

ASSEMBLY CHAMBER, SACRAMENTO, May 13, 1931.

MR. PRESIDENT: I am directed to inform your honorable body that the Assembly amended, and on this day passed as amended, Senate Bill No. 820—An act to appropriate the sum of \$173,500 out of any money in the State treasury, not otherwise appropriated, to lease the necessary facilities and service for the establishment of a telephone typewriter system of communication between cities in California and the Bureau of Criminal Identification and Investigation at Sacramento; and for the operation and control of the system under the direction of the Bureau of Criminal Identification and Investigation—and respectfully requests your honorable body to concur in said amendments.

ARTHUR A. OHNIMUS, Chief Clerk.
By FRED J. DESCH, Assistant Clerk.

CONSIDERATION OF ASSEMBLY AMENDMENTS.

The Senate took up for consideration Assembly amendments to Senate Bill No. 820—An act to appropriate the sum of \$173,500 out of any money in the State treasury, not otherwise appropriated, to lease the necessary facilities and service for the establishment of a telephone typewriter system of communication between cities in California and the Bureau of Criminal Identification and Investigation at Sacramento; and

for the operation and control of the system under the direction of the Bureau of Criminal Identification and Investigation.

ASSEMBLY AMENDMENTS TO SENATE BILL NUMBER EIGHT HUNDRED TWENTY.

AMENDMENT NUMBER ONE.

On page 2 of the printed bill, strike out lines 1 to 4, inclusive, and insert in lieu thereof the following:

"SEC. 2. This act is hereby declared to be an urgency measure within the meaning of section 1 of article four of the constitution necessary for the preservation of the public peace, health and safety.

The facts constituting such necessity are as follows: In the past few months many heinous crimes have been committed in the State of California and the perpetrators thereof are not as yet apprehended. It is essential to the preservation of the public peace, health and safety that every possible device be used to apprehend those who are at present fugitives from justice and to insure the swift capture of any persons who commit crimes in the future. The device for which the within appropriation is made will aid materially in accomplishing this necessary result."

AMENDMENT NUMBER TWO.

In line 9 of the title of the printed bill, strike out the period, and insert in lieu thereof the following: ", and declaring the same an urgency measure."

AMENDMENT NUMBER THREE.

On page 1 of the printed bill, strike out lines 12 to 15, inclusive, and insert in lieu thereof the following: "gation in Sacramento, California."

AMENDMENT NUMBER FOUR.

On page 2, line 4, of the printed bill, after "safety", insert the following: "and shall take effect immediately".

The question being: Shall the Senate concur in Assembly amendments to Senate Bill No. 820?

The roll was called, and Assembly amendments to Senate Bill No. 820 concurred in by the following vote:

AYES—Senators Baker, Breed, Bush, Carter, Cassidy, Christian, Cleveland, Clock, Crittenden, Deuel, Duval, Edwards, Evans, Harper, Hays, Ingels, Inman, Jones, Maloney, McCormack, McKinley, Mixer, Moran, Nelson, Pedrotti, Rich, Riley, Rochester, Schottky, Sharkey, Slater, Swing, Tubbs, Wagx, and Williams—35.

NOES—None.

Senate Bill No. 820 ordered to print, and enrollment.

MESSAGES FROM THE ASSEMBLY.

The following messages from the Assembly were received and read:

ASSEMBLY CHAMBER, SACRAMENTO, May 13, 1931.

MR. PRESIDENT: I am directed to inform your honorable body that the Assembly on this day passed Assembly Bill No. 1748—An act to amend section 20 of chapter 492, Statutes of 1907, entitled "An act for the preservation of the public health of the people of the State of California, and empowering the State Board of Health to enforce its provisions, and providing penalties for the violation thereof," approved March 23, 1907, as amended, relating to rules, regulations and requirements in cases of the transportation of the dead.

ARTHUR A. OHNIMUS, Chief Clerk.
By FRED J. DESCH, Assistant Clerk.

Assembly Bill No. 1748 read first time, and referred to Committee on Public Health and Quarantine.

Also:

ASSEMBLY CHAMBER, SACRAMENTO, May 13, 1931.

MR. PRESIDENT: I am directed to inform your honorable body that the Assembly on this day adopted Assembly Concurrent Resolution No. 43—Relative to a study of the grade crossing problem.

ARTHUR A. OHNIMUS, Chief Clerk.
By FRED J. DESCH, Assistant Clerk.

Assembly Concurrent Resolution No. 43 read, and referred to Committee on Roads and Highways.

REPORTS OF STANDING COMMITTEES—(RESUMED).

The following report of standing committee was received and read:

ON GOVERNMENTAL EFFICIENCY.

SENATE CHAMBER, SACRAMENTO, May 13, 1931.

MR. PRESIDENT: Your Committee on Governmental Efficiency, to which was referred Senate Concurrent Resolution No. 40—Providing for the appointment of a Commission on Legislation Pertaining to Water Resources—has had the same under consideration, and respectfully reports the same back, and recommends that it be adopted.

Committee membership—11.

(Signed out)

CRITTENDEN, Chairman.
BAKER.
BREED.
DEUEL.
DUVAL.
MALONEY.
McCORMACK.
McKINLEY.
MIXTER.
TUBBS.

Senate Concurrent Resolution No. 40 ordered on file.

INTRODUCTION, FIRST READING AND REFERENCE OF BILLS—(RESUMED).

The following resolution was offered:

By Senator Inman: Senate Concurrent Resolution No. 41—Relative to amendment of the Joint Rules of the Senate and Assembly.

CONSIDERATION OF SENATE CONCURRENT RESOLUTION NUMBER FORTY-ONE.

Senator Inman asked for, and was granted, unanimous consent for the consideration of Senate Concurrent Resolution No. 41, without reference to committee, for purpose of adoption.

RECOMMENDATION OF THE PRESIDENT.

TO THE SENATE: In accordance with Joint Rule No. 35, I hereby recommend that the Senate grant permission to vote on Senate Concurrent Resolution No. 41.

FRANK F. MERRIAM,
President of the Senate.

The question being: Shall the Senate grant permission to vote on Senate Concurrent Resolution No. 41?

The roll was called, and permission granted by the following vote:

AYES—Senators Baker, Breed, Bush, Carter, Cassidy, Christian, Cleveland, Clock, Crittenden, Deuel, Duval, Edwards, Evans, Harper, Hays, Ingels, Inman, Jones, Maloney, McCormack, McKinley, Mixter, Moran, Nelson, Pedrotti, Rich, Riley, Rochester, Schottky, Slater, Swing, Tubbs, Wagy, and Williams—34.

NOES—None.

SENATE CONCURRENT RESOLUTION No. 41.

Relative to the amendment of the Joint Rules of the Senate and Assembly.

Resolved, by the Senate, the Assembly concurring. That the Joint Rules of the Senate and Assembly be amended by adding a new rule to be numbered 8½ and to read as follows:

RESTRICTIONS AS TO AMENDMENTS.

8½. A substitute or amendment must relate to the same subject as the original bill, resolution or constitutional amendment under consideration.

Resolution read.

The question being on the adoption of the resolution.

The roll was called, and Senate Concurrent Resolution No. 41 adopted by the following vote:

AYES—Senators Baker, Breed, Bush, Carter, Cassidy, Christian, Cleveland, Clock, Crittenden, Deuel, Edwards, Evans, Harper, Hays, Ingels, Inman, Jones, Maloney,

McCormack, McKinley, Mixter, Moran, Nelson, Pedrotti, Rich, Riley, Rochester, Schottky, Sharkey, Slater, Swing, Tubbs, Waggy, and Williams—34.
NOES—None.

Senate Concurrent Resolution No. 41 ordered transmitted to the Assembly.

FURTHER PROCEEDINGS UNDER CALL OF THE SENATE DISPENSED WITH.

At eleven o'clock and thirty-five minutes p.m., further proceedings under call of the Senate were dispensed with, on motion of Senator Maloney.

The Secretary was directed to call the roll.

The roll was called, and Assembly Bill No. 853 passed by the following vote:

AYES—Senators Baker, Breed, Bush, Carter, Cassidy, Christian, Cleveland, Clock, Crittenden, Deuel, Duval, Edwards, Evans, Harper, Hays, Ingels, Inman, Jones, Maloney, McCormack, McKinley, Mixter, Moran, Nelson, Pedrotti, Rich, Riley, Sharkey, Slater, Swing, Tubbs, Waggy, and Williams—33.
NOES—None.

Title read and approved.

Bill ordered transmitted to the Assembly.

REPORTS OF STANDING COMMITTEES—(RESUMED).

The following report of standing committee was received and read:

ON JUDICIARY.

SENATE CHAMBER, SACRAMENTO, May 13, 1931.

MR. PRESIDENT: Your Committee on Judiciary, to which was referred Assembly Bill No. 730—An act to prohibit the solicitation of the business of collecting personal injury or death claims arising within this State, with the intention of instituting suit thereon outside of this State, and to provide a penalty for violation of this act:

Also: Assembly Bill No. 29—An act to amend sections 1012 and 1013, of the Code of Civil Procedure, and to add section 1013a thereto, relating to service by mail;

Also: Assembly Bill No. 1006—An act to amend section 560 and to repeal sections 565, 569, and 570 of the Penal Code, relating to directors and officers of corporations;

Also: Assembly Bill No. 1015—An act to amend section 2403 of the Civil Code, relating to the authority of partners;

Also: Assembly Bill No. 1311—An act to amend sections 988a, 988b and 988g of the Code of Civil Procedure, and to add a new section to said code to be numbered 988i, all relating to appeals from municipal courts in civil cases;

Also: Assembly Bill No. 37—An act to amend section 1461a of the Penal Code, relating to procedure in misdemeanor cases filed in municipal courts; Has had the same under consideration, and respectfully reports the same back, and recommends that they do pass.

Committee membership—17; committee vote: Ayes—12; absent—5.

CHRISTIAN, Chairman.

SECOND READING OF ASSEMBLY BILLS—(RESUMED).

Assembly Bill No. 730—An act to prohibit the solicitation of the business of collecting personal injury or death claims arising within this State, with the intention of instituting suit thereon outside of this State, and to provide a penalty for violation of this act.

Bill read second time, and ordered on file for third reading.

Assembly Bill No. 29—An act to amend sections 1012 and 1013, of the Code of Civil Procedure, and to add section 1013a thereto, relating to service by mail.

Bill read second time, and ordered on file for third reading.

Assembly Bill No. 1006—An act to amend section 560 and to repeal sections 565, 569 and 570 of the Penal Code, relating to directors and officers of corporations.

Bill read second time, and ordered on file for third reading.

Assembly Bill No. 1015—An act to amend section 2403 of the Civil Code, relating to the authority of partners.

Bill read second time, and ordered on file for third reading.

Assembly Bill No. 1311—An act to amend sections 988*a*, 988*b* and 988*g* of the Code of Civil Procedure, and to add a new section to said code to be numbered 988*i*, all relating to appeals from municipal courts in civil cases.

Bill read second time, and ordered on file for third reading.

Assembly Bill No. 37—An act to amend section 1461*a* of the Penal Code, relating to procedure in misdemeanor cases filed in municipal courts.

Bill read second time, and ordered on file for third reading.

REPORTS OF STANDING COMMITTEES—(RESUMED).

The following report of standing committee was received and read:

ON JUDICIARY.

SENATE CHAMBER, SACRAMENTO, May 13, 1931.

MR. PRESIDENT: Your Committee on Judiciary, to which was referred Assembly Bill No. 40—An act to add a new section to the Penal Code, to be numbered 1428*a*, relating to minutes in municipal courts;

Also: Assembly Bill No. 1540—An act to amend section 4312 of the Political Code, relating to the place of offices of certain county officers;

Also: Assembly Bill No. 1537—An act to amend section 73 of the Code of Civil Procedure, relating to sessions of the superior courts;
Has had the same under consideration, and respectfully reports the same back, and recommends that they do pass.

Committee membership—17; committee vote: Ayes—12; absent—5.

CHRISTIAN, Chairman.

SECOND READING OF ASSEMBLY BILLS—(RESUMED).

Assembly Bill No. 40—An act to add a new section to the Penal Code, to be numbered 1428*a*, relating to minutes in municipal courts.

Bill read second time, and ordered on file for third reading.

Assembly Bill No. 1540—An act to amend section 4312 of the Political Code, relating to the place of offices of certain county officers.

Bill read second time, and ordered on file for third reading.

Assembly Bill No. 1537—An act to amend section 73 of the Code of Civil Procedure, relating to sessions of the superior courts.

Bill read second time, and ordered on file for third reading.

REPORTS OF STANDING COMMITTEES—(RESUMED).

The following report of standing committee was received and read:

ON JUDICIARY.

SENATE CHAMBER, SACRAMENTO, May 13, 1931.

MR. PRESIDENT: Your Committee on Judiciary, to which was referred Assembly Bill No. 1388—An act to add a new section, to be numbered 110*a*, to the Code of Civil Procedure, relating to salaries of justices of the peace in townships of 30,000 population or more in counties of the first class, and the determination of such population—has had the same under consideration, and respectfully reports the same back, and recommends that it do pass.

Committee membership—17; committee vote: Ayes—8; noes—2; absent—7.

CHRISTIAN, Chairman.

SECOND READING OF ASSEMBLY BILL NUMBER ONE THOUSAND
THREE HUNDRED EIGHTY-EIGHT.

Assembly Bill No. 1388—An act to add a new section, to be numbered 110a, to the Code of Civil Procedure, relating to salaries of justices of the peace in townships of 30,000 population or more in counties of the first class, and the determination of such population.

Bill read second time, and ordered on file for third reading.

REPORTS OF STANDING COMMITTEES—(RESUMED).

The following report of standing committee was received and read:

ON JUDICIARY.

SENATE CHAMBER, SACRAMENTO, May 13, 1931.

MR. PRESIDENT: Your Committee on Judiciary, to which was referred Assembly Bill No. 1001—An act to amend sections 406 and 410 of the Civil Code, and to add section 406.1 thereto, relating to foreign corporations;

Also: Assembly Bill No. 1312—An act authorizing a suit against the State of California to quiet title against it to certain real property in the city of Oakland, county of Alameda, State of California;

Also: Assembly Bill No. 1259—An act to amend sections 692 and 694 of the Code of Civil Procedure, relating to sales of property under execution or under power contained in a deed of trust;

Also: Assembly Bill No. 535—An act to regulate the possession or transportation of any form of shell, cartridge or bomb containing or capable of emitting tear gas, and providing penalties for violation thereof;

Also: Assembly Bill No. 1538—An act to amend section 142 of the Code of Civil Procedure, relating to superior court;

Has had the same under consideration, and respectfully reports the same back with amendments, and recommends that the amendments be adopted, and that they do pass as amended.

Committee membership—17; committee vote: Ayes—12; absent—5.

CHRISTIAN, Chairman.

SECOND READING OF ASSEMBLY BILLS—(RESUMED).

Assembly Bill No. 1001—An act to amend sections 406 and 410 of the Civil Code, and to add section 406.1 thereto, relating to foreign corporations.

COMMITTEE AMENDMENTS.

During the second reading of the bill, the following committee amendments were offered:

AMENDMENT NUMBER ONE.

Strike out the title of the printed bill, and insert in lieu thereof the following: "An act to amend section 411 of the Code of Civil Procedure, relating to service of summons."

Amendment adopted.

AMENDMENT NUMBER TWO.

On page 1 of the printed bill, strike out lines 1 to 27, inclusive, and strike out pages 2 and 3, and insert in lieu thereof the following:

"SECTION 1. Section 411 of the Code of Civil Procedure is hereby amended to read as follows:

411. The summons must be served by delivering a copy thereof as follows:

1. If the suit is against a domestic corporation; to the president or other head of the corporation, a vice president, a secretary, an assistant secretary, general manager, or a person designated for service of process or authorized to receive service of process. If such corporation is a bank, to any of the foregoing officers or agents thereof, or to a cashier or an assistant cashier thereof. If no such officer or agent of the corporation can be found within the state after diligent search, then to the secretary of state as provided in section 373 of the Civil Code, unless the corporation be of a class expressly excepted from the operation of that section.

2. If the suit is against a foreign corporation, or a nonresident joint stock company or association, doing business in this state; in the manner provided by section 406a of the Civil Code.

3. If against a minor, under the age of fourteen years, residing within this state: to such minor, personally, and also to his father, mother, or guardian; or if there be none within this state, then to any person having the care or control of such minor, or with whom he resides, or in whose service he is employed.

4. If against a person residing within this state who has been judicially declared to be of unsound mind, or incapable of conducting his own affairs, and for whom a guardian has been appointed: to such person, and also to his guardian.

5. If against a county, city or town: to the president of the board of supervisors, president of the council or trustees, or other head of the legislative department thereof.

6. In all cases where a corporation has forfeited its charter or right to do business in this state, or has dissolved, by delivering a copy thereof to one of the persons who have become the trustees of the corporation and of its stockholders or members; or, in a proper case, as provided in section 402a of the Civil Code.

7. In all other cases to the defendant personally."

Amendment adopted.

Bill read second time, ordered to print, and on file for third reading.

Assembly Bill No. 1312—An act authorizing a suit against the State of California to quiet title against it to certain real property in the city of Oakland, county of Alameda, State of California.

COMMITTEE AMENDMENT.

During the second reading of the bill, the following committee amendment was offered:

AMENDMENT NUMBER ONE.

On page 5 of the printed bill, strike out lines 18 to 20, inclusive, and insert in lieu thereof the following:

"SECTION 1. Any person or persons owning or claiming any interest in and to any of the following described real property are hereby authorized to bring suit against the".

Amendment adopted.

Bill read second time, ordered to print, and on file for third reading.

Assembly Bill No. 1259—An act to amend section 692 and 694 of the Code of Civil Procedure, relating to sales of property under execution or under power contained in a deed of trust.

COMMITTEE AMENDMENTS.

During the second reading of the bill, the following committee amendments were offered:

AMENDMENT NUMBER ONE.

On page 2 of the printed bill, commencing in line 50, strike out the following: "of the township or city where the sale is to take place", and insert in lieu thereof the following: "in the city when the property is to be sold, if the property is to be sold in a city, or, if not, then in three public places in the township in which the property is to be sold".

Amendment adopted.

AMENDMENT NUMBER TWO.

On page 3 of the printed bill, commencing in line 4, strike out the following: "township or city where the sale is to take place", and insert in lieu thereof the following: "city where the property is to be sold, if the property is to be sold in a city, or, if not, then in three public places in the township in which the property is to be sold".

Amendment adopted.

AMENDMENT NUMBER THREE.

On page 3 of the printed bill, commencing in line 8, strike out the following: "in three public places of the township or city where the property is to be sold", and insert in lieu thereof the following: "in one public place in the city where the property is to be sold if the property is to be sold in a city, or, if not, then in one public place in the township in which the property is to be sold".

Amendment adopted.

AMENDMENT NUMBER FOUR.

On page 3 of the printed bill, commencing in line 12, strike out the following: "or township in which the property is situated, if there be one", and insert in lieu thereof the following: "in which the property or some part thereof is situated, if any part thereof is situated in a city, if not, then in some newspaper of general circulation printed and published in the township in which the property is situated".

Amendment adopted.

AMENDMENT NUMBER FIVE.

On page 3, line 15, of the printed bill, following the comma, insert the following: "as the case may be,".

Amendment adopted.

Bill read second time, ordered to print, and on file for third reading.

Assembly Bill No. 535—An act to regulate the possession or transportation of any form of shell, cartridge or bomb containing or capable of emitting tear gas, and providing penalties for violation thereof.

COMMITTEE AMENDMENTS.

During the second reading of the bill, the following committee amendments were offered:

AMENDMENT NUMBER ONE.

On page 2 of the printed bill, strike out lines 31 to 36, inclusive, and insert in lieu thereof the following: "Applications and permits shall be uniform throughout the state upon forms prescribed by the division of criminal identification and investigation."

Amendment adopted.

AMENDMENT NUMBER TWO.

On page 2, lines 48 and 49, of the printed bill, strike out "the attorney general", and insert in lieu thereof the following: "him".

Amendment adopted.

AMENDMENT NUMBER THREE.

On page 2, lines 50 and 51, of the printed bill, strike out "within the political subdivision", and insert in lieu thereof the following: "at the place".

Amendment adopted.

Bill read second time, ordered to print, and on file for third reading.

Assembly Bill No. 1538—An act to amend section 142 of the Code of Civil Procedure, relating to superior court.

COMMITTEE AMENDMENTS.

During the second reading of the bill, the following committee amendments were offered:

AMENDMENT NUMBER ONE.

On page 1, line 14, of the printed bill, strike out the comma after "city", as it appears the second time in said line.

Amendment adopted.

AMENDMENT NUMBER TWO.

On page 2, line 24, of the printed bill, strike out "Sec. 3", and insert in lieu thereof the following: "Sec. 2".

Amendment adopted.

AMENDMENT NUMBER THREE.

On page 2, line 25, of the printed bill, strike out the comma after "as", in said line and insert a comma after "statutes", in said line.

Amendment adopted.

Bill read second time, ordered to print, and on file for third reading.

ADJOURNMENT.

At eleven o'clock and fifty minutes p.m., on motion of Senator Breed, the President declared the Senate adjourned until ten o'clock a.m., Thursday, May 14, 1931.

HAROLD J. POWERS, Minute Clerk.

IN SENATE.

SENATE CHAMBER,
SACRAMENTO, Thursday, May 14, 1931.

The Senate met at ten o'clock a.m.

Lieutenant Governor Frank F. Merriam, President of the Senate, in the chair.

Secretary Joseph A. Beek at the desk.

ROLL CALL.

The roll was called, and the following answered to their names:

Senators Allen, Baker, Breed, Bush, Carter, Cassidy, Christian, Cleveland, Clock, Crittenden, Deuel, Duval, Edwards, Evans, Fellom, Harper, Hays, Ingels, Inman, Jones, Maloney, McCormack, McKinley, Mixer, Moran, Nelson, Pedrotti, Rich, Riley, Rochester, Schottky, Sharkey, Slater, Swing, Treacy, Tubbs, Wagy, and Williams—38.

Quorum present.

PRAYER.

Prayer was offered by the Chaplain, Rev. Sherman L. Divine.

READING OF THE JOURNAL.

During the reading of the Journal of Wednesday, May 13, 1931, the further reading was dispensed with, on motion of Senator Slater.

PRIVILEGE OF FLOOR OF SENATE EXTENDED.

On request of Senator McKinley, the privilege of the floor of the Senate Chamber for this day was unanimously extended to Bernice Hemenway of Sacramento.

MESSAGES FROM THE ASSEMBLY.

The following message from the Assembly was received and read:

ASSEMBLY CHAMBER, SACRAMENTO, May 13, 1931.

MR. PRESIDENT: I am directed to inform your honorable body that the Assembly respectfully requests the return of Senate Bill No. 80, due to a notice of reconsideration having been given after the transmittal of Senate Bill No. 80 to your honorable body.

ARTHUR A. OHNIMUS, Chief Clerk.
By C. W. BOOTH, Assistant Clerk.

Senate Bill No. 80 ordered returned to the Assembly.

CONSIDERATION OF DAILY FILE.

THIRD READING OF ASSEMBLY BILLS.

Assembly Bill No. 1288—An act to revise title XII of part IV of division I of the Civil Code, embracing sections 593 to 606, inclusive, relating to nonprofit corporations.

Bill read third time.

The question being on the passage of the bill.

The roll was called.

CALL OF THE SENATE.

Pending the announcement of the vote, Senator McKinley moved a call of the Senate.

Motion carried.

The Secretary was directed to call the roll.

The roll was called, and the following answered to their names:

Senators Allen, Baker, Christian, Crittenden, Deuel, Evans, Fellom, Harper, Hays, McKinley, Mixter, Riley, Rochester, Schottky, Treacy, and Wagye—16.

The Secretary announced the absentees.

Time ten o'clock and nine minutes a.m.

The President directed the Sergeant-at-Arms to close the doors.

The Sergeant-at-Arms, having been furnished with the names of the absentees, was directed to bring them to the bar of the Senate.

PROCEEDINGS UNDER CALL OF THE SENATE.

Assembly Bill No. 278—An act to amend section 193 of the Code of Civil Procedure, relating to justices of the peace, justices' courts and to salaries of certain justices of the peace.

Bill read third time.

MOTION TO REFER TO SPECIAL COMMITTEE OF ONE.

During third reading of the bill, Senator Christian moved to refer Assembly Bill No. 278 to Senator Breed, as a Special Committee of One, to amend as follows:

AMENDMENT NUMBER ONE.

On page 2, line 19, of the printed bill, strike out the word "six", and insert in lieu thereof the following: "four".

AMENDMENT NUMBER TWO.

On page 2, line 20, of the printed bill, strike out the semicolon and the balance of line 20, and strike out all of lines 21 to 31, inclusive, and in line 32, strike out the word "salary".

Motion carried.

REPORT OF SPECIAL COMMITTEE OF ONE.

SENATE CHAMBER, SACRAMENTO, May 14, 1931.

MR. PRESIDENT: Your Special Committee of One, to which was referred Assembly Bill No. 278, with instructions to amend, respectfully reports the same back, amended as per instructions.

BREED, Committee.

Report read, and on motion of Senator Christian adopted.

Bill ordered to print.

Assembly Bill No. 1091—An act to amend section 4014 of the Political Code, relating to justices of the peace.

Bill read third time.

MOTION TO REFER TO SPECIAL COMMITTEE OF ONE.

During third reading of the bill, Senator Christian moved to refer Assembly Bill No. 1091 to Senator Breed, as a Special Committee of One, to amend as follows:

AMENDMENT NUMBER ONE.

On page 1, line 12, of the printed bill, strike out the word "and", and strike out all of lines 13 to 16, inclusive.

Motion carried.

REPORT OF SPECIAL COMMITTEE OF ONE.

SENATE CHAMBER, SACRAMENTO, May 14, 1931.

MR. PRESIDENT: Your Special Committee of One, to which was referred Assembly Bill No. 1091, with instructions to amend, respectfully reports the same back, amended as per instructions.

BREED, Committee.

Report read, and on motion of Senator Christian adopted.

Bill ordered to print.

Assembly Bill No. 1092—An act to amend section 103c of the Code of Civil Procedure, providing for justice's clerks and deputy clerks.

Bill read third time.

MOTION TO REFER TO SPECIAL COMMITTEE OF ONE.

During third reading of the bill, Senator Christian moved to refer Assembly Bill No. 1092 to Senator Breed, as a Special Committee of One, to amend as follows:

AMENDMENT NUMBER ONE.

On page 2, line 42, of the printed bill, strike out "six hundred".

AMENDMENT NUMBER TWO.

On page 2, line 44, of the printed bill, strike out the word "four", and insert in lieu thereof: "one".

AMENDMENT NUMBER THREE.

On page 2, line 44, of the printed bill, insert after the word "hundred", the word "sixty".

AMENDMENT NUMBER FOUR.

On page 2, line 50, of the printed bill, strike out the word "three", and insert in lieu thereof the word "two".

AMENDMENT NUMBER FIVE.

On page 2, line 50, of the printed bill, strike out the word "six", and insert in lieu thereof the word "seven".

AMENDMENT NUMBER SIX.

On page 2, line 51, of the printed bill, strike out the word "two", and insert in lieu thereof the word "one".

AMENDMENT NUMBER SEVEN.

On page 2, line 51, of the printed bill, strike out the letter "s", at the end of the word "clerks".

AMENDMENT NUMBER EIGHT.

On page 2, line 52, of the printed bill, strike out the word "four", and insert in lieu thereof the word "one".

AMENDMENT NUMBER NINE.

On page 2, line 52, of the printed bill, insert after the word "hundred", the word "sixty".

AMENDMENT NUMBER TEN.

On page 3, line 1, of the printed bill, strike out the letter "s", at the end of the word "clerks".

AMENDMENT NUMBER ELEVEN.

On page 3, line 3, of the printed bill, strike out the word "who".

AMENDMENT NUMBER TWELVE.

On page 3, line 10, of the printed bill, strike out the semicolon and the balance of the line, and insert in lieu thereof a period and the following as a new paragraph: "In townships hav-".

AMENDMENT NUMBER THIRTEEN.

On page 3, line 11, of the printed bill, strike out the word "thirty", and insert in lieu thereof "thirty-five".

AMENDMENT NUMBER FOURTEEN.

On page 3 of the printed bill, strike out lines 20 and 21, and insert in lieu thereof the following: "said justice's clerk is hereby fixed at one thousand eight hundred dollars per annum payable in equal monthly".

AMENDMENT NUMBER FIFTEEN.

On page 3 of the printed bill, insert after line 25, the following:

"In townships having a population of more than thirty thousand and less than thirty-five thousand each justice of the peace shall appoint one justice's clerk who shall perform such duties as are required of him by law and such justice of the peace making the appointment. The salary of such justice's clerk is hereby fixed at two thousand one hundred dollars per annum, payable in equal monthly installments out of the same fund and in the same manner and at the same time as the salary of the justices of the peace are paid."

Motion carried.

REPORT OF SPECIAL COMMITTEE OF ONE.

SENATE CHAMBER, SACRAMENTO, May 14, 1931.

MR. PRESIDENT: Your Special Committee of One, to which was referred Assembly Bill No. 1092, with instructions to amend, respectfully reports the same back, amended as per instructions.

BREED, Committee.

Report read, and on motion of Senator Christian adopted.

Bill ordered to print.

Assembly Bill No. 1093—An act amending section 103 of the Code of Civil Procedure, relating to justices' courts in townships and cities.

Bill read third time.

MOTION TO REFER TO SPECIAL COMMITTEE OF ONE.

During third reading of the bill, Senator Christian moved to refer Assembly Bill No. 1093 to Senator Breed, as a Special Committee of One, to amend as follows:

AMENDMENT NUMBER ONE.

On page 2, line 23, of the printed bill, strike out the semicolon and the rest of the line, and strike out all of lines 24 to 39, inclusive.

AMENDMENT NUMBER TWO.

On page 2 of the printed bill, strike out lines 49 to 52, inclusive, and on page 3, strike out lines 1 to 14, inclusive, and insert in lieu thereof the following: "two hundred thousand, six thousand dollars per annum: in townships having a population of one hundred thousand and less than two hundred thousand, four thousand dollars per annum; in townships having a population of thirty-five thousand and less than fifty thousand, three thousand three hundred dollars per annum; in townships having a population of thirty thousand and less than thirty-five thousand, three thousand three hundred dollars per annum; in townships having a population of less than thirty thousand, two thousand seven hundred dollars per annum."

AMENDMENT NUMBER THREE.

On page 4, line 12, of the printed bill, strike out the word "six", and insert in lieu thereof the following: "four".

AMENDMENT NUMBER FOUR.

On page 4, line 16, of the printed bill, strike out "where there is a police court or", and strike out all of lines 17 to 22, inclusive, and insert in lieu thereof the following: "shall receive a salary of four thousand".

Motion carried.

REPORT OF SPECIAL COMMITTEE OF ONE.

SENATE CHAMBER, SACRAMENTO, May 14, 1931.

MR. PRESIDENT: Your Special Committee of One, to which was referred Assembly Bill No. 1093, with instructions to amend, respectfully reports the same back, amended as per instructions.

BREED, Committee.

Report read, and on motion of Senator Christian adopted.

Bill ordered to print.

Assembly Bill No. 750—An act to amend sections 737*d*, 737*r*, 737*cc*, 737*ec*, 737*ff*, 737*tt*, 737*yy*, 737*fff*, 737*l*, 737*v*, and 737*x* of the Political Code, relating to salaries of judges of the superior court.

Bill read third time.

MOTION TO REFER TO SPECIAL COMMITTEE OF ONE.

During third reading of the bill, Senator Cassidy moved to refer Assembly Bill No. 750 to Senator Wagy, as a Special Committee of One, to amend as follows:

AMENDMENT NUMBER ONE.

In line 3 of the title of the printed bill, strike out "737*cc*,".

AMENDMENT NUMBER TWO.

On page 1 of the printed bill, strike out lines 9 to 12, inclusive.

AMENDMENT NUMBER THREE.

On page 1, line 13, of the printed bill, after "Sec.", strike out "4", and insert "3".

AMENDMENT NUMBER FOUR.

On page 1, line 17, of the printed bill, after "Sec.", strike out "5", and insert "4".

AMENDMENT NUMBER FIVE.

On page 2, line 1, of the printed bill, after "Sec.", strike out "6", and insert "5"

AMENDMENT NUMBER SIX.

On page 2, line 6, of the printed bill, after "Sec.", strike out "7", and insert "6".

AMENDMENT NUMBER SEVEN.

On page 2, line 11, of the printed bill, after "Sec.", strike out "8", and insert "7"

AMENDMENT NUMBER EIGHT.

On page 2, line 16, of the printed bill, after "Sec.", strike out "9", and insert "8"

AMENDMENT NUMBER NINE.

On page 2, line 20, of the printed bill, after "Sec.", strike out "10", and insert "9"

AMENDMENT NUMBER TEN.

On page 2, line 24, of the printed bill, after "Sec.", strike out "11", and insert "10".

Motion carried.

REPORT OF SPECIAL COMMITTEE OF ONE.

SENATE CHAMBER, SACRAMENTO, May 14, 1931.

MR. PRESIDENT: Your Special Committee of One, to which was referred Assembly Bill No. 750, with instructions to amend, respectfully reports the same back, amended as per instructions.

WAGY, Committee.

Report read, and on motion of Senator Cassidy adopted.
Bill ordered to print.

REPORTS OF STANDING COMMITTEES.

The following reports of standing committees were received and read:

ON CONSTITUTIONAL AMENDMENTS.

SENATE CHAMBER, SACRAMENTO, May 14, 1931.

MR. PRESIDENT: Your Committee on Constitutional Amendments, to which was referred Assembly Constitutional Amendment No. 1—A resolution to propose to the people of the State of California, an amendment to the constitution of said State by amending section 23 of article VI, thereof, relating to the qualification of judges—has had the same under consideration, and respectfully reports the same back, and recommends that it be adopted.

(Signed out)

ALLEN, Chairman.
CRITTENDEN.
EVANS.
McCORMACK.
MIXTER.
ROCHESTER.

Assembly Constitutional Amendment No. 1 ordered on file.

ON MUNICIPAL CORPORATIONS.

SENATE CHAMBER, SACRAMENTO, May 14, 1931.

MR. PRESIDENT: Your Committee on Municipal Corporations, to which was referred Assembly Bill No. 1356—An act to amend an act entitled "An act providing for the organization of water districts by the board of supervisors of the different counties of the State upon petition therefor by the landowners; providing for the joint government and control thereof by the landowners thereof and the board of supervisors of the county in which the same are formed; providing for the duties in connection therewith of the county officials of each county in which any of the lands contained in said district are located; providing for the acquisition and construction by said district of irrigation works, for the irrigation of the lands embraced therein and for the distribution thereby of water for irrigation purposes; providing for the payment of the debts thereof by a tax levied on the lands embraced therein; providing for the issuance and sale of bonds thereby; providing for the transfer of the properties of such districts to any reclamation, drainage or irrigation project and the extension of contracts providing for such transfer in exchange for the right to receive and use water; providing for the approval of the California Bond Certification Commission of such contracts or transfers; providing that said bonds and contracts or transfers may be investigated by the California Bond Certification Commission; providing for the approval of said bonds and such transfers, or contracts providing therefor by the California Bond Certification Commission in case said investigation is favorably reported and that thereafter said bonds may be lawfully purchased, or received in pledge as security for any money or deposit or for the performance of any act, by banks, banking institutions, insurance companies, trust companies, guardians, executors, administrators and special administrators; providing in certain cases for the transfer of districts from the supervision of one county board of supervisors to another; providing for the dissolution of said districts for nonuser of corporate power; and providing for the annexation of lands to and the exclusion of lands from such districts," approved June 13, 1913, as amended, by amending section 1a thereof to repeal the provision permitting a water district to be organized within the boundaries of an irrigation district—has had the same under consideration, and respectfully reports the same back, and recommends that it do pass.

Committee membership—10; committee vote: Ayes—9; absent—1.

HARPER, Chairman.

SECOND READING OF ASSEMBLY BILL NUMBER ONE THOUSAND THREE HUNDRED FIFTY-SIX.

Assembly Bill No. 1356—An act to amend an act entitled "An act providing for the organization of water districts by the board of supervisors of the different counties of the State upon petition therefor by the landowners; providing for the joint government and control thereof by the landowners thereof and the board of supervisors of the county in which the same are formed; providing for the duties in connection therewith of the county officials of each county in which any of the lands contained in said district are located; providing for the acquisition and construction by said district of irrigation works, for the irrigation of the lands embraced therein and for the distribution thereby of water for irrigation purposes; providing for the payment of the debts thereof by a tax levied on the lands embraced therein; providing for the issuance and sale of bonds thereby; providing for the transfer of the properties of such districts to any reclamation, drainage or irrigation project and the extension of contracts providing for such transfer in exchange for the right to receive and use water; providing for the approval of the California Bond Certification Commission of such contracts or transfers; providing that said bonds and contracts or transfers may be investigated by the California Bond Certification Commission; providing for the approval of said bonds and such transfers, or contracts providing therefor by the California Bond Certification Commission in case said investigation is favorably reported and that thereafter said bonds may be lawfully purchased, or received in pledge as security for any money or deposits or for the

performance of any act by banks, banking institutions, insurance companies, trust companies, guardians, executors, administrators and small shareholders; providing in certain cases for the transfer of certain funds for the support of the money fund of supervisors to another; providing for the dissolution of said districts for nonuser of corporate powers; and providing for the annexation of lands to and the exclusion of lands from said districts." approved June 13, 1913, as amended, by amending section 12 thereof to read the provision pertaining to money fund, to be organized within the boundaries of an independent district.

Bill read second time, and ordered on file for third reading.

SENATE, IN SENATE CHAMBERS.—(P. 100)

The following record of standing orders was received and read:
IN SENATE CHAMBERS.

SINAIY JOURNAL, SACRAMENTO, May 14, 1931.

By MESSAGE, Your Committee on Municipal Institutions, to which was referred Assembly Bill No. 229, "An act to amend sections 1, 4, and 5 and to add section 5a to the act entitled 'An act to provide for the formation, management, extension of boundaries and dissolution of water improvement districts in unincorporated territory of counties, defining the duties of such districts and providing for the levy and collection of taxes to defray the expenses thereof,' approved May 16, 1927, Statutes of 1927, page 1988, relating to water improvement districts."

SEN. JOURNAL, Bill No. 229.—An act to amend sections 1, 4, and 5 and to add section 5a to the act to provide for the formation, management, extension of boundaries and dissolution of water improvement districts in unincorporated territory of counties, defining the duties of such districts and providing for the levy and collection of taxes to defray the expenses thereof."

SEN. JOURNAL, Bill No. 229.—An act to amend sections 1, 2, 3, 4, 5, and 7, and to add two new sections to be entitled 6a and 7a to an act entitled "An act providing for the extension of boundaries and dissolution of water improvement districts in unincorporated territory of counties, defining the duties of such districts, defining the powers of such districts, and providing for the levy and collection of taxes to defray the expenses thereof," approved April 27, 1929, as amended, relating to water improvement districts."

SEN. JOURNAL, Bill No. 229.—An act to provide for the extension, management, extension and control of water districts and other municipal agencies within boundaries, and providing a method for the assessment of the taxes and charges thereof, authorizing the supervisors to contract or otherwise procure and providing for the establishment of a rate board, and describing the same, and fixing the jurisdiction."

SEN. JOURNAL, Bill No. 229.—An act to provide for the extension, management, extension and control of water districts and other municipal agencies within boundaries, and providing a method for the assessment of the taxes and charges thereof, authorizing the supervisors to contract or otherwise procure and providing for the establishment of a rate board, and describing the same, and fixing the jurisdiction."

SEN. JOURNAL, Bill No. 229.—An act to provide for the extension, management, extension and control of water districts and other municipal agencies within boundaries, and providing a method for the assessment of the taxes and charges thereof, authorizing the supervisors to contract or otherwise procure and providing for the establishment of a rate board, and describing the same, and fixing the jurisdiction."

SEN. JOURNAL, Bill No. 229.—An act to provide for the extension, management, extension and control of water districts and other municipal agencies within boundaries, and providing a method for the assessment of the taxes and charges thereof, authorizing the supervisors to contract or otherwise procure and providing for the establishment of a rate board, and describing the same, and fixing the jurisdiction."

SENATE JOURNAL OF ASSOCIATED BILLS.—(P. 100)

Assembly Bill No. 229.—An act to amend sections 1, 4, and 5 and to add section 5a to the act entitled "An act to provide for the formation, management, extension of boundaries and dissolution of water improvement districts in unincorporated territory of counties, defining the duties of such districts and providing for the levy and collection of taxes to defray the expenses thereof," approved May 16, 1927, Statutes of 1927, page 1988, relating to water improvement districts."

Bill read second time, and ordered on file for third reading.

Assembly Bill No. 229.—An act to amend sections 1, 2, 3, 4, 5, and 7, and to add two new sections to be entitled 6a and 7a to an act entitled "An act providing for the extension of boundaries and dissolution of water improvement districts in unincorporated territory of counties, defining the duties of such districts, defining the powers of such districts, and providing for the levy and collection of taxes to defray the expenses thereof," approved April 27, 1929, as amended, relating to water improvement districts."

Bill read second time, and ordered on file for third reading.

Assembly Bill No. 229.—An act to amend sections 1, 2, 3, 4, 5, and 7, and to add two new sections to be entitled 6a and 7a to an act entitled "An act providing for the extension of boundaries and dissolution of water improvement districts in unincorporated territory of counties, defining the duties of such districts, defining the powers of such districts, and providing for the levy and collection of taxes to defray the expenses thereof," approved April 27, 1929, as amended, relating to water improvement districts."

Bill read second time, and ordered on file for third reading.

Assembly Bill No. 1348—An act to provide for the planting, protection, maintenance and removal of trees, shrubs and other ornamental vegetation within municipalities, and providing a method for the assessment of the costs and expenses thereof, authorizing the municipality to contribute to the cost thereof, and providing for the establishment of a city forester, and describing his duties, and fixing his compensation.

Bill read second time, and ordered on file for third reading.

REPORTS OF STANDING COMMITTEES—(RESUMED).

The following report of standing committee was received and read:
ON MUNICIPAL CORPORATIONS.

SENATE CHAMBER, SACRAMENTO, May 14, 1931.

MR. PRESIDENT: Your Committee on Municipal Corporations, to which was referred Assembly Bill No. 1363—An act to amend the title and section 1 of the County Improvement Act of 1921, as amended, relating to improvement work in another county, or in any city and county, under the provisions of the act;

Also: Assembly Bill No. 1939—An act to enable counties to rent equipment for, or contract for the maintenance, construction or repair of, street and road work in incorporated cities and towns;

Has had the same under consideration, and respectfully reports the same back, and recommends that they do pass.

Committee membership—10; committee vote: Ayes—9; absent—1.

HARPER, Chairman.

SECOND READING OF ASSEMBLY BILLS—(RESUMED).

Assembly Bill No. 1363—An act to amend the title and section 1 of the County Improvement Act of 1921, as amended, relating to improvement work in another county, or in any city and county, under the provisions of the act.

Bill read second time, and ordered on file for third reading.

Assembly Bill No. 1939—An act to enable counties to rent equipment for, or contract for the maintenance, construction or repair of, street and road work in incorporated cities and towns.

Bill read second time, and ordered on file for third reading.

REPORTS OF STANDING COMMITTEES—(RESUMED).

The following report of standing committee was received and read:
ON MUNICIPAL CORPORATIONS.

SENATE CHAMBER, SACRAMENTO, May 14, 1931.

MR. PRESIDENT: Your Committee on Municipal Corporations, to which was referred Assembly Bill No. 1192—An act to amend the title and section 1 of an act entitled "An act to enable municipal corporations of the sixth class to elect officers," approved March 14, 1885, to extend the provisions of the act to cover municipal corporations of the fifth class, and to provide for the calling of an election in the event a freeholders charter of such corporations be declared unconstitutional;

Also: Assembly Bill No. 1230—An act to add a new section to be numbered section 752d to, and to amend section 760 of an act entitled "An act to provide for the organization, incorporation and government of municipal corporations," approved March 13, 1883, as amended, relating to the calling of a special election for the election of officers of municipalities of the fifth class;

Has had the same under consideration, and respectfully reports the same back with amendments, and recommends that the amendments be adopted, and that they do pass as amended.

Committee membership—10; committee vote: Ayes—9; absent—1.

HARPER, Chairman.

SECOND READING OF ASSEMBLY BILLS—(RESUMED).

Assembly Bill No. 1192—An act to amend the title and section 1 of an act entitled "An act to enable municipal corporations of the sixth class to elect officers," approved March 14, 1885, to extend the provisions of the act to cover municipal corporations of the fifth class, and to provide for the calling of an election in the event a freeholders charter of such corporations be declared unconstitutional.

COMMITTEE AMENDMENTS.

During the second reading of the bill, the following committee amendments were offered:

AMENDMENT NUMBER ONE.

On page 1, line 18, of the printed bill, strike out "unconstitutional", and insert in lieu thereof the following: "invalid".

Amendment adopted.

AMENDMENT NUMBER TWO.

On page 2, line 8, of the printed bill, strike out "----- five per cent of all", and insert in lieu thereof the following: "seventy-five".

Amendment adopted.

Bill read second time, ordered to print, and on file for third reading.

Assembly Bill No. 1230—An act to add a new section to be numbered section 752*d* to, and to amend section 760 of an act entitled "An act to provide for the organization, incorporation and government of municipal corporations," approved March 13, 1883, as amended, relating to the calling of a special election for the election of officers of municipalities or the fifth class.

COMMITTEE AMENDMENT.

During the second reading of the bill, the following committee amendment was offered:

AMENDMENT NUMBER ONE.

On page 2, line 22, of the printed bill, insert after "called", the following: "by the board of trustees within thirty days of the filing of a petition signed by twenty-five electors of said corporation,".

Amendment adopted.

Bill read second time, ordered to print, and on file for third reading.

REPORTS OF STANDING COMMITTEES—(RESUMED).

The following report of standing committee was received and read:

ON MUNICIPAL CORPORATIONS.

SENATE CHAMBER, SACRAMENTO, May 14, 1931.

MR. PRESIDENT: Your Committee on Municipal Corporations, to which was referred Assembly Bill No. 1139—An act to amend sections 4, 24, and 26 of, and to add sections 4*a* and 4*b* to an act entitled "The Road District Improvement Act of 1907," Statutes of 1907, page 806, as amended, relating to the assessment of publicly owned property in assessment districts formed under said act—has had the same under consideration, and respectfully reports the same back, and recommends that it do pass.

Committee membership—10; committee vote: Ayes—8; noes—1; absent—1.

HARPER, Chairman.

SECOND READING OF ASSEMBLY BILL NUMBER ONE THOUSAND ONE HUNDRED THIRTY-NINE.

Assembly Bill No. 1139—An act to amend sections 4, 24, and 26 of, and to add sections 4*a* and 4*b* to an act entitled "The Road District Improvement Act of 1907," Statutes of 1907, page 806, as amended, relating to the assessment of publicly owned property in assessment districts formed under said act.

Bill read second time, and ordered on file for third reading.

REPORTS OF STANDING COMMITTEES—(RESUMED).

The following report of standing committee was received and read:

ON MUNICIPAL CORPORATIONS.

SENATE CHAMBER, SACRAMENTO, May 14, 1931.

MR. PRESIDENT: Your Committee on Municipal Corporations, to which was referred Assembly Bill No. 23—An act to amend sections S62*a*, S63, S64, S65 and S70*a* of chapter 49, Statutes of 1883, entitled "An act to provide for the organization,

incorporation, and government of municipal corporations," approved March 13, 1883, as amended, relating to cities and towns of the sixth class;

Also: Assembly Bill No. 184—An act to amend sections 765, 861 and 863 of an act entitled "An act to provide for the organization, incorporation, and government of municipal corporations," approved March 13, 1883, as amended, relating to cities and towns of the fifth and sixth class;

Also: Assembly Bill No. 224—An act to add a new section to be numbered 18a to an act entitled "An act to provide for the laying out, opening, extending, widening, or straightening, in whole or in part, of public highways, roads, streets, squares, lanes, alleys, courts, and places, within municipalities, or within unincorporated territory and one or more municipalities, or lying within two or more municipalities: for the condemnation of property necessary or convenient for such purposes, or of any interest therein, and for the establishment of assessment districts and the assessment of property therein to pay the expense of such improvement, and providing for aid from the county or municipalities toward the expense of such improvement," approved March 24, 1903, Statutes 1903, page 376, as amended;

Also: Assembly Bill No. 225—An act to amend the title and sections 1 and 4 of an act entitled "An act to provide for the laying out, opening, extending, widening, or straightening, in whole or in part, of public streets, avenues, highways, lanes, alleys, courts and places in the unincorporated territories of counties, for the condemnation of property necessary or convenient for such purposes, for the establishment of assessment districts, and the assessment of property therein to pay the expense of such improvements, for the issuance of improvement bonds to represent assessments for the expense of such improvements, and for the effect and enforcement of such bonds," approved May 11, 1923, Statutes 1923, page 308, as amended, and to add section 1a, relating to acquiring and improving roads and highways in counties: Has had the same under consideration, and respectfully reports the same back, and recommends that they do pass.

Committee membership—10; committee vote: Ayes—9; absent—1.

HARPER, Chairman.

SECOND READING OF ASSEMBLY BILLS—(RESUMED).

Assembly Bill No. 23—An act to amend sections 862a, 863, 864, 865 and 870a of chapter 49, Statutes of 1883, entitled "An act to provide for the organization, incorporation, and government of municipal corporations," approved March 13, 1883, as amended, relating to cities and towns of the sixth class.

Bill read second time, and ordered on file for third reading.

Assembly Bill No. 184—An act to amend sections 765, 861 and 863 of an act entitled "An act to provide for the organization, incorporation, and government of municipal corporations," approved March 13, 1883, as amended, relating to cities and towns of the fifth and sixth class.

Bill read second time, and ordered on file for third reading.

Assembly Bill No. 224—An act to add a new section to be numbered 18a to an act entitled "An act to provide for the laying out, opening, extending, widening, or straightening, in whole or in part, of public highways, roads, streets, squares, lanes, alleys, courts, and places, within municipalities, or within unincorporated territory and one or more municipalities, or lying within two or more municipalities; for the condemnation of property necessary or convenient for such purposes, or of any interest therein, and for the establishment of assessment districts and the assessment of property therein to pay the expense of such improvement, and providing for aid from the county or municipalities toward the expense of such improvement," approved March 24, 1903, Statutes 1903, page 376, as amended.

Bill read second time, and ordered on file for third reading.

Assembly Bill No. 225—An act to amend the title and sections 1 and 4 of an act entitled "An act to provide for the laying out, opening, extending, widening, or straightening, in whole or in part, of public streets, avenues, highways, lanes, alleys, courts and places in the unincorporated territories of counties, for the condemnation of property

necessary or convenient for such purposes, for the establishment of assessment districts, and the assessment of property therein to pay the expense of such improvements, for the issuance of improvement bonds to represent assessments for the expense of such improvements, and for the effect and enforcement of such bonds." approved May 11, 1923, Statutes 1923, page 308, as amended, and to add section 1a, relating to acquiring and improving roads and highways in counties.

Bill read second time, and ordered on file for third reading.

REPORTS OF STANDING COMMITTEES—(RESUMED)

The following report of standing committee was received and read:

ON MOTOR VEHICLES.

SENATE CHAMBER, SACRAMENTO, May 13, 1931.

MR. PRESIDENT: Your Committee on Motor Vehicles, to which was referred Assembly Bill No. 914—An act to amend section 360c of the Political Code, relating to the appointment of inspectors, captains, traffic officers and clerks in the Division of Enforcement of the Department of Motor Vehicles—has had the same under consideration, and respectfully reports the same back, and recommends that it be sent out without recommendation.

(Committee membership—17.

(Signed out)

BAKER, Chairman.
CASSIDY.
CLEVELAND.
CRITTENDEN.
INMAN.
MALONEY.
PEDROTTI.
WAGY.
WILLIAMS.

SECOND READING OF ASSEMBLY BILL NUMBER NINE HUNDRED FOURTEEN

Assembly Bill No. 914—An act to amend section 360c of the Political Code, relating to the appointment of inspectors, captains, traffic officers and clerks in the Division of Enforcement of the Department of Motor Vehicles.

Bill read second time, and ordered on file for third reading.

MESSAGES FROM THE ASSEMBLY.

The following messages from the Assembly were received and read:

ASSEMBLY CHAMBER, SACRAMENTO, May 12, 1931.

MR. PRESIDENT: I am directed to inform your honorable body that the Assembly on this day respectfully refused to concur in Senate amendments to Assembly Bill No. 354—An act to amend section 24 of chapter 690, Statutes of 1913, entitled "An act to provide for and regulate primary elections, and providing a method for choosing the delegates for political parties to State conventions and for nominating electors of President and Vice President of the United States, and providing for the election of party county central committees, and to repeal an act approved April 7, 1911, known as the Direct Primary Law, and also to repeal an act approved December 24, 1911, amending sections 1, 3, 5, 7, 10, 12, 13, 22, 23, and 24 of the said Direct Primary Law, and also to repeal all other acts or parts of acts inconsistent with or in conflict with the provisions of this act," approved June 16, 1913, as amended, relating to party conventions, membership and organization of State central committees and county central committees and requests that your honorable body recede therefrom.

ARTHUR A. OHNIMUS, Chief Clerk.
By C. W. BOOTH, Assistant Clerk.

The question being: Shall the Senate recede from Senate amendments to Assembly Bill No. 354?

The roll was called, and the Senate refused to recede from Senate amendments to Assembly Bill No. 354 by the following vote:

AYES None.

NOES Senators Allen, Baker, Cassidy, Christian, Crittenden, Deuel, Evans, Harper, Hays, Maloney, McCormack, McKinley, Mixer, Moran, Pedrotti, Rich, Riley, Rochester, Schottky, Treacy, Wagdy, and Williams—22.

Also:

ASSEMBLY CHAMBER, SACRAMENTO, May 13, 1931.

MR. PRESIDENT: I am directed to inform your honorable body that the Assembly on this day respectfully refused to concur in Senate amendments to Assembly Bill No. 1690—An act to add a new section to the Penal Code to be numbered 648a, relating to circulating slugs of the same dimension as United States coins—and requests that your honorable body recede therefrom.

ARTHUR A. OHNIMUS, Chief Clerk.
By C. W. BOOTH, Assistant Clerk.

The question being: Shall the Senate recede from Senate amendments to Assembly Bill No. 1690?

The roll was called, and the Senate refused to recede from Senate amendments to Assembly Bill No. 1690 by the following vote:

AYES—None.

NOES—Senators Allen, Baker, Bush, Christian, Crittenden, Deuel, Edwards, Evans, Fellom, Harper, Hays, Ingels, Maloney, McKinley, Mixer, Moran, Pedrotti, Riley, Rochester, Sharkey, Slater, Treacy, Tubbs, Wagy, and Williams—25.

APPOINTMENT OF COMMITTEE ON FREE CONFERENCE.

The President announced the appointment of Senators Ingels, Tubbs and Bush, as a Committee on Free Conference, to meet with a like committee from the Assembly to consider amendments to Assembly Bill No. 354.

APPOINTMENT OF COMMITTEE ON FREE CONFERENCE.

The President announced the appointment of Senators Crittenden, Riley and Slater, as a Committee on Free Conference, to meet with a like committee from the Assembly to consider amendments to Assembly Bill No. 1690.

The Secretary was directed to notify the Assembly of the Senate appointment of Committees on Free Conference.

Also:

ASSEMBLY CHAMBER, SACRAMENTO, May 13, 1931.

MR. PRESIDENT: I am directed to inform your honorable body that the Assembly on this day respectfully refused to concur in Senate amendments to Assembly Bill No. 298—An act to amend section 4266 and to repeal section 4264a of the Political Code, relating to the salaries of county officers of counties of the thirty-seventh class—and requests that your honorable body recede therefrom.

ARTHUR A. OHNIMUS, Chief Clerk.
By C. W. BOOTH, Assistant Clerk.

The question being: Shall the Senate recede from Senate amendments to Assembly Bill No. 298?

The roll was called, and the Senate refused to recede from Senate amendments to Assembly Bill No. 298 by the following vote:

AYES—None.

NOES—Senators Allen, Baker, Bush, Christian, Crittenden, Deuel, Edwards, Evans, Fellom, Harper, Hays, Ingels, McKinley, Moran, Nelson, Pedrotti, Riley, Rochester, Schottky, Slater, Swing, Treacy, Tubbs, Wagy, and Williams—25.

COMMITTEE ON FREE CONFERENCE APPOINTED.

The President announced the appointment of Senators Allen, Clock and Schottky, as a Committee on Free Conference, to meet with a like committee from the Assembly for the consideration of Assembly Bill No. 298.

The Secretary was directed to notify the Assembly of the Senate appointment of Committee on Free Conference.

REPORT OF SPECIAL COMMITTEE.

The following report of Special Committee was received, and ordered printed in the Journal:

To the President and Members of the Senate.

On April 1, 1931, the Senate adopted the following resolution, offered by Senator Inman:

"WHEREAS, The State Board of Education has contracted with an eastern book publishing house to publish 300,000 copies of the elementary textbooks; and WHEREAS, The State of California is maintaining a State Printing Plant at the State Capital; and

WHEREAS, It is reported that said textbooks can be produced at a lower cost to the taxpayers of this State at its own printing plant; and

WHEREAS, The removing of this work from California will lead to further unemployment of California citizens; now, therefore, be it

Resolved by the Senate, That a special committee of three Senators be appointed by the President to investigate such action by the State Board of Education, in order that the Senate may be informed of said facts to the end that it may act intelligently upon legislation regarding the matters and things herein set forth and to report its findings at the earliest possible date."

On April 3, 1931, the President appointed as members of such Special Committee, Senator Inman, chairman, Senator Deuel and Senator Swing.

On April 6, 1931, the committee met and organized and adjourned until April 13th. At this meeting it was agreed to ask members of a similar Assembly committee to sit with the Senate committee, and at subsequent meetings Assemblyman Nielsen was present.

On April 13th the committee met and the following persons appeared and testified:

Vierling Kersey, State Superintendent of Schools.

Walter L. Bachrodt, city superintendent of schools, San Jose.

Charles A. Adams, chairman, Textbook Committee of the State Board of Education.

C. L. McLane, president, State Board of Education.

Sam Cohn, Deputy State Superintendent of Schools.

Harry Hammond, State Printer.

On April 20th the final meeting of the committee was held. E. P. Clark, member of the State Board of Education, appeared and testified. Vierling Kersey presented documents asked for at a previous meeting.

Since April 20th no meeting of the committee has been held, nor has the committee been called for the purpose of formulating a report. In view of the language of the resolution the undersigned believes that a report to the Senate should be made, and individually submits the following as his conclusions, after a full consideration of the testimony adduced:

The State printing of textbooks presents two phases: One purely mechanical, the other pertaining to the text or content of the books.

The first may be dismissed with but a few words. The testimony was all to the effect that the State Printing Office is equipped with men and machinery capable of the manufacture of school books that are entirely satisfactory from the printing and binding standpoint.

The second phase, that of securing the best possible content, was in dispute. The educators were a unit in testifying that the superior texts were held under copyright by the book publishing concerns, and that in many instances these concerns refused to lease their plates for State printing. These witnesses also were of the opinion that efforts to have textbooks "written to order" would prove futile.

These premises constitute the background for the controversy leading to the resolution by Senator Inman and the appointment of the Special Committee.

It was alleged that "the State Board of Education has contracted with an eastern book publishing house to publish 300,000 copies of the elementary textbooks." The evidence did not support the allegation. The evidence was to the effect that the Board of Education advertised for proffers for a new music book for the elementary grades. Four firms made proffers and submitted samples. These were, as was the custom, submitted to the curriculum commission, set up by the statutes, for its report. The commission rejected two of the proffers, or books, as unsuitable, and recommended the acceptance of two of the books in what was termed a "split" order—that is, one of the books was found suitable for certain grades, and the other for the remaining grades. In one instance plates under lease agreement were available for use in the State Printing Office; in the other instance, plates could not be

leased, and a tentative order for the printed books was placed, the basic price being upon carload lots. No mention of 300,000 copies was made. But one textbook was under consideration, that of a music book for the elementary grades.

There was no evidence that the action of the Board of Education was irregular or not in accordance with the usual practice. Texts for music books are difficult to secure, but the evidence shows that the Board of Education made every reasonable effort to secure such texts together with plates that might be used in the State Printing Office. The board was able to secure plates for approximately one-half of its requirements, and was compelled to place the order for the remainder of the books with a firm not leasing plates.

There was also evidence to the effect that this was the first instance in many years that such an order had been placed. There was no evidence that the board discriminated against the State Printing Plant, but on the contrary, the board made every endeavor to secure plates for all the printing of this particular textbook.

The inquiry by the committee took a much wider scope than called for in Senator Inman's resolution, and entered into the whole subject of textbook printing by the State. Upon this broad subject the undersigned recognizes no duty to report. That subject was fully covered in the recent report of the California Commission for the Study of Educational Problems.

Respectfully submitted.

CHARLES H. DEUEL, Senator, Sixth District.

CONSIDERATION OF DAILY FILE.

THIRD READING OF ASSEMBLY BILLS—(RESUMED).

Assembly Bill No. 247—An act to amend sections 542*a*, 542*b*, 544 and 560 of the Code of Civil Procedure, relating to attachment.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Assembly Bill No. 247 passed by the following vote:

AYES—Senators Allen, Baker, Breed, Bush, Cassidy, Crittenden, Deuel, Duval, Edwards, Evans, Fellom, Harper, Hays, Ingels, Inman, Maloney, McKinley, Moran, Nelson, Pedrotti, Rich, Riley, Rochester, Schottky, Sharkey, Slater, Swing, Treacy, Tubbs, Wagy, and Williams—31.

NOES—None.

Title read and approved.

Bill ordered transmitted to the Assembly.

Assembly Bill No. 1683—An act to amend sections 3 and 7 of chapter 598, Statutes 1913, entitled "An act to regulate the practice of optometry; to provide for the appointment of a Board of Optometry, define its duties and powers and prescribing a penalty for the violation of this act," approved June 16, 1913, relating to the term of office, renewal period and disposition of fees.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Assembly Bill No. 1683 passed by the following vote:

AYES—Senators Allen, Baker, Breed, Bush, Christian, Clock, Crittenden, Deuel, Duval, Edwards, Evans, Fellom, Harper, Hays, Ingels, Inman, Maloney, McKinley, Moran, Nelson, Pedrotti, Rich, Riley, Rochester, Schottky, Sharkey, Slater, Swing, Treacy, Tubbs, Wagy, and Williams—32.

NOES—None.

Title read and approved.

Bill ordered transmitted to the Assembly.

Assembly Bill No. 1798—An act to amend section 16*x*51 of the Weights and Measures Act, relating to sealers of weights and measures in counties of the fifty-first class.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Assembly Bill No. 1798 passed by the following vote:

AYES—Senators Allen, Baker, Breed, Bush, Carter, Christian, Cleveland, Clock, Crittenden, Deuel, Edwards, Evans, Fellom, Harper, Hays, Ingels, Inman, Maloney, McCormack, McKinley, Mixer, Moran, Nelson, Pedrotti, Rich, Riley, Rochester, Schottky, Sharkey, Slater, Swing, Treacy, Tubbs, Wagy, and Williams—35.

NOES—None.

Title read and approved.

Bill ordered transmitted to the Assembly.

Assembly Bill No. 76—An act to amend sections 2, 4, 5, 13, 14, 16, 22 and 23, and to repeal section 24 of chapter 530, Statutes of 1929, entitled "An act to provide for the protection, welfare and assistance of aged persons in need and resident in the State of California, providing the method therefor, making an appropriation therefor, and prescribing penalties for the violation of the provisions of this act," approved May 28, 1929, and to add thereto new sections to be numbered 2½ and 18½, relating to the protection, welfare and assistance of aged persons in need, and resident in the State of California.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Assembly Bill No. 76 passed by the following vote:

AYES—Senators Allen, Baker, Breed, Bush, Carter, Christian, Cleveland, Clock, Crittenden, Deuel, Edwards, Evans, Fellom, Harper, Hays, Ingels, Inman, Maloney, McCormack, McKinley, Mixer, Moran, Nelson, Rich, Riley, Rochester, Schottky, Sharkey, Slater, Swing, Treacy, Tubbs, Wagy, and Williams—54.

NOES—None.

Title read and approved.

Bill ordered transmitted to the Assembly.

Assembly Bill No. 1013—An act to amend section 3336 of the Civil Code, relating to damages for the wrongful conversion of personal property.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Assembly Bill No. 1013 passed by the following vote:

AYES—Senators Allen, Baker, Breed, Bush, Christian, Cleveland, Clock, Crittenden, Deuel, Duval, Edwards, Evans, Fellom, Harper, Hays, Ingels, Inman, Maloney, McCormack, McKinley, Mixer, Moran, Nelson, Rich, Riley, Rochester, Schottky, Sharkey, Slater, Swing, Treacy, Tubbs, and Williams—33.

NOES—None.

Title read and approved.

Bill ordered transmitted to the Assembly.

Assembly Bill No. 691—An act to add a new section to the Political Code to be known as section 595b, relating to the retirement of corporations from the title insurance business.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Assembly Bill No. 691 passed by the following vote:

AYES—Senators Allen, Baker, Breed, Bush, Christian, Cleveland, Clock, Crittenden, Deuel, Duval, Edwards, Evans, Fellom, Harper, Hays, Ingels, Inman, Maloney, McCormack, McKinley, Mixter, Moran, Nelson, Rich, Riley, Rochester, Schottky, Slater, Swing, Treacy, Tubbs, Wagy, and Williams—33.

NOES—None.

Title read and approved.

Bill ordered transmitted to the Assembly.

Assembly Constitutional Amendment No. 22—A resolution to propose to the people of the State of California, an amendment to the constitution of said State by amending sections 4 and 5 of article XI thereof, relative to county government.

Amendment read.

The question being on the adoption of the amendment.

The roll was called, and Assembly Constitutional Amendment No. 22 refused adoption by the following vote:

AYES—Senators Cassidy, Duval, Evans, Harper, Maloney, McKinley, Nelson, Wagy, and Williams—9.

NOES—Senators Allen, Bush, Christian, Cleveland, Clock, Crittenden, Deuel, Edwards, Fellom, Ingels, Jones, McCormack, Moran, Rich, Riley, Rochester, Schottky, Sharkey, Slater, Swing, and Tubbs—21.

Assembly Bill No. 1856—An act to add a new article to be numbered VIIIa embracing sections 2.440a, 2.441a, 2.442a, 2.443a, 2.444a, 2.445a, 2.446a, 2.447a, 2.448a, 2.449a, 2.450a, 2.451a, 2.452a, 2.453a, 2.454a, 2.455a, 2.456a, 2.457a, 2.458a, 2.459a, 2.460a, and 2.461a, to chapter VI of part I of division II of the School Code, and to repeal an act entitled "An act providing for the organization of certain elementary or union elementary school districts into high school districts," approved June 18, 1929, all relating to withdrawal of territory from high school districts and formation and government of new high school districts.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Assembly Bill No. 1856 passed by the following vote:

AYES—Senators Allen, Baker, Breed, Bush, Carter, Cassidy, Christian, Cleveland, Clock, Crittenden, Deuel, Duval, Edwards, Evans, Fellom, Harper, Hays, Ingels, Inman, Jones, Maloney, McCormack, McKinley, Moran, Pedrotti, Rich, Riley, Sharkey, Slater, Swing, Treacy, Tubbs, and Williams—33.

NOES—None.

Title read and approved.

Bill ordered transmitted to the Assembly.

ASSEMBLY CONCURRENT RESOLUTION No. 20.

Relative to the maintenance of joint quarantine and motor vehicle examination or registration stations.

WHEREAS, The Department of Agriculture now maintains stations for the inspection of plant life that is brought into the State, while at the same time the Division of Motor Vehicles also operates stations on the highways for the purpose of examining motor vehicles entering or leaving the State; and

WHEREAS, The important work carried on by these departments could better be done if the State agencies operated them jointly; now, therefore, be it

Resolved by the Assembly, the Senate concurring, That the Director of Agriculture and the Chief of the Division of Motor Vehicles be urged to consolidate their operations wherever feasible and that the expense of maintaining buildings be divided between the Department of Agriculture and the Division of Motor Vehicles

in such proportion as the Director of the department and the chief of the division, with the approval of the Department of Finance, shall deem proper; and he it further

Resolved, That the persons vested with the authority of operating these stations be urged to keep them open continuously both day and night and to distribute to each nonresident driver of a motor vehicle entering the State a pamphlet containing a map of this State and the principal State and county highways and their condition, a digest of the Motor Vehicle Laws of importance to visitors in this State and such other information as the Chief of the Division of Motor Vehicles shall deem advisable.

Resolution read.

The question being on the adoption of the resolution.

The roll was called, and Assembly Concurrent Resolution No. 20 adopted by the following vote:

AYES—Senators Allen, Baker, Breed, Bush, Cassidy, Christian, Cleveland, Clack, Crittenden, Deuel, Duval, Edwards, Evans, Fellom, Harper, Hays, Ingels, Jones, Maloney, McCormack, McKinley, Mixter, Moran, Rich, Riley, Schottky, Slater, Swing, Treacy, Tubbs, and Wagy—31.

NOES—None.

Title read and approved.

Assembly Concurrent Resolution No. 20 ordered transmitted to the Assembly.

Assembly Bill No. 397—An act to add two new sections to be numbered 865 and 1532½ to the Probate Code, relating to dedication of real property for street or highway purposes by executors, administrators and guardians.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Assembly Bill No. 397 passed by the following vote:

AYES—Senators Allen, Baker, Breed, Bush, Carter, Cassidy, Christian, Cleveland, Clack, Deuel, Duval, Edwards, Evans, Fellom, Harper, Hays, Ingels, McCormack, McKinley, Mixter, Pedrotti, Rich, Riley, Schottky, Sharkey, Slater, Swing, Treacy, Tubbs, and Wagy—30.

NOES—None.

Title read and approved.

Bill ordered transmitted to the Assembly.

Assembly Bill No. 1550—An act to add a new section to the Political Code to be numbered 2906a and relating to the granting of authority to a city, city and county, person or corporation to construct recreational wharves on certain State lands.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Assembly Bill No. 1550 passed by the following vote:

AYES—Senators Allen, Baker, Bush, Carter, Cassidy, Christian, Crittenden, Deuel, Duval, Edwards, Evans, Fellom, Harper, Hays, Ingels, Inman, Maloney, McCormack, McKinley, Mixter, Moran, Nelson, Pedrotti, Rich, Riley, Schottky, Slater, Swing, Treacy, Tubbs, and Wagy—31.

NOES—None.

Title read and approved.

Bill ordered transmitted to the Assembly.

Assembly Bill No. 1125—An act to amend sections 1, 2, 3, and 4 of, and to add sections 5, 6, 7, 8, 9, 10, 11 and 12 to, chapter 389, Statutes of 1915, entitled "An act providing for the sale of certain State lands," as approved May 19, 1915, relating to State lands.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Assembly Bill No. 1125 passed by the following vote:

AYES—Senators Allen, Baker, Breed, Bush, Cassidy, Crittenden, Deuel, Duval, Edwards, Evans, Fellom, Harper, Hays, Maloney, McKinley, Mixter, Moran, Nelson, Rich, Riley, Schottky, Slater, Swing, Treacy, Tubbs, Waggy, and Williams—27.

NOES—None.

Title read and approved.

Bill ordered transmitted to the Assembly.

Assembly Bill No. 1358—An act to amend section 542 of the Code of Civil Procedure, relating to the method of levying an attachment upon real or personal property.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Assembly Bill No. 1358 passed by the following vote:

AYES—Senators Allen, Baker, Breed, Bush, Cassidy, Christian, Deuel, Evans, Fellom, Hays, Ingels, Inman, Jones, Maloney, McKinley, Mixter, Moran, Nelson, Pedrotti, Rich, Riley, Schottky, Sharkey, Treacy, Tubbs, Waggy, and Williams—27.

NOES—None.

Title read and approved.

Bill ordered transmitted to the Assembly.

Assembly Bill No. 5—An act relating to deer-tight fences and providing for State cooperation in the construction thereof.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Assembly Bill No. 5 passed by the following vote:

AYES—Senators Allen, Baker, Breed, Bush, Cassidy, Christian, Cleveland, Clock, Duval, Evans, Fellom, Harper, Hays, Ingels, Inman, Jones, Maloney, McCormack, Mixter, Moran, Nelson, Pedrotti, Riley, Rochester, Sharkey, Schottky, Swing, Treacy, Tubbs, Waggy, and Williams—31.

NOES—Senators Deuel, and Rich—2.

Title read and approved.

Bill ordered transmitted to the Assembly.

Assembly Bill No. 547—An act to add a new section, to be numbered 5, to chapter 93, Statutes of 1899, entitled "An act requiring the payment into the State treasury of all moneys belonging to the State, received by the various State institutions, commissions, and officers, and directing the disposition of the same," approved March 17, 1899, as amended, relating to the payment of certain State money into the general fund in the State treasury, and abolishing certain special funds.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Assembly Bill No. 547 passed by the following vote:

AYES—Senators Allen, Baker, Breed, Bush, Cassidy, Christian, Cleveland, Crittenden, Deuel, Duval, Evans, Fellom, Harper, Hays, Ingels, Inman, Jones, McCormack, McKinley, Moran, Nelson, Pedrotti, Rich, Rochester, Schottky, Sharkey, Swing, Treacy, Tubbs, Wagz, and Williams—31.

NOES—None.

Title read and approved.

Bill ordered transmitted to the Assembly.

Assembly Bill No. 578—An act making an appropriation to pay the claim of Sarah G. White against the State of California.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Assembly Bill No. 578 passed by the following vote:

AYES—Senators Allen, Baker, Bush, Cassidy, Christian, Cleveland, Deuel, Duval, Edwards, Evans, Fellom, Harper, Hays, Ingels, Inman, Maloney, McCormack, McKinley, Mixer, Moran, Nelson, Rich, Riley, Rochester, Schottky, Sharkey, Slater, Swing, Treacy, Tubbs, Wagz, and Williams—32.

NOES—None.

Title read and approved.

Bill ordered transmitted to the Assembly.

Assembly Bill No. 835—An act making an appropriation to pay the claim of The Atchison, Topeka and Santa Fe Railway Company against the State of California.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Assembly Bill No. 835 passed by the following vote:

AYES—Senators Allen, Baker, Bush, Carter, Cassidy, Christian, Cleveland, Crittenden, Edwards, Evans, Fellom, Harper, Hays, Inman, Maloney, McCormack, McKinley, Mixer, Moran, Nelson, Rich, Riley, Rochester, Slater, Swing, Treacy, Tubbs, and Williams—28.

NOES—Senator Clock—1.

Title read and approved.

Bill ordered transmitted to the Assembly.

Assembly Bill No. 173—An act appropriating money to pay the claim of Yoshio Matsui against the State of California.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Assembly Bill No. 173 passed by the following vote:

AYES—Senators Allen, Baker, Bush, Christian, Cleveland, Clock, Crittenden, Evans, Fellom, Harper, Ingels, Inman, Maloney, McCormack, McKinley, Mixer, Moran, Nelson, Pedrotti, Rich, Riley, Rochester, Schottky, Sharkey, Slater, Swing, Treacy, Tubbs, Wagz, and Williams—30.

NOES—None.

Title read and approved.

Bill ordered transmitted to the Assembly.

Assembly Bill No. 478—An act appropriating money to pay the claim of the disbursing officer of the Division of Highways, State Department of Public Works, against the State of California.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Assembly Bill No. 478 passed by the following vote:

AYES—Senators Allen, Baker, Bush, Cassidy, Christian, Cleveland, Clock, Crittenden, Duval, Edwards, Evans, Fellom, Harper, Ingels, Inman, Maloney, McCormack, McKinley, Mixter, Moran, Nelson, Pedrotti, Rich, Riley, Rochester, Schottky, Sharkey, Slater, Swing, Treacy, Tubbs, Waggy, and Williams—33.

NOES—None.

Title read and approved.

Bill ordered transmitted to the Assembly.

Assembly Bill No. 375—An act to amend section 3629 of the Political Code, relating to the statement of property owned subject to taxation.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Assembly Bill No. 375 passed by the following vote:

AYES—Senators Allen, Baker, Bush, Cassidy, Christian, Cleveland, Clock, Crittenden, Duval, Edwards, Evans, Fellom, Harper, Hays, Ingels, Inman, Maloney, McCormack, McKinley, Mixter, Moran, Nelson, Pedrotti, Rich, Riley, Rochester, Schottky, Sharkey, Slater, Swing, Treacy, Tubbs, Waggy, and Williams—35.

NOES—None.

Title read and approved.

Bill ordered transmitted to the Assembly.

Assembly Bill No. 1089—An act to add to the Penal Code a new section numbered 437, prescribing penalties for nonpayment of certain taxes.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Assembly Bill No. 1089 passed by the following vote:

AYES—Senators Allen, Baker, Breed, Bush, Cassidy, Christian, Cleveland, Clock, Crittenden, Duval, Edwards, Evans, Fellom, Harper, Hays, Inman, Maloney, McCormack, McKinley, Mixter, Moran, Nelson, Pedrotti, Riley, Rochester, Schottky, Sharkey, Slater, Swing, Treacy, Tubbs, Waggy, and Williams—34.

NOES—None.

Title read and approved.

Bill ordered transmitted to the Assembly.

Assembly Bill No. 774—An act to amend section 3805a of the Political Code, relating to cancellation of assessments.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Assembly Bill No. 774 passed by the following vote:

AYES—Senators Allen, Baker, Breed, Carter, Cassidy, Christian, Clock, Crittenden, Duval, Edwards, Evans, Fellom, Harper, Hays, Ingels, Inman, Maloney, McCormack, McKinley, Mixter, Moran, Nelson, Pedrotti, Rich, Riley, Rochester, Schottky, Sharkey, Slater, Swing, Treacy, Tubbs, Waggy, and Williams—35.

NOES—None.

Title read and approved.

Bill ordered transmitted to the Assembly.

Assembly Bill No. 31—An act to amend section 1861a of the Civil Code, relating to liens of keepers of furnished apartment houses and furnished bungalow courts.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Assembly Bill No. 31 refused passage by the following vote:

AYES—Senators Allen, Baker, Breed, Carter, Cassidy, Clock, Crittenden, Edwards, Evans, McKinley, Mixer, Nelson, Pedrotti, Swing, Treacy, and Williams—16.

NOES—Senators Bush, Christian, Cleveland, Deuel, Duval, Fellom, Harper, Hays, Inman, Maloney, McCormack, Moran, Rich, Riley, Rochester, Schottky, Sharkey, Slater, Tubbs, and Wagy—20.

FURTHER PROCEEDINGS UNDER CALL OF THE SENATE DISPENSED WITH.

At twelve o'clock and thirty minutes p.m., further proceedings under the call of the Senate were dispensed with, on motion of Senator McKinley.

The Secretary was directed to call the roll.

The roll was called, and Assembly Bill No. 1288 passed by the following vote:

AYES—Senators Allen, Baker, Breed, Bush, Carter, Cassidy, Christian, Cleveland, Crittenden, Deuel, Edwards, Evans, Fellom, Harper, Hays, Ingels, Inman, Maloney, McCormack, McKinley, Mixer, Moran, Nelson, Pedrotti, Rich, Riley, Rochester, Schottky, Sharkey, Slater, Treacy, Tubbs, Wagy, and Williams—34.

NOES—Senator Clock—1.

Title read and approved.

Bill ordered transmitted to the Assembly.

RECESS.

On motion of Senator Breed, at twelve o'clock and thirty-four minutes p.m., the President of the Senate declared recess until one o'clock thirty minutes p.m.

RECONVENED.

At one o'clock and thirty minutes p.m., the Senate reconvened.

Lieutenant Governor Frank F. Merriam, President of the Senate, in the chair.

Secretary Joseph A. Beck at the desk.

MESSAGES FROM THE ASSEMBLY.

The following messages from the Assembly were received and read:

ASSEMBLY CHAMBER, SACRAMENTO, May 14, 1931.

MR. PRESIDENT: I am directed to inform your honorable body that the Assembly on May 13, 1931, passed Senate Bill No. 227—An act to amend section 1188 of the Political Code, relating to independent nominations.

ARTHUR A. OHNIMUS, Chief Clerk.

By A. W. ENGELKE, Assistant Clerk.

Senate Bill No. 227 ordered to enrollment.

Also:

ASSEMBLY CHAMBER, SACRAMENTO, May 14, 1931.

MR. PRESIDENT: I am directed to inform your honorable body that the Assembly on this day concurred in Senate amendments to Assembly Bill No. 186—An act amending an act entitled "An act to define and regulate the business of banking," approved March 1, 1909, as amended, designated the "Bank Act," by amending section 61, relating to the purchase, holding and sale of real and personal property by savings banks;

Also: Assembly Bill No. 597—An act to regulate the importation and keeping of wild species of birds and animals and providing a penalty for the violation of the provisions hereof;

Also: Assembly Bill No. 513—An act to prevent fraud or misrepresentation in the distribution and sale of gasoline or other motor fuel, distillate, kerosene and lubricating oil; regulating the distribution and sale of such products; defining the powers and duties in relation thereto of the Division of Weights and Measures of the Department of Agriculture, and persons authorized by it, sealers of weights and measures, and their deputies, and other officers; defining "gasoline" and prescribing specifications for products sold or offered for sale as "gasoline"; prescribing penalties for the violation of provisions hereof; and repealing acts and parts of acts inconsistent herewith;

Also: Assembly Bill No. 1384—An act to establish a refuge for the protection of marine animal and plant life.

ARTHUR A. OHNIMUS, Chief Clerk.
By A. W. ENGELKE, Assistant Clerk.

Also:

ASSEMBLY CHAMBER, SACRAMENTO, May 14, 1931.

MR. PRESIDENT: I am directed to inform your honorable body that the Assembly on this day concurred in Senate amendments to Assembly Bill No. 1073—An act to amend sections 5 and 9 of and to add section 18a to the State Civil Service Act, as amended, relating to examinations;

Also: Assembly Bill No. 1151—An act providing for the formation, government and operation of harbor districts, the calling and conducting of elections in such districts of harbor commissioners, defining their powers and duties, and providing for the issuance and disposal of bonds of such harbor districts, and providing for the assessment, levy and collection of taxes for the payment of such bonds and for the ordinary annual expenses of such harbor districts;

Also: Assembly Bill No. 1174—An act to amend section 4190 of the Political Code, relating to establishment and government and the creation of a fund for a Law Library;

Also: Assembly Bill No. 562—An act to amend section 710 of the Code of Civil Procedure, relating to the collection of moneys due from a judgment debtor;

Also: Assembly Bill No. 639—An act to amend section 2980 of the Civil Code, relating to conditional sales contracts;

Also: Assembly Bill No. 1005—An act adding chapter 3 to title IX of part II of the Code of Civil Procedure, consisting of sections 724a to 724e, inclusive, and repealing sections 388 to 393, inclusive, of the Civil Code, relating to the sale of franchises on execution.

ARTHUR A. OHNIMUS, Chief Clerk.
By A. W. ENGELKE, Assistant Clerk.

Also:

ASSEMBLY CHAMBER, SACRAMENTO, May 14, 1931.

MR. PRESIDENT: I am directed to inform your honorable body that the Assembly on this day concurred in Senate amendments to Assembly Bill No. 367—An act to amend section 4244 and to repeal section 4249a of the Political Code, relating to the compensation of county and township officers in counties of the fifteenth class;

Also: Assembly Bill No. 1656—An act to amend section 4235 of the Political Code, relating to compensation of county and township officers in counties of the sixth class.

ARTHUR A. OHNIMUS, Chief Clerk.
By A. W. ENGELKE, Assistant Clerk.

Also:

ASSEMBLY CHAMBER, SACRAMENTO, May 14, 1931.

MR. PRESIDENT: I am directed to inform your honorable body that the Assembly on this day concurred in Senate amendments to Assembly Bill No. 4—Providing for the appointment of a committee to investigate the California State Civil Service Commission and its conduct in the examinations given for State positions;

Also: Assembly Bill No. 1126—An act to amend sections 4 and 6 of chapter 493, Statutes of 1917, entitled "An act providing for the leasing of certain State lands and making an appropriation for the purposes of this act," approved May 17, 1917, relating to the termination of leases on State lands and to add new sections thereto to be known as 4a and 10 authorizing the correction of errors and the amendment of descriptions and applying the provisions hereof of certain lands;

Also: Assembly Bill No. 1423—An act to amend section 2168 of the Political Code, relating to arrest and commitment of insane persons;

Also: Assembly Bill No. 942—An act authorizing suits against the State to quiet title against it to real property purchased under the provisions of an act entitled "An act to survey and dispose of certain marsh and tidelands belonging to the State of California," approved March 30, 1868, or any of the acts supplementary thereto, and amendatory thereof, and regulating the procedure therein;

Also: Assembly Bill No. 257—An act to amend section 1 of chapter 359, Statutes of 1903, entitled "An act to provide for the payment by the State or counties, or

school districts, or other special districts or cities, or cities and counties, of the premium or charge on official bonds when given by surety companies," approved March 25, 1903, as amended.

ARTHUR A. OHNIMUS, Chief Clerk.
By A. W. ENGLEKE, Assistant Clerk.

REPORTS OF STANDING COMMITTEES—RESUMED.

The following report of standing committee was received and read:

ON FINANCE.

SENATE CHAMBER, SACRAMENTO, May 14, 1931.

MR. PRESIDENT: Your Committee on Finance, to which was referred Assembly Bill No. 854—An act to amend sections 4 and 5 of an act entitled "An act to form agricultural districts, to provide for the formation, organization and powers, of agricultural associations therein and for management and control of the same by the State, and repealing all acts and portions of acts in conflict with this act," approved April 17, 1909, as amended, relating to directors of district agricultural associations—has had the same under consideration, and respectfully reports the same back without recommendation.

Committee membership—18; committee vote: Ayes—17; absent—1.

SWING, Chairman.

SECOND READING OF ASSEMBLY BILL NUMBER EIGHT HUNDRED FIFTY-FOUR.

Assembly Bill No. 854—An act to amend sections 4 and 5 of an act entitled "An act to form agricultural districts, to provide for the formation, organization and powers, of agricultural associations therein and for management and control of the same by the State, and repealing all acts and portions of acts in conflict with this act," approved April 17, 1909, as amended, relating to directors of district agricultural associations.

Bill read second time, and ordered on file for third reading.

REPORTS OF STANDING COMMITTEES—RESUMED.

The following report of standing committee was received and read:

ON FINANCE.

SENATE CHAMBER, SACRAMENTO, May 14, 1931.

MR. PRESIDENT: Your Committee on Finance, to which was referred Assembly Bill No. 973—An act making an appropriation for the building of a game preserve for tule elk in or near Kern County—has had the same under consideration, and respectfully reports the same back, and recommends that it do pass.

Committee membership—18; committee vote: Ayes—11; noes—6; absent—1.

SWING, Chairman.

SECOND READING OF ASSEMBLY BILL NUMBER NINE

HUNDRED SEVENTY-THREE.

Assembly Bill No. 973—An act making an appropriation for the building of a game preserve for tule elk in or near Kern County.

Bill read second time, and ordered on file for third reading.

REPORTS OF STANDING COMMITTEES—RESUMED.

The following report of standing committee was received and read:

ON FINANCE.

SENATE CHAMBER, SACRAMENTO, May 14, 1931.

MR. PRESIDENT: Your Committee on Finance, to which was referred Assembly Bill No. 1444—An act to amend sections 373b and 373g of, and to add a new section numbered 373i to article IV of chapter III, title I, part III of the Political Code, relating to the Department of Natural Resources and the Division of Mines thereof, and creating a Division of Oil and Gas therein—has had the same under consideration, and respectfully reports the same back with amendments, and recommends that the amendments be adopted, and that it do pass as amended.

Committee membership—18; committee vote: Ayes—9; noes—8; absent—1.

SWING, Chairman.

SECOND READING OF ASSEMBLY BILL NUMBER ONE THOUSAND
FOUR HUNDRED FORTY-FOUR.

Assembly Bill No. 1444—An act to amend sections 373*b* and 373*g* of, and to add a new section numbered 373*j* to article II*j* of chapter III, title I, part III of the Political Code, relating to the Department of Natural Resources and the Division of Mines thereof, and creating a Division of Oil and Gas therein.

COMMITTEE AMENDMENTS.

During the second reading of the bill, the following committee amendments were offered :

AMENDMENT NUMBER ONE.

On page 2, line 31, of the printed bill, after "governor.", insert the following: "The members shall receive no compensation for their services, but shall be allowed their actual necessary expenses incurred in the performance of their duties."

Amendment adopted.

AMENDMENT NUMBER TWO.

On page 2, line 52, of the printed bill, strike out "He", and insert in lieu thereof the following: "Except as otherwise provided by law, he".

Amendment adopted.

AMENDMENT NUMBER THREE.

On page 3, line 3, of the printed bill, strike out "deputies, officers and other".

Amendment adopted.

Bill read second time, and ordered on file for third reading.

REPORTS OF STANDING COMMITTEES—(RESUMED).

The following report of standing committee was received and read :

ON FINANCE.

SENATE CHAMBER, SACRAMENTO, May 14, 1931.

MR. PRESIDENT: Your Committee on Finance, to which was referred Assembly Bill No. 430—An act empowering the Director of Finance to accept title to lands and buildings for the San Francisco State Teachers College—has had the same under consideration, and respectfully reports the same back with amendments, and recommends that the amendments be adopted, and that it do pass as amended.

Committee membership—18; committee vote: Ayes—12; noes—4; absent—1.

SWING, Chairman.

SECOND READING OF ASSEMBLY BILL NUMBER FOUR HUNDRED THIRTY.

Assembly Bill No. 430—An act empowering the Director of Finance to accept title to lands and buildings for the San Francisco State Teachers College.

COMMITTEE AMENDMENT.

During the second reading of the bill, the following committee amendment was offered :

AMENDMENT NUMBER ONE.

On page 1, lines 6 and 7, of the printed bill, as amended, strike out the following: "accept title in the name of the State of California to", and insert in lieu thereof the following: "purchase or acquire, under such conditions and terms as he may deem to be for the best interest of the state."

Amendment adopted.

Bill read second time, and ordered on file for third reading.

REPORTS OF STANDING COMMITTEES—(RESUMED).

The following report of standing committee was received and read :

ON FINANCE.

SENATE CHAMBER, SACRAMENTO, May 14, 1931.

MR. PRESIDENT: Your Committee on Finance, to which was referred Assembly Bill No. 1876—An act to provide for the investigation and study of methods for

the control of pear blight (*Bacillus amylovorus*) under the direction of the Regents of the University of California, and for the dissemination of the knowledge gained through such investigation and study, and making an appropriation therefor;

Also: Assembly Bill No. 476—An act to provide for the salaries and expenses of the Building and Loan Commissioner, his attorney, deputies, examiners, accountants, appraisers and other assistants; to provide for the disposition of moneys in the Building and Loan Inspection Fund, created by chapter 354 of the Statutes of 1911, as amended; and of moneys collected under the Building and Loan Association Act; and otherwise relating to the Building and Loan Commissioner, his assistants and employees, and to the regulation of building and loan associations;

Also: Assembly Bill No. 335—An act appropriating moneys to the use of the Building and Loan Inspection Fund, and providing for the return of said moneys to the general fund;

Has had the same under consideration, and respectfully reports the same back with amendments, and recommends that the amendments be adopted, and that they do pass as amended.

Committee membership—18; committee votes: Ayes—17; absent—1.

SWING, Chairman.

SECOND READING OF ASSEMBLY BILLS—(RESUMED).

Assembly Bill No. 1876—An act to provide for the investigation and study of methods for the control of pear blight (*Bacillus amylovorus*) under the direction of the Regents of the University of California, and for the dissemination of the knowledge gained through such investigation and study, and making an appropriation therefor.

COMMITTEE AMENDMENT.

During the second reading of the bill, the following committee amendment was offered:

AMENDMENT NUMBER ONE.

On page 1, line 1, of the printed bill, strike out the word "forty", and insert in lieu thereof the word "twenty".

Amendment adopted.

Bill read second time, ordered to print, and on file for third reading.

Assembly Bill No. 476—An act to provide for the salaries and expenses of the Building and Loan Commissioner, his attorney, deputies, examiners, accountants, appraisers and other assistants; to provide for the disposition of moneys in the Building and Loan Inspection Fund, created by chapter 354 of the Statutes of 1911, as amended; and of moneys collected under the Building and Loan Association Act; and otherwise relating to the Building and Loan Commissioner, his assistants and employees, and to the regulation of building and loan associations.

COMMITTEE AMENDMENT.

During the second reading of the bill, the following committee amendment was offered:

AMENDMENT NUMBER ONE.

On page 1, lines 7 and 8, of the printed bill, as amended, strike out the following: "who shall be appointed by and shall hold office at the pleasure of the governor."

Amendment adopted.

Bill read second time, ordered to print, and on file for third reading.

Assembly Bill No. 335—An act appropriating moneys to the use of the Building and Loan Inspection Fund, and providing for the return of said moneys to the general fund.

COMMITTEE AMENDMENT.

During the second reading of the bill, the following committee amendment was offered:

AMENDMENT NUMBER ONE.

On page 1, lines 13 and 14, of the printed bill, as amended, strike out the following words: "from the moneys paid into the fund after this act takes effect", and insert in lieu thereof the following: "on February 1, 1932."

Amendment adopted.

Bill read second time, ordered to print, and on file for third reading.

REPORTS OF STANDING COMMITTEES—(RESUMED).

The following report of standing committee was received and read:

ON FINANCE.

SENATE CHAMBER, SACRAMENTO, May 14, 1931.

MR. PRESIDENT: Your Committee on Finance, to which was referred Assembly Bill No. 648—An act to provide for the elimination of camel's thorn and to provide an appropriation therefor;

Also: Assembly Bill No. 550—An act to amend section 385 and to repeal sections 370, 386 and 387 of the Political Code, relating to secretaries and assistants to and employees of the Governor;

Also: Assembly Bill No. 1885—An act making an appropriation for the purposes of section 690.10 of the Political Code, as added by the Legislature of 1931, defining the duties of the Department of Finance in connection with the construction of certain structures upon certain State lands;

Also: Assembly Bill No. 1326—An act to amend section 2979c of the Political Code, relating to continuance of revolving fund, appropriating and adding supplemental amount thereto, providing for the uses and expenditure of such fund, and county obligations thereunder;

Also: Assembly Bill No. 1644—An act to appropriate money to pay the claim of Herbert F. Field against the State of California;

Has had the same under consideration, and respectfully reports the same back, and recommends that they do pass.

Committee membership—18; committee vote: Ayes—17; absent—1.

SWING, Chairman.

SECOND READING OF ASSEMBLY BILLS—(RESUMED).

Assembly Bill No. 648—An act to provide for the elimination of camel's thorn and to provide an appropriation therefor.

Bill read second time, and ordered on file for third reading.

Assembly Bill No. 550—An act to amend section 385 and to repeal sections 370, 386 and 387 of the Political Code, relating to secretaries and assistants to and employees of the Governor.

Bill read second time, and ordered on file for third reading.

Assembly Bill No. 1885—An act making an appropriation for the purposes of section 690.10 of the Political Code, as added by the Legislature of 1931, defining the duties of the Department of Finance in connection with the construction of certain structures upon certain State lands.

Bill read second time, and ordered on file for third reading.

Assembly Bill No. 1326—An act to amend section 2979c of the Political Code, relating to continuance of revolving fund, appropriating and adding supplemental amount thereto, providing for the uses and expenditure of such fund, and county obligations thereunder.

Bill read second time, and ordered on file for third reading.

Assembly Bill No. 1644—An act to appropriate money to pay the claim of Herbert F. Field against the State of California.

Bill read second time, and ordered on file for third reading.

REPORTS OF STANDING COMMITTEES—(RESUMED).

The following reports of standing committees were received and read:

ON ENGROSSMENT, ENROLLMENT AND PRINTING.

SENATE CHAMBER, SACRAMENTO, May 14, 1931.

MR. PRESIDENT: Your Committee on Engrossment, Enrollment and Printing has examined Senate Concurrent Resolution No. 40—Providing for the appointment of

a Commission on Legislation Pertaining to Water Resources and reports that the same has been correctly engrossed.

RILEY, Chairman.

ON PUBLIC HEALTH AND QUARANTINE.

MR. PRESIDENT: Your Committee on Public Health and Quarantine, to which was referred Assembly Bill No. 1748—An act to amend section 20 of chapter 492, Statutes of 1907, entitled "An act for the preservation of the public health of the people of the State of California, and empowering the State Board of Health to enforce its provisions, and providing penalties for the violation thereof," approved March 23, 1907, as amended, relating to rules, regulations and requirements in cases of the transportation of the dead—has had the same under consideration, and respectfully reports the same back with amendments, and recommends that the amendments be adopted, and that it do pass as amended.

Committee membership—7; committee vote: Ayes—6; absent—1.

(Signed out)

WILLIAMS, Chairman.
EVANS.
HARPER.
PEDROTTI.
SCHOTTKY.
WAGY.

SECOND READING OF ASSEMBLY BILL NUMBER ONE THOUSAND
SEVEN HUNDRED FORTY-EIGHT.

Assembly Bill No. 1748—An act to amend section 20 of chapter 492, Statutes of 1907, entitled "An act for the preservation of the public health of the people of the State of California, and empowering the State Board of Health to enforce its provisions, and providing penalties for the violation thereof," approved March 23, 1907, as amended, relating to rules, regulations and requirements in cases of the transportation of the dead.

COMMITTEE AMENDMENTS.

During the second reading of the bill, the following committee amendments were offered:

AMENDMENT NUMBER ONE.

On page 2, line 4, of the printed bill, insert after "cholera", a comma, and the following: "smallpox".

Amendment adopted.

AMENDMENT NUMBER TWO.

On page 2, line 8, of the printed bill, strike out "shipment", and insert in lieu thereof the following: "transportation".

Amendment adopted.

AMENDMENT NUMBER THREE.

On page 2, line 11, of the printed bill, strike out "such", and insert in lieu thereof the following: "said".

Amendment adopted.

AMENDMENT NUMBER FOUR.

On page 2, line 12, of the printed bill, strike out "must be completely", and insert in lieu thereof the following: "shall be properly".

Amendment adopted.

AMENDMENT NUMBER FIVE.

On page 2 of the printed bill, strike out line 13, and insert in lieu thereof the following: "clothed, and placed in an air-tight metal".

Amendment adopted.

AMENDMENT NUMBER SIX.

On page 2, line 14, of the printed bill, strike out "coffin or iron".

Amendment adopted.

AMENDMENT NUMBER SEVEN.

On page 2, line 15, of the printed bill, strike out "tight wooden box", and insert in lieu thereof the following: "wooden transportation case".

Amendment adopted.

AMENDMENT NUMBER EIGHT.

On page 2, lines 16 and 17, of the printed bill, strike out "zinc, tin, copper or lead-lined coffin or iron", and insert in lieu thereof the following: "metal-lined".

Amendment adopted.

AMENDMENT NUMBER NINE.

On page 2, lines 17 and 18, of the printed bill, strike out "shipment", and insert in lieu thereof the following: "transportation".

Amendment adopted.

AMENDMENT NUMBER TEN.

On page 2 of the printed bill, strike out line 19, and insert in lieu thereof the following: "in a wooden casket, same encased in a metal-lined transportation case, all joints and".

Amendment adopted.

AMENDMENT NUMBER ELEVEN.

On page 2, line 20, of the printed bill, insert after "seams", the following: "of said case".

Amendment adopted.

AMENDMENT NUMBER TWELVE.

On page 2, line 21, of the printed bill, strike out "shipment", and insert in lieu thereof the following: "transportation".

Amendment adopted.

AMENDMENT NUMBER THIRTEEN.

On page 2, line 26, of the printed bill, strike out "these", and insert in lieu thereof the following: "those".

Amendment adopted.

AMENDMENT NUMBER FOURTEEN.

On page 2, line 30, of the printed bill, strike out "shipment", and insert in lieu thereof the following: "transportation".

Amendment adopted.

AMENDMENT NUMBER FIFTEEN.

On page 2, line 32, of the printed bill, strike out the comma after "same", and insert in lieu thereof a semicolon.

Amendment adopted.

AMENDMENT NUMBER SIXTEEN.

On page 2, line 32, of the printed bill, strike out "such", and insert in lieu thereof the following: "said".

Amendment adopted.

AMENDMENT NUMBER SEVENTEEN.

On page 2, line 33, of the printed bill, strike out "encased", and insert in lieu thereof the following: "placed".

Amendment adopted.

AMENDMENT NUMBER EIGHTEEN.

On page 2, line 34, of the printed bill, strike out "metallic coffin or", and insert in lieu thereof the following: "air-tight metal-lined".

Amendment adopted.

AMENDMENT NUMBER NINETEEN.

On page 2, line 34, of the printed bill, strike out "or an air-tight metallic box", and insert in lieu thereof the following: "and enclosed in a wooden transportation case; or a wooden casket enclosed in a metal-lined transportation case".

Amendment adopted.

AMENDMENT NUMBER TWENTY.

On page 2, line 35, of the printed bill, after "to", insert the following: "the".

Amendment adopted.

AMENDMENT NUMBER TWENTY-ONE.

On page 2, line 39, of the printed bill, strike out "can", and insert in lieu thereof the following: "shall".

Amendment adopted.

AMENDMENT NUMBER TWENTY-TWO.

On page 2, line 43, of the printed bill, after "been", insert the following: "embalmed and".

Amendment adopted.

AMENDMENT NUMBER TWENTY-THREE.

On page 2, line 44, of the printed bill, strike out the period after "embalmer", and insert in lieu thereof the following: "; and placed in a sound casket and enclosed in a wooden transportation case."

Amendment adopted.

AMENDMENT NUMBER TWENTY-FOUR.

On page 2, line 45, of the printed bill, strike out "thirty", and insert in lieu thereof the following: "ninety".

Amendment adopted.

AMENDMENT NUMBER TWENTY-FIVE.

On page 2 of the printed bill, strike out lines 46 to 49, inclusive, and insert in lieu thereof the following: "be placed in a metal-lined casket or a wooden casket enclosed in a metal-lined transportation case."

Amendment adopted.

Bill read second time, ordered to print, and on file for third reading.

REPORTS OF STANDING COMMITTEES—(RESUMED).

The following report of standing committee was received and read:

ON REVENUE AND TAXATION.

SENATE CHAMBER, SACRAMENTO, May 14, 1931.

MR. PRESIDENT: Your Committee on Revenue and Taxation, to which was referred Assembly Bill No. 232—An act to amend section 9 of an act entitled "An act to provide for the organization and government of public cemetery districts," approved June 1, 1921, Statutes 1921, chapter 652, page 1103, as amended, relating to time of filing estimates of proposed expenditures;

Also: Assembly Bill No. 1022—An act to amend sections 5, 6, 9, 10, 25, 32, 33 and 35 of the Bank and Corporation Franchise Tax Act, approved March 1, 1929, relating to bank and corporation taxes;

Also: Assembly Bill No. 1921—An act to amend section 3713 of the Political Code, relative to State taxation;

Also: Assembly Bill No. 1931—An act to amend section 3897a of the Political Code, relating to the termination of the right of redemption of tax deeded lands, and the disposition thereof;

Has had the same under consideration, and respectfully reports the same back with amendments, and recommends that the amendments be adopted, and that they do pass as amended.

Committee membership—13; committee vote: Ayes—8; absent—5.

NELSON, Chairman.

SECOND READING OF ASSEMBLY BILLS—(RESUMED).

Assembly Bill No. 232—An act to amend section 9 of an act entitled "An act to provide for the organization and government of public cemetery districts," approved June 1, 1921, Statutes 1921, chapter

652, page 1103, as amended, relating to time of filing estimates of proposed expenditures.

COMMITTEE AMENDMENT.

During the second reading of the bill, the following committee amendment was offered:

AMENDMENT NUMBER ONE.

On page 1, line 18, of the printed bill, as amended, strike out "equalization", and insert in lieu thereof "equalized".

Amendment adopted.

Bill read second time, ordered to print, and on file for third reading.

Assembly Bill No. 1022—An act to amend sections 6, 8, 9, 10, 25, 32, 33 and 35 of the Bank and Corporation Franchise Tax Act, approved March 1, 1929, relating to bank and corporation taxes.

COMMITTEE AMENDMENTS.

During the second reading of the bill, the following committee amendments were offered:

AMENDMENT NUMBER ONE.

On page 8, line 9, of the printed bill, as amended April 27, 1931, after the word "the", and before the word "date", insert the word "due".

Amendment adopted.

AMENDMENT NUMBER TWO.

On page 8, line 9, of the printed bill, as amended April 27, 1931, strike out the words "of delinquency".

Amendment adopted.

AMENDMENT NUMBER THREE.

On page 8, line 49, of the printed bill, as amended April 27, 1931, strike out the word "taxable".

Amendment adopted.

AMENDMENT NUMBER FOUR.

On page 9, line 1, of the printed bill, as amended April 27, 1931, strike out the word "taxable".

Amendment adopted.

AMENDMENT NUMBER FIVE.

On page 9, line 2, of the printed bill, as amended April 27, 1931, strike out the word "taxable".

Amendment adopted.

AMENDMENT NUMBER SIX.

On page 10, line 1, of the printed bill, as amended April 27, 1931, strike out the words "and the state board of equalization".

Amendment adopted.

AMENDMENT NUMBER SEVEN.

On page 10, line 2, of the printed bill, as amended April 27, 1931, strike out the words "are hereby authorized to publish and", and substitute in lieu thereof the word "may".

Amendment adopted.

Bill read second time, ordered to print, and on file for third reading.

Assembly Bill No. 1921—An act to amend section 3713 of the Political Code, relative to State taxation.

COMMITTEE AMENDMENT.

During the second reading of the bill, the following committee amendment was offered:

AMENDMENT NUMBER ONE.

On page 1 of the printed bill, strike out line 17, and insert in lieu thereof the following: "all classes of property taxed under the provisions of any section of article".

Amendment adopted.

Bill read second time, ordered to print, and on file for third reading.

Assembly Bill No. 1931—An act to amend sections 3897 and 3897a of the Political Code, and to add a new section thereto to be numbered 3897b, relating to the termination of the right of redemption of tax-deeded lands, the disposition thereof and the sale of property for delinquent taxes.

COMMITTEE AMENDMENTS.

During the second reading of the bill, the following committee amendments were offered:

AMENDMENT NUMBER ONE.

In line 5 of the title of the printed bill, as amended April 30, 1931, strike out the word "of", and insert in lieu thereof the words "by the state of tax deeded".

Amendment adopted.

AMENDMENT NUMBER TWO.

In line 6 of the title of the printed bill, as amended April 30, 1931, strike out the words "delinquent taxes", and insert in lieu thereof the words "a public purpose".

Amendment adopted.

AMENDMENT NUMBER THREE.

On page 6, line 10, of the printed bill, as amended April 30, 1931, following the word "whenever", insert the words "any state officer, duly authorized therefor, or".

Amendment adopted.

AMENDMENT NUMBER FOUR.

On page 6, lines 24 and 25, of the printed bill, as amended April 30, 1931, strike out the words "section 3756 hereof", and insert in lieu thereof the word "law".

Amendment adopted.

Bill read second time, ordered to print, and on file for third reading.

REPORTS OF STANDING COMMITTEES RESUMED.

The following report of standing committee was received and read:

ON REVENUE AND TAXATION.

SENATE CHAMBER, SACRAMENTO, May 14, 1931.

MR. PRESIDENT: Your Committee on Revenue and Taxation, to which was referred Assembly Bill No. 1930—An act to amend section 14 of an act entitled "An act to allow unincorporated towns and villages to establish, equip, and maintain public libraries; to provide for the formation, government and operation of library districts; the acquisition of property thereby; the calling and holding of elections in such districts; the assessment, collection, custody and disbursement of taxes therein; and to create boards of library trustees," approved April 12, 1909, as amended, relating to the registration of library district warrants—has had the same under consideration, and recommends that it do pass.

Committee membership—13; committee vote: Ayes—8; absent—5.

NELSON, Chairman.

SECOND READING OF ASSEMBLY BILL NUMBER ONE THOUSAND NINE HUNDRED THIRTY.

Assembly Bill No. 1930—An act to amend section 14 of an act entitled "An act to allow unincorporated towns and villages to establish, equip, and maintain public libraries; to provide for the formation, government and operation of library districts; the acquisition of property thereby;

the calling and holding of elections in such districts; the assessment, collection, custody and disbursement of taxes therein; and to create boards of library trustees," approved April 12, 1909, as amended, relating to the registration of library district warrants.

Bill read second time, and ordered on file for third reading.

REPORTS OF STANDING COMMITTEES—(RESUMED).

The following report of standing committee was received and read:

ON OIL INDUSTRIES.

SENATE CHAMBER, SACRAMENTO, May 14, 1931.

MR. PRESIDENT: Your Committee on Oil Industries, to which was referred Assembly Bill No. 1908—An act to repeal section 13a of chapter 795, Statutes of 1927, entitled "An act to regulate and license the business of producing, refining or distributing gasoline, distillate and other motor vehicle fuels, providing for the collection and disposition of license taxes, and adopting those provisions, not inconsistent herewith, of an act entitled 'An act to regulate and license the business of producing, refining or distributing gasoline, distillate and other motor vehicle fuels, providing for the collection and disposition of license taxes, prescribing penalties for violation of the provisions of said act, and repealing all acts and parts of acts inconsistent herewith,' approved May 30, 1923, as amended and approved May 23, 1925," as amended, relating to a revolving fund for the State Highway Commission—has had the same under consideration, and respectfully reports the same back, and recommends that it do pass.

Committee membership—8; committee vote: Ayes—5; absent—3.

SHARKEY, Chairman.

SECOND READING OF ASSEMBLY BILL NUMBER ONE THOUSAND NINE HUNDRED EIGHT.

Assembly Bill No. 1908—An act to repeal section 13a of chapter 795, Statutes of 1927, entitled "An act to regulate and license the business of producing, refining or distributing gasoline, distillate and other motor vehicle fuels, providing for the collection and disposition of license taxes, and adopting those provisions, not inconsistent herewith, of an act entitled 'An act to regulate and license the business of producing, refining or distributing gasoline, distillate and other motor vehicle fuels, providing for the collection and disposition of license taxes, prescribing penalties for violation of the provisions of said act, and repealing all acts and parts of acts inconsistent herewith,' approved May 30, 1923, as amended and approved May 23, 1925," as amended, relating to a revolving fund for the State Highway Commission.

Bill read second time, and ordered on file for third reading.

REPORTS OF STANDING COMMITTEES—(RESUMED).

The following report of standing committee was received and read:

ON JUDICIARY.

SENATE CHAMBER, SACRAMENTO, May 14, 1931.

MR. PRESIDENT: Your Committee on Judiciary, to which was referred Assembly Bill No. 453—An act providing for the granting of franchises in counties or cities and counties for the disposal or destruction, or both, of garbage and other waste, and declaring same an urgency measure, and repealing an act entitled "An act providing for the granting of franchises in counties or cities and counties for the disposal or destruction, or both, of garbage and other waste, and declaring same an urgency measure," approved April 17, 1931—has had the same under consideration, and respectfully reports the same back with amendments, and recommends that the amendments be adopted, and that it do pass as amended.

Committee membership—17; committee vote: Ayes—10; absent—7.

CHRISTIAN, Chairman.

SECOND READING OF ASSEMBLY BILL NUMBER FOUR HUNDRED FIFTY-THREE.

Assembly Bill No. 453—An act providing for the granting of franchises in counties or cities and counties for the disposal or destruction, or both, of garbage and other waste, and declaring same an urgency

measure, and repealing an act entitled "An act providing for the granting of franchises in counties or cities and counties for the disposal or destruction, or both, of garbage and other waste, and declaring same an urgency measure," approved April 17, 1931.

COMMITTEE AMENDMENTS.

During the second reading of the bill, the following committee amendments were offered:

AMENDMENT NUMBER ONE.

Strike out lines 1 to 5, inclusive, of the title of the printed bill, and insert in lieu thereof the following:
"An act amend-".

Amendment adopted.

AMENDMENT NUMBER TWO.

Strike out the period in the last line in the title of the printed bill, and insert in lieu thereof the following: ", by adding a section thereto, relating to certain bids submitted for the granting of a franchise for the disposal or destruction, or both, of garbage, waste, offal or debris, and declaring the same to be an urgency measure."

Amendment adopted.

AMENDMENT NUMBER THREE.

On page 1 of the printed bill, strike out lines 3 to 14, inclusive, and on page 2, strike out lines 1 to 26, inclusive, of the printed bill.

Amendment adopted.

AMENDMENT NUMBER FOUR.

On page 2, line 27, of the printed bill, strike out "Sec. 6. An", and insert in lieu thereof the following:
"SECTION 1. Section 9 is hereby added to an".

Amendment adopted.

AMENDMENT NUMBER FIVE.

On page 2 of the printed bill, strike out lines 31 and 32, and insert in lieu thereof the following: "1931, to read as follows:".

Amendment adopted.

AMENDMENT NUMBER SIX.

On page 2, line 33, of the printed bill, before "Nothing", insert the following:
"Sec. 9."

Amendment adopted.

AMENDMENT NUMBER SEVEN.

On page 2 of the printed bill, strike out lines 44 to 51, inclusive.

Amendment adopted.

AMENDMENT NUMBER EIGHT.

On page 3, line 1, of the printed bill, strike out "N", and insert in lieu thereof:
"2".

Amendment adopted.

AMENDMENT NUMBER NINE.

On page 3 of the printed bill, strike out lines 7 to 13, inclusive, and insert in lieu thereof the following: "The inadequate facilities for the disposal or destruction of garbage, waste, offal and debris, which the act amended by this act was intended to remedy, can not be remedied as quickly and satisfactorily as was intended because of the absence in that act of the section added thereto by this act, permitting the acceptance of the bids described in said section, and this act is therefore necessary to facilitate the remedying of the serious conditions which exist and which should be remedied immediately."

Amendment adopted.

Bill read second time, ordered to print, and on file for third reading.

REPORTS OF STANDING COMMITTEES—(RESUMED).

The following reports of standing committee were received and read :

ON ENGROSSMENT, ENROLLMENT AND PRINTING.

SENATE CHAMBER, SACRAMENTO, May 14, 1931.

MR. PRESIDENT: Your Committee on Engrossment, Enrollment and Printing has examined Senate Joint Resolution No. 3—Relative to hours of employment of persons on interstate carriers;

Also: Senate Joint Resolution No. 4—Relative to the Interstate Commerce Commission urging upon the railroad companies the necessity of through passenger car service between the Atlantic and Pacific coasts;

Also: Senate Concurrent Resolution No. 28—Relating to a survey and an estimate of the cost of reconstructing the committee rooms in the State Capitol building;

Also: Senate Bill No. 123—An act to amend section 4250 and to repeal section 4249a of the Political Code, relating to the salaries of the county officers of counties of the twenty-first class;

Also: Senate Bill No. 141—An act to amend section 1 of chapter 286, Statutes of 1927, entitled "An act authorizing the Department of Finance to appropriate waters in connection with the utilization and conservation of the water resources of the State in the development of a general or coordinated plan; authorizing the State Department of Finance to release or assign such appropriations; authorizing the State Department of Finance to request other departments of the State or State officers to furnish service or assistance to make investigations in connection with the development of a general or coordinated plan for the utilization or conservation of the water resources of the State," approved April 29, 1927, relating to appropriation of waters by the State Department of Finance;

And reports that the same have been correctly enrolled and presented to the Governor on the fourteenth day of May, at eleven o'clock and thirty minutes a.m.

RILEY, Chairman.

Also:

MR. PRESIDENT: Your Committee on Engrossment, Enrollment and Printing has examined Senate Bill No. 167—An act to amend section 498 of the Civil Code, relating to construction of street railway tracks;

Also: Senate Bill No. 179—An act to amend section 2322x21 of the Political Code, relating to the county agricultural commissioner, his deputies, inspectors and clerks in counties of the twenty-first class;

Also: Senate Bill No. 184—An act to amend sections 1279 and 1298 of the Penal Code, relating to bail;

Also: Senate Bill No. 267—An act to amend section 19r14 of the Juvenile Court Law, relating to the salaries of the probation officer and assistants in counties of the fourteenth class;

Also: Senate Bill No. 268—An act amending section 4243 of the Political Code, relating to salaries and compensation of officers in counties of the fourteenth class;

Also: Senate Bill No. 300—An act to amend section 1197 of the Political Code, relating to election ballots;

And reports that the same have been correctly enrolled and presented to the Governor on the fourteenth day of May, at eleven o'clock and thirty minutes a.m.

RILEY, Chairman.

Also:

MR. PRESIDENT: Your Committee on Engrossment, Enrollment and Printing has examined Senate Bill No. 304—An act to amend section 626e of the Penal Code, relating to the protection of fish and game;

Also: Senate Bill No. 330—An act to amend section 457 of the Civil Code, relating to bonds of railroad corporations;

Also: Senate Bill No. 410—An act to amend section 364a of the Political Code, relating to the creation of a Division of Immigration and Housing in the Department of Industrial Relations;

Also: Senate Bill No. 435—An act to amend section 3669c of the Political Code, relating to taxation of corporations for State purposes and to the trial of actions for the collection of State taxes;

Also: Senate Bill No. 447—An act to add a new section to the Civil Code to be numbered 48a, relating to libel;

And reports that the same have been correctly enrolled and presented to the Governor on the fourteenth day of May, at eleven o'clock and thirty minutes a.m.

RILEY, Chairman.

Also:

MR. PRESIDENT: Your Committee on Engrossment, Enrollment and Printing has examined Senate Bill No. 485—An act to amend sections 2 and 5 of chapter 319, Statutes of 1913, entitled "An act to promote the better education of nurses and the better care of the sick in the State of California, to provide for and regulate the examination and registration of graduate nurses, and to provide for the issuance

of certificates of registration as registered nurses to qualified applicants by the State Board of Health, and to repeal an act approved March 20, 1905, entitled "An act to promote the better education of the practice of nursing the sick in the State of California, to provide for the issuance of certificates of registration as a registered nurse, to qualified applicants of the Board of Regents of the University of California, and to provide penalties for violation thereof," relating to examination fees;

Also: Senate Bill No. 567—An act to amend section 533 of the Civil Code, relating to malicious injury to telegraph, telephone, electric power and gas property;

Also: Senate Bill No. 671—An act to amend section 2 of chapter 12, Statutes of 1911, entitled "An act providing for the management of the California Redwood Park, and creating a board of five commissioners with power to manage said California Redwood Park," relating to the compensation of wardens;

Also: Senate Bill No. 690—An act to repeal chapter 413, Statutes of 1915, entitled "An act to regulate the issuance and sale of licenses for resale to hunters and anglers," as amended;

And reports that the same have been correctly enrolled and presented to the Governor on the fourteenth day of May, at eleven o'clock and thirty minutes a.m.

RILEY, Chairman.

Also:

MR. PRESIDENT: Your Committee on Engrossment, Enrollment and Printing has examined Senate Bill No. 708—An act to amend section 9a10 of the act entitled "An act to provide for the establishment and maintenance of county free libraries in the State of California, and repealing 'An act entitled "An act to provide county library systems," approved April 12, 1909, and all acts and parts of acts in conflict with this act," approved February 25, 1911, as amended, relating to libraries in counties of the tenth class;

Also: Senate Bill No. 710—An act to amend section 16a10 of the Weights and Measures Act, relating to sealers of weights and measures in counties of the tenth class;

Also: Senate Bill No. 728—An act to add a new section to the Political Code to be numbered 440, relating to the issuance of warrants and the duties and obligations of the Controller and other persons in relation thereto;

And reports that the same have been correctly enrolled and presented to the Governor on the fourteenth day of May, at eleven o'clock and thirty minutes a.m.

RILEY, Chairman.

CONSIDERATION OF DAILY FILE.

THIRD READING OF ASSEMBLY BILLS—(RESUMED).

Assembly Bill No. 1240—An act to amend section 737p of the Political Code, relating to the salary of the judge of the superior court in and for the county of Kings.

Bill read third time.

MOTION TO REFER TO SPECIAL COMMITTEE OF ONE.

During third reading of the bill, Senator Mixter moved to refer Assembly Bill No. 1240 to Senator Harper, as a Special Committee of One, to amend as follows:

AMENDMENT NUMBER ONE.

On page 2, line 5, of the printed bill, strike out "373p", and insert in lieu thereof "737p".

AMENDMENT NUMBER TWO.

On page 2, line 8, of the printed bill, strike out the words "five hundred".

Motion carried.

REPORT OF SPECIAL COMMITTEE OF ONE.

SENATE CHAMBER, SACRAMENTO, May 14, 1931.

MR. PRESIDENT: Your Special Committee of One, to which was referred Assembly Bill No. 1240, with instructions to amend, respectfully reports the same back, amended as per instructions.

HARPER, Committee.

Report read, and on motion of Senator Harper adopted.

Bill ordered to print.

Assembly Bill No. 1954—An act creating in the State Department of Penology a Division of Prison Terms and Paroles under the control

of a Board of Prison Terms and Paroles, defining the powers and duties of said division and of said board, and making an appropriation therefor.

Bill read third time.

MOTION TO REFER TO SPECIAL COMMITTEE OF ONE.

During third reading of the bill, Senator Clock moved to refer Assembly Bill No. 1954 to Senator Pedrotti, as a Special Committee of One, to amend as follows:

AMENDMENT NUMBER ONE.

On page 1, lines 4 and 5, of the printed bill, strike out "to serve full time and".

AMENDMENT NUMBER TWO.

On page 1 of the printed bill, strike out lines 7 and 8, and insert in lieu thereof the following: "of whom shall be appointed by the governor. The terms of the first members of the board shall expire as follows: One member, January 15, 1933; one member, January 15, 1934; one member, January 15, 1935. With the exception of the first members, as herein prescribed, the term of office of members of the board shall be four years, and vacancies occurring under the provisions of this section shall be filled by appointment for the unexpired term."

AMENDMENT NUMBER THREE.

On page 2, line 20, of the printed bill, strike out "fix the compensation", and in line 21, immediately before "prescribe", strike out "and", and insert in lieu thereof the following: "and to fix, with the approval of the department of finance, the compensation of and to".

Motion carried.

REPORT OF SPECIAL COMMITTEE OF ONE.

SENATE CHAMBER, SACRAMENTO, May 14, 1931.

MR. PRESIDENT: Your Special Committee of One, to which was referred Assembly Bill No. 1954, with instructions to amend, respectfully reports the same back, amended as per instructions.

PEDROTTI, Committee.

Report read, and on motion of Senator Clock adopted.

Bill ordered to print.

MOTION TO WITHDRAW ASSEMBLY BILL.

Senator Fellom moved that Assembly Bill No. 1134 be withdrawn from the Committee on Finance, and placed on file.

MOTION OUT OF ORDER.

The President declared Senator Fellom's motion, at this time, out of order, as the Senate was considering the third reading file.

MOTION TO CONSIDER MOTION.

Senator Fellom moved that his motion to withdraw Assembly Bill No. 1134 from Committee on Finance be considered at this time.

AYES AND NOES DEMANDED.

A roll call was demanded by Senators Fellom, Williams, and McKinley, on Senator Fellom's motion for the Chair to recognize his motion to withdraw Assembly Bill No. 1134 from Committee on Finance.

The roll was called, and Senator Fellom's motion lost by the following vote:

AYES—Senators Allen, Fellom, Maloney, Pedrotti, Sharkey, and Treacy—6.

NOES—Senators Baker, Breed, Carter, Cassidy, Clock, Deuel, Duval, Edwards, Evans, Harper, Hays, Ingels, Jones, McKinley, Mixer, Moran, Nelson, Rich, Schottky, Slater, Swing, Tubbs, and Williams—23.

CONSIDERATION OF DAILY FILE.

THIRD READING OF ASSEMBLY BILLS—(RESUMED).

Assembly Bill No. 218—An act to limit the amount of special assessments for public improvements and acquisitions of property for public purposes; to provide for a preliminary investigation, report and hearing upon proposed public improvements and acquisitions of property for public purposes where the cost of such improvements or acquisitions is to be paid in whole or part by special assessments; to provide a basis for valuation of property for the purpose of establishing a special assessment limitation, and to authorize the payment of a part of the cost of such public improvements and acquisitions of property from any available public fund where a part of such cost is paid by special assessment on benefited property, and to provide that a majority protest shall be a bar to any proceeding.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Assembly Bill No. 218 passed by the following vote:

AYES—Senators Baker, Breed, Bush, Carter, Christian, Cleveland, Clock, Crittenden, Deuel, Duval, Edwards, Evans, Harper, Hays, Ingels, Iman, Jones, McCormack, McKinley, Mixer, Moran, Nelson, Pedrotti, Rich, Riley, Rochester, Schottky, Sharkey, Waggy, and Williams—30.

NOES—Senators Allen, Cassidy, Fellom, Maloney, Swing, Treacy, and Tubbs—7.

Title read and approved.

Bill ordered transmitted to the Assembly.

Assembly Bill No. 653—An act to amend section 5 of an act of the Legislature of the State of California entitled "An act to provide for the formation of districts within municipalities for the acquisition or construction of public improvements, works and public utilities; for the issuance, sale and payment of bonds of such districts to meet the cost of such improvements, and for the acquisition or construction of such improvements," approved April 20, 1915, as amended, relating to the amount of bonds that may be issued by such districts.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Assembly Bill No. 653 passed by the following vote:

AYES—Senators Baker, Breed, Bush, Carter, Cassidy, Christian, Clock, Crittenden, Deuel, Edwards, Fellom, Harper, Hays, Ingels, Iman, Jones, Maloney, McCormack, McKinley, Mixer, Moran, Nelson, Pedrotti, Rich, Riley, Rochester, Schottky, Slater, Waggy, and Williams—30.

NOES—Senators Allen, Cleveland, Swing, Treacy, and Tubbs—5.

Title read and approved.

Bill ordered transmitted to the Assembly.

Assembly Bill No. 222—An act to amend sections 2, 4, 5, 8, 9, 10, 40 and 41 and adding section 50a of an act entitled "Acquisition and Improvement Act of 1925," approved May 23, 1925, Statutes 1925, page 849, as amended, relating to acquisition and improvement of property, limiting the amount of special assessments that may be imposed, providing that the bar of a majority protest can not be overruled, relating to the form of protests, relating to the manner of collection of special assessment taxes and providing for the acceptance of matured unpaid

bonds and interest coupons in payment for property sold by the State for delinquency in the payment of special assessment taxes of the district for which such bond was issued.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Assembly Bill No. 222 passed by the following vote:

AYES—Senators Baker, Breed, Bush, Carter, Christian, Cleveland, Clock, Crittenden, Deuel, Duval, Evans, Fellom, Harper, Hays, Ingels, Inman, Maloney, McCormack, McKinley, Mixer, Moran, Nelson, Pedrotti, Rich, Riley, Rochester, Schottky, Slater, Swing, Wagy, and Williams—31.

NOES—Senators Allen, Treacy, and Tubbs—3.

Title read and approved.

Bill ordered transmitted to the Assembly.

Assembly Bill No. 1752—An act to amend sections 1, 2, 3, 4, 5 and 6 of an act entitled "An act to create the office of State Fire Marshal, to provide for his powers and duties, and to repeal all acts or parts of acts inconsistent herewith," approved May 23, 1923, as amended, relating to the office of State Fire Marshal and to the State Fire Marshal's Fund.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Assembly Bill No. 1752 passed by the following vote:

AYES—Senators Allen, Breed, Bush, Cassidy, Christian, Cleveland, Clock, Crittenden, Evans, Fellom, Harper, Hays, Ingels, Inman, Jones, Maloney, McCormack, McKinley, Mixer, Moran, Nelson, Pedrotti, Rich, Riley, Rochester, Schottky, Sharkey, Slater, Swing, Wagy, and Williams—31.

NOES—None.

Title read and approved.

Bill ordered transmitted to the Assembly.

Assembly Bill No. 822—An act to amend section 737a of the Political Code, relating to the salaries of the judges of the superior court of the county of Alameda.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Assembly Bill No. 822 passed by the following vote:

AYES—Senators Breed, Carter, Cassidy, Christian, Clock, Crittenden, Duval, Fellom, Ingels, Maloney, McCormack, McKinley, Mixer, Moran, Nelson, Pedrotti, Riley, Schottky, Sharkey, Slater, Swing, Treacy, Tubbs, and Williams—24.

NOES—Senators Allen, Baker, Bush, Cleveland, Deuel, Evans, Harper, Hays, Inman, Jones, Rich, and Rochester—12.

Title read and approved.

Bill ordered transmitted to the Assembly.

Assembly Bill No. 69—An act to amend section 737ll of the Political Code, relating to salaries of judges of the superior court in and for the City and County of San Francisco.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Assembly Bill No. 69 passed by the following vote:

AYES—Senators Baker, Breed, Carter, Cassidy, Christian, Clock, Crittenden, Duval, Fellom, Ingels, Maloney, McCormack, McKinley, Mixer, Moran, Nelson, Pedrotti, Riley, Schottky, Sharkey, Slater, Swing, Treacy, Tubbs, and Williams—25.

NOES—Senators Allen, Bush, Cleveland, Deuel, Edwards, Evans, Harper, Hays, Inman, Jones, Rich, Rochester, and Wagy—13.

Title read and approved.

Bill ordered transmitted to the Assembly.

Assembly Bill No. 219—An act to amend section 737 of the Political Code, relating to the salaries of the judges of the superior court of the county of Los Angeles.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Assembly Bill No. 219 passed by the following vote:

AYES—Senators Baker, Breed, Carter, Cassidy, Christian, Clock, Crittenden, Duval, Fellom, Ingels, Maloney, McCormack, McKinley, Mixer, Moran, Nelson, Pedrotti, Riley, Schottky, Sharkey, Slater, Swing, Treacy, Tubbs, and Williams—25.

NOES—Senators Allen, Bush, Cleveland, Deuel, Edwards, Evans, Harper, Hays, Inman, Jones, Rich, Rochester, and Wagy—13.

Title read and approved.

Bill ordered transmitted to the Assembly.

Assembly Bill No. 1572—An act to amend section 50 $\frac{1}{2}$ of an act to provide for the organization of the Railroad Commission, to define its powers and duties and the rights, remedies, powers and duties of public utilities and their officers, and the rights and remedies of patrons of public utilities, and to provide penalties for offenses by public utilities, their officers, agents and employees and by other persons and corporations, creating the Railroad Commission Fund and appropriating the moneys therein to carry out the provisions of this act, and repealing title XV of part IV of division I of the Civil Code and all acts and parts of acts inconsistent with the provisions of this act, as amended.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Assembly Bill No. 1572 passed by the following vote:

AYES—Senators Carter, Cassidy, Christian, Crittenden, Deuel, Duval, Edwards, Evans, Fellom, Harper, Ingels, Maloney, McKinley, Mixer, Moran, Nelson, Pedrotti, Rich, Riley, Rochester, Sharkey, Slater, Swing, Tubbs, and Wagy—25.

NOES—Senators Allen, and Hays—2.

Title read and approved.

Bill ordered transmitted to the Assembly.

MOTION TO INTRODUCE RESOLUTION.

Senator Inman moved, seconded by Senator Fellom, that Senator Swing be permitted to introduce a resolution out of order.

Motion lost.

Assembly Bill No. 447—An act to amend section 5.744 of the School Code, relating to the manner of paying salaries of certified employees of school districts.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Assembly Bill No. 447 passed by the following vote:

AYES—Senators Allen, Breed, Bush, Carter, Cassidy, Crittenden, Duval, Edwards, Evans, Fellom, Harper, Hays, Inman, Jones, Maloney, McCormack, McKinley, Mixer, Moran, Nelson, Pedrotti, Rich, Riley, Rochester, Schottky, Sharkey, Slater, Swing, Tubbs, and Wagy—30.

NOES—None.

Title read and approved.

Bill ordered transmitted to the Assembly.

Assembly Bill No. 677—An act to amend section 4234 and to repeal section 4235a of the Political Code, relating to the compensation of county and township officers in counties of the fifth class.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Assembly Bill No. 677 passed by the following vote:

AYES—Senators Allen, Baker, Breed, Bush, Carter, Cassidy, Cleveland, Clock, Crittenden, Duval, Edwards, Evans, Fellom, Harper, Hays, Inman, Jones, Maloney, McCormack, McKinley, Mixer, Moran, Nelson, Pedrotti, Rich, Riley, Rochester, Sharkey, Slater, Swing, Tubbs, and Wagy—33.

NOES—None.

Title read and approved.

Bill ordered transmitted to the Assembly.

MOTION TO INTRODUCE RESOLUTION.

Senator Crittenden moved, seconded by Senators Fellom and Slater, that Senator Swing be permitted to introduce a resolution out of order. Motion carried.

RESOLUTION.

The following resolution was offered (out of order):

By Senator Swing:

WHEREAS, On January 22, 1931, the Department of Finance presented to Senator Swing Senate Bill No. 517, and requested that he introduce the same for and in behalf of that department; that said bill at said time did not contain any provisions authorizing the Department of Finance to make any lease of any lands belonging to the State of California for any purpose whatsoever; that thereafter said bill in its original form passed the Senate; said bill was thereafter amended on five different occasions in the Assembly, the last of which amendments being on May 13, 1931, at which time there was amended into said bill on page 4, line 34 to line 41, inclusive, the following provision:

10. Upon such terms and conditions and under such rules and regulations as he shall prescribe, to lease any land belonging to the State or in which the State has an interest, for the production of minerals, oil, gas or other hydrocarbons, if in his judgment it is for the best interest of the State to do so and if no other State agency has express authority in law to lease the land for such purposes.

that thereafter said bill was passed by the Assembly, and sent to the Senate for concurrence; that the said amendments came up for concurrence by the Senate on May 13th, at the hour of eleven o'clock and thirty minutes p.m., at which time Assistant Director of Finance, Fred Links, presented to the author of said bill a brief statement of each of the amendments inserted in said bill by the Assembly, explaining the same to enable the author of said bill to properly explain said amendments to the Senate; that the explanation concerning said amendment was not on the front of the sheet containing the explanations which was handed to the author of said bill, but said author is now informed that it was upon the reverse side thereof, for which reason the author of said bill did not observe it, nor did the author of said bill explain said amendment to the Senate at the time said Senate concurred in said Assembly amendments; that said amendments were thereupon concurred in and said amended bill approved by the Senate; and

WHEREAS, The author of said bill feels that the concurrence in said amendments was made by the Senate without having before it a full conception of the effect of the action of the Assembly in adopting the amendments referred to, and because of such situation said author feels that the matter should again be brought to the attention of the Senate and that if the Senate is not in favor of the policy as outlined in the above quoted Assembly amendment it should so indicate in order that the author of said bill may cause said provision to be amended from the bill or said bill vetoed by the Governor; now, therefore, be it

Resolved, That said bill be amended by striking therefrom the following provision, to wit:

10. Upon such terms and conditions and under rules and regulations as he shall prescribe, to lease any land belonging to the State or in which the State has an interest, for the production of minerals, oil, gas, or other hydrocarbons, if in his judgment it is for the best interest of the State to do so and if no other State agency has express authority in law to lease the land for such purposes.

or in the event such an amendment can not be made at the present session of this Legislature, that the Governor be and he is hereby requested to veto said bill.

Resolution read, and on motion of Senator Swing adopted.

CONSIDERATION OF DAILY FILE.

THIRD READING OF ASSEMBLY BILLS—(RESUMED).

Assembly Bill No. 1635—An act to amend section 2322.37 of the Political Code, relating to the office of agricultural commissioner in counties of the thirty-seventh class.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Assembly Bill No. 1635 passed by the following vote:

AYES—Senators Allen, Baker, Breed, Bush, Carter, Cassidy, Christian, Cleveland, Clock, Crittenden, Duval, Edwards, Evans, Fellom, Hays, Ingels, Jones, Maloney, McKinley, Mixer, Moran, Nelson, Rich, Riley, Schottky, Slater, Swing, Treacy, Tubbs, Waggy, and Williams—31.

NOES—None.

Title read and approved.

Bill ordered transmitted to the Assembly.

Assembly Bill No. 1495—An act to repeal articles VII and VIII, embracing sections 2.170 to 2.187, both inclusive, of chapter II of part I of division II of the School Code and to add to chapter II of part I of division II of the School Code a new article to be known as article VII, embracing sections 2.170 to 2.179, both inclusive, relating to the suspension and lapsation of school districts.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Assembly Bill No. 1495 passed by the following vote:

AYES—Senators Allen, Baker, Breed, Bush, Carter, Cassidy, Christian, Cleveland, Clock, Crittenden, Denel, Duval, Edwards, Evans, Fellom, Harper, Hays, Ingels, Inman, Maloney, McKinley, Mixer, Moran, Nelson, Rich, Riley, Schottky, Sharkey, Slater, Swing, Treacy, Tubbs, Waggy, and Williams—34.

NOES—None.

Title read and approved.

Bill ordered transmitted to the Assembly.

Assembly Bill No. 1665—An act to amend section 2.446 of the School Code, relating to a change of boundaries as a consequence of two or more school districts forming a union or joint union district.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Assembly Bill No. 1665 passed by the following vote:

AYES—Senators Allen, Baker, Bush, Carter, Cassidy, Christian, Cleveland, Clock, Crittenden, Deuel, Duval, Edwards, Evans, Fellom, Harper, Hays, Ingels, Inman, McKinley, Mixer, Moran, Nelson, Rich, Riley, Schottky, Sharkey, Slater, Swing, Tubbs, Waggy, and Williams—31.

NOES—None.

Title read and approved.

Bill ordered transmitted to the Assembly.

Assembly Bill No. 1050—An act to repeal chapter III, embracing sections 4,180 to 4,196, both inclusive, of part II of division IV of the School Code, relating to teachers' salary funds in counties or cities and counties constituting but one school district.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Assembly Bill No. 1050 passed by the following vote:

AYES—Senators Allen, Baker, Bush, Carter, Cassidy, Christian, Crittenden, Deuel, Duval, Evans, Fellom, Harper, Hays, Inman, Maloney, McCormack, McKinley, Mixer, Moran, Nelson, Rich, Riley, Schottky, Sharkey, Slater, Swing, Tubbs, Waggy, and Williams—29.

NOES—None.

Title read and approved.

Bill ordered transmitted to the Assembly.

Assembly Bill No. 1197—An act to amend section 3,250 of the School Code, relating to the admission of minors to junior high schools.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Assembly Bill No. 1197 passed by the following vote:

AYES—Senators Allen, Breed, Carter, Cassidy, Christian, Clock, Crittenden, Deuel, Duval, Edwards, Evans, Harper, Hays, Ingels, Inman, Maloney, McCormack, McKinley, Mixer, Nelson, Rich, Riley, Schottky, Sharkey, Slater, Swing, Treacy, Tubbs, Waggy, and Williams—30.

NOES—None.

Title read and approved.

Bill ordered transmitted to the Assembly.

Assembly Bill No. 530—An act to repeal article III embracing section 1,90 of chapter III of part I of division I of the School Code, and to add to chapter III of part I of division I of the School Code a new article to be known as article III, embracing section 1,90, all relating to the transportation of pupils.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Assembly Bill No. 530 passed by the following vote:

AYES—Senators Allen, Breed, Bush, Carter, Cassidy, Christian, Clock, Crittenden, Deuel, Edwards, Evans, Harper, Ingels, Inman, Maloney, McCormack, McKinley,

Mixer, Rich, Riley, Schottky, Sharkey, Slater, Swing, Treacy, Tubbs, Wagy, and Williams—28.

NOES—None.

Title read and approved.

Bill ordered transmitted to the Assembly.

Assembly Bill No. 1168—An act to amend sections 6.260, 6.262, 6.264 and 6.523 of, and to add sections 2.1223 and 6.561½ to the School Code, relating to the public school system.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Assembly Bill No. 1168 passed by the following vote:

AYES—Senators Allen, Breed, Bush, Carter, Cassidy, Christian, Cleveland, Clock, Crittenden, Deuel, Duval, Edwards, Evans, Fellom, Harper, Hays, Ingels, Inman, Jones, McCormack, McKinley, Mixer, Moran, Nelson, Rich, Riley, Rochester, Schottky, Sharkey, Slater, Swing, Treacy, Tubbs, Wagy, and Williams—35.

NOES—None.

Title read and approved.

Bill ordered transmitted to the Assembly.

Assembly Bill No. 506—An act to add a new section to the School Code to be numbered 6.470, relating to the purchase and maintenance of school buses.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Assembly Bill No. 506 passed by the following vote:

AYES—Senators Allen, Breed, Bush, Cassidy, Christian, Cleveland, Clock, Crittenden, Deuel, Duval, Edwards, Evans, Fellom, Harper, Inman, Jones, Maloney, McCormack, McKinley, Mixer, Moran, Nelson, Rochester, Schottky, Sharkey, Slater, Swing, Treacy, Tubbs, and Williams—30.

NOES—None.

Title read and approved.

Bill ordered transmitted to the Assembly.

Assembly Bill No. 126—An act authorizing certain improvements upon the grounds of the California schools for the Deaf and the Blind at Berkeley, California.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Assembly Bill No. 126 passed by the following vote:

AYES—Senators Allen, Baker, Breed, Bush, Carter, Cassidy, Christian, Cleveland, Clock, Crittenden, Duval, Edwards, Evans, Fellom, Harper, Ingels, Jones, Maloney, McCormack, McKinley, Mixer, Moran, Rich, Riley, Rochester, Schottky, Sharkey, Slater, Swing, Treacy, Tubbs, and Williams—32.

NOES—None.

Title read and approved.

Bill ordered transmitted to the Assembly.

Assembly Bill No. 1183—An act to amend section 4.922 of the School Code, relating to the computing of units of average daily attendance in secondary schools.

Bill read third time.

MOTION TO REFER TO SPECIAL COMMITTEE OF ONE.

During third reading of the bill, Senator Slater moved to refer Assembly Bill No. 1183 to Senator Riley, as a Special Committee of One, to amend as follows:

AMENDMENT NUMBER ONE.

On page 1 of the printed bill, beginning in line 6, strike out the following: "including junior high schools,".

Motion carried.

REPORT OF SPECIAL COMMITTEE OF ONE.

SENATE CHAMBER, SACRAMENTO, May 14, 1931.

MR. PRESIDENT: Your Special Committee of One, to which was referred Assembly Bill No. 1183, with instructions to amend, respectfully reports the same back, amended as per instructions.

RILEY, Committee.

Report read, and on motion of Senator Slater adopted.

Bill ordered to print.

WITHDRAWAL OF POINT OF ORDER.

Senator Inman asked unanimous consent to withdraw his point of order as made on May 13th, that, according to Senate Rule 41, Assembly Bills Nos. 1550, 578, 835, 62, 955, 1680 and 1167 were illegal and improper.

Unanimous consent granted.

MOTION TO PASS ON FILE.

Senator Nelson moved that Assembly Bill No. 1307 be passed on file. Motion carried.

REPORT OF SPECIAL COMMITTEE.

The following report was received, and ordered printed in the Journal:

By Senator Inman:

To the Senate of the State of California.

We, your committee for the investigation of the recent textbook adoption, have held several public hearings and called a number of witnesses to get at the actual facts concerning the recent adoption of music books and the circumstances leading up to it.

We find that there were submitted, pursuant to call of the State Board of Education, four series of music books covering the elementary school grades. Two series of music books were offered in which the publishers bid on a plate rental basis:

The Music Hour series, by Silver, Burdett & Company.

The Universal Music series, by Hinds, Hayden & Eldridge.

Two series were offered to be furnished in carload lots shipped from the east:

Music Education series, by Ginn & Company.

Robert Foresman series, by American Book Company.

Of these four series, the Curriculum Commission considered most favorably the following:

The Music Hour series, by Silver, Burdett & Company.

Music Education series, by Ginn & Company.

The minutes of the Curriculum Commission show that the commission were divided in their support between the Music Hour series by Silver, Burdett & Company, and the Music Education series by Ginn & Company. The vote at one stage of the proceedings was 6 to 5 for the Ginn series, and later 6 to 5 for the Silver, Burdett series.

The testimony of C. A. Adams, chairman of the Textbook Committee of the State Board of Education, was that the action of the State board was based on a unanimous report of the Curriculum Commission. The minutes of the Curriculum Commission show that they were unable to get a unanimous vote for either series and

this resulted in a compromise whereby they recommended part of one series and part of another.

The legislative hearings of this committee with members of the Department of Education showed that the merits of the Ginn & Company books and the Music Hour series of Silver, Burdett & Company were about equal from an educational standpoint. The vote of 6 to 5 at one time for the adoption of all of the Ginn & Company Music Education series, and later a vote of 6 to 5 for the Music Hour series by Silver, Burdett & Company for all grades one to six plainly shows that the Curriculum Commission was about even in its opinions as to the relative merits of both series of books in question.

During the hearings both C. A. Adams, chairman of the Textbook Committee of the State Board of Education, and Superintendent Kersey, stated that opinions of music teachers throughout the State were sought regarding the recommendations of music texts. The minutes of the Curriculum Commission show that these reports from music supervisors and subcommittees over the State investigating music texts were about equally divided between the Music Hour and Music Education; some prefer one, some prefer the other. Further evidence shows that whichever one is preferred, the custom is to use a complete series.

Without the establishment of a decided superiority of the Ginn & Company series of music texts over the Silver, Burdett series of music books, we find there was no necessity existing whereby the contract should be made with Ginn & Company to buy music books in carload lots.

Further evidence of no necessity existing for entering into a contract with Ginn & Company was given in Superintendent Kersey's testimony before this committee in which it was stated that it was his intention to order the Music Hour series in the first four grades printed at the State Printing Office and that no money would be available for the purchase of the Ginn & Company series of music texts for over two years. It does not seem necessary to enter into a contract now for books to be purchased two years later, for by that time it might be clearly apparent that other books might be available which were superior to those contracted for now. The Ginn & Company series of music books is an old text, with a copyright date of 1924-1925 and two years from now they will be still more out of date.

It is the opinion of the investigating committee that the interpretation of the word necessity as used in this particular case, means that a condition exists making it impossible to secure satisfactory music books from any other source than from a company which will not lease their plates to the State of California, or that a catastrophe would happen at the State Printing Plant which would render that institution incapable of performing the duties required by the State Board of Education.

We further find that the proposal to adopt *Adventures in Music* published by Ginn & Company is a violation of the constitutional provisions requiring a uniform series of text books. *Adventures in Music* is a one-book course for rural schools for all grades and the material in this book is different from the material adopted for city schools provided by the Music Hour series. Therefore, the adoption of a book for rural schools with material different from that used in city schools, would not be a uniform adoption.

This committee finds no reason why the State Board of Education should not have adopted the entire series of the Music Hour books by the Silver, Burdette Company which could have been printed at the State Printing Office and would provide a uniform series of books for city and rural schools alike. This series of books is a new series, with a copyright date of 1929-1930 and has been adopted recently in its entirety by the state of Utah, the state of Kansas, the state of Idaho and many progressive cities in various parts of the United States.

The almost even division of the Curriculum Commission vote should have convinced the State Board of Education that no necessity existed for ordering a split series of music books.

The even division of opinion of the Committees of Music Readers (see Kersey report) appointed by the Curriculum Commission, further shows that no necessity existed to warrant the purchase of a part of the music series in carload lots from Ginn & Company.

This division of opinion is clearly shown by the minutes of the Curriculum Commission and by Superintendent Kersey's report to the State Board of Education, attached hereto.

The report of Superintendent Kersey to the State Board of Education, page 2, also shows that his own estimate of the relative merits of these two series gave the Music Hour 122 points as against 116 points for the Music Education series.

It would be unwise for the State Board of Education to establish a precedent at this time of unemployment in the State of California by purchasing a large quantity of text books that could be manufactured in the State's own printing plant.

Therefore, we recommend that the State Board of Education rescind its recent action in adopting certain music books published by Ginn & Company and to be purchased in carload lots. And that instead they adopt the complete series of the Music Hour to be printed at the State Printing Plant.

INMAN, Chairman.
SWING.

(COPY)

*To the Textbook Committee
of the State Board of Education.*

March 26, 1931.

LADIES AND GENTLEMEN: The California Curriculum Commission, in regular session in the city of Berkeley, March 23d and 24th, considered at great length its responsibility in connection with the study and recommendation of music books for use in the elementary schools in the State of California.

It is the recommendation of the Curriculum Commission, ten members voting, all favorably, one member absent not voting, that there be approved for adoption and use in the elementary schools of the State of California the following books, published by the respective publishers mentioned:

Kindergarten and First Grade Book, Book One, Book Two, Book Three, the Elementary Teachers Book, and the Intermediate Teachers Book of the Music Hour series, published by Silver, Burdett and Company, and Two-Part Music, Intermediate Music and Adventures in Music of the Music Education Series, published by Ginn and Company.

Respectfully submitted.

V. KERSEY, Chairman,
Curriculum Commission.

(COPY)

*To the Textbook Committee
of the State Board of Education.*

March 27, 1931.

LADIES AND GENTLEMEN: This statement is prepared to accompany the recommendation of the California Curriculum Commission and is in the nature of an explanation of the procedure followed by the commission in arriving at its conclusions and, therefore, presenting its recommendation.

The commission convened at 2:30 Monday afternoon, March 23d. The particular item of business immediately in hand was that having to do with a consideration of the various series of music books presented for study. The chairman reported to the commission that in this study, as in all other studies which the commission had been assigned to make, consideration was to be given only to matters of educational merit and the value of the books as they might meet the requirements of teacher and classroom pupil in accomplishing the program of music education approved for the elementary schools of the State of California. This, therefore, was indication to the commission that the question as to whether or not books to be considered were to be printed by the State Printer or purchased in carload lots was not to enter into the consideration given such books by the commission; that educational merit, and that alone, could be considered.

Upon motion by Miss Moorhead, seconded by Dr. Hockett and unanimously carried, the Music Hour and Music Education Series were approved for final consideration because of their outstanding merit and advantage over the other two series, the Book of Songs and the Universal School Music Series.

The chairman directed the commission to consider its deliberations in the light that the actual report of each vote on the various series considered should stand as the final report to the State Board of Education, rather than a report which would come out of a motion to unanimously approve, which might be made following a motion approving one series or another by a narrow margin of votes. The chairman indicated that it would be proper, in the light of the extensive and valid studies which had been conducted in various sections of the State of California by members of the commission and for the benefit of members of the commission, that each member give expression to his conclusions when called upon and report his technique in connection with such conclusion.

The chair reported first. In his report it was indicated that from all of the various studies which had been presented to the chairman there had been presented certain points in common which were those which adequately presented the needs in our music program and the qualities in a text required to satisfy those needs. The chairman had listed and evaluated the texts accordingly. The schedule used was as follows:

	Music Hr. series	Music Educa- tion series
Musical and literary values.....	7	10
Pedagogy and educational presentation.....	10	8
Plan and grading of books.....	10	9
Teachers' materials.....	10	7
Adaptability—general.....	10	9
Appreciation.....	10	9
"Feel" of book.....	10	9
Tone and book quality.....	10	9
Appeal to child.....	10	8
Possibility of child use.....	8	10
General ultimate goal attained.....	9	10
Quantity of materials.....	8	10
Correlations with school program.....	10	8
	122	116

Considerable discussion followed this presentation. In regular order the members of the commission followed in their presentation. Miss Salisbury reported at length from an extensive study and comparative analysis of these two series, carried on in the Los Angeles city schools. This study reported strength for the manual and lower grade books of the Music Hour series, with weakness in the upper grade books; weakness in the manual and psychology of the lower grade books of the Music Education series and strength in the upper grade books and particular advantage in the one book prepared for use in rural schools.

Mrs. Barnett, chairman of the Music Committee of the Curriculum Commission and State chairman for the regional music committees which during the past two years have been setting up criteria and studies for the needs of the State and the type of material which would be satisfactory, reported at length from numerous studies indicating a division of opinion in the field with a slight advantage in favor of the Music Education series.

Considerable discussion followed Mrs. Barnett's report, particularly as to the advantage which each series would bring to the average teacher in the State of California. It was agreed by the commission that the manual of the Music Hour series was in keeping with the needs of our teachers and also presented a music program consistent with the advantages desired for our pupils.

The chairman presented a report from Superintendent Chenoweth, in his absence, indicating the results of studies he had carried on and evaluations made of these two series in the city of Bakersfield and in Kern County schools, favoring the Music Hour series.

It was evident that the commission would be about equally divided in its vote concerning adoption of either series. A vote was taken which resulted in a six to five count in favor of Music Education series.

The commission felt that it should advise the State Board of Education to better advantage than a majority of one vote might indicate, so further deliberation was had, particularly as the commission approached the music needs from another angle, at this time considering what were the music requirements we should make of our children. It was Miss Moorhead's request that we proceed in this manner. The chairman suggested that the following seven points constitute the list:

1. Rhythmic expression.
2. Understanding of the structure and qualities of musical instruments.
3. Correlations.
4. Knowledge and skill of music notation.
5. Experience through vocal expression.
6. Composing musical phrases—creative.
7. Listening to music.

When the two series were considered on this basis, another vote was had which resulted in a six to five count in favor of the Music Hour series.

The commission concluded it should revert to its original considerations and, therefore, by a unanimous vote, decided that it would recommend what is conceded by all those reporting to the commission to be a strong and satisfactory selection, providing for our teachers and schools an admirable and universally acceptable manual, what is the best kindergarten and first grade book of songs available, what represents the best first, second and third music books for early and lower grade music study, and then the very strong fifth and sixth grade books for the later years, together with the outstanding book presented for small rural schools. Therefore, the commission recommends as follows:

The Kindergarten and First Grade Book, Book One, Book Two, Book Three, the Elementary Teachers Book, and the Intermediate Teachers Book of the Music Hour series, published by Silver, Burdett and Company, and Two-part Music, Intermediate Music and Adventures in Music of the Music Education series, published by Ginn and Company.

Respectfully submitted.

V. KERSEY, Chairman, Curriculum Commission.

Assembly Concurrent Resolution No. 36—Relative to leaves of absence of the State Controller and the Attorney General.

AMENDMENT FROM THE FLOOR.

During the reading of the resolution, the following amendment was offered, and its adoption moved by Senator Breed:

AMENDMENT NUMBER ONE.

On page 1, line 7, of the printed bill, as amended May 13, 1931, strike out the words "year 1931", and insert in lieu thereof "years 1931 and 1932".

Amendment adopted.

Assembly Concurrent Resolution No. 36 read, ordered to print, and on file.

Assembly Bill No. 363—An act to amend section 4242 of the Political Code, relating to the salaries, fees and expenses of officers in counties of the thirteenth class.

Bill read third time.

MOTION TO REFER TO SPECIAL COMMITTEE OF ONE.

During third reading of the bill, Senator Sharkey moved to refer Assembly Bill No. 363 to Senator Williams, as a Special Committee of One, to amend as follows:

AMENDMENT NUMBER ONE.

On page 14, line 41, of the printed bill, strike out "two hundred", and insert in lieu thereof "one hundred seventy-five".

AMENDMENT NUMBER TWO.

On page 15, lines 23 and 24, of the printed bill, strike out "one stenographer", and insert in lieu thereof "three stenographers".

AMENDMENT NUMBER THREE.

On page 15 of the printed bill, strike out the period in line 25, and insert in lieu thereof a comma and the word "each."

AMENDMENT NUMBER FOUR.

On page 16, line 16, of the printed bill, strike out "deputies", and insert in lieu thereof the word "deputy".

AMENDMENT NUMBER FIVE.

On page 17, line 1, of the printed bill, strike out "to the county coroner".

AMENDMENT NUMBER SIX.

On page 17, line 4, of the printed bill, strike out "inquest", and insert in lieu thereof the word "inquests".

AMENDMENT NUMBER SEVEN.

On page 19, line 24, of the printed bill, strike out the parentheses enclosing the word "Fees."

AMENDMENT NUMBER EIGHT.

On page 19, line 45, of the printed bill, strike out "road", and insert in lieu thereof the word "roads".

Motion carried.

REPORT OF SPECIAL COMMITTEE OF ONE.

SENATE CHAMBER, SACRAMENTO, May 14, 1931.

MR. PRESIDENT: Your Special Committee of One, to which was referred Assembly Bill No. 363, with instructions to amend, respectfully reports the same back, amended as per instructions.

WILLIAMS, Committee.

Report read, and on motion of Senator Sharkey adopted.

Bill ordered to print.

Assembly Bill No. 1314—An act amending section 7 of an act entitled "An act providing for the formation, government and operation of harbor districts for the improvement or development of harbors, the calling and conducting of elections in such districts, the issuance and disposal of the bonds thereof, and the assessment and levy of taxes for the payment of such bonds, principal and interest, and for the ordinary expenses of such districts.

Bill read third time.

MOTION TO REFER TO SPECIAL COMMITTEE OF ONE.

During third reading of the bill, Senator Edwards moved to refer Assembly Bill No. 1314 to Senator McKinley, as a Special Committee of One, to amend as follows:

AMENDMENT NUMBER ONE.

On page 1 of the printed bill, strike out lines 16 to 20, inclusive.

AMENDMENT NUMBER TWO.

On page 2 of the printed bill, strike out lines 1 to 5, inclusive.

Motion carried.

REPORT OF SPECIAL COMMITTEE OF ONE.

SENATE CHAMBER, SACRAMENTO, May 14, 1931.

MR. PRESIDENT: Your Special Committee of One, to which was referred Assembly Bill No. 1314, with instructions to amend, respectfully reports the same back, amended as per instructions.

McKINLEY, Committee.

Report read, and on motion of Senator Edwards adopted.

Bill ordered to print.

Assembly Bill No. 193—An act to amend section 737*rr* of the Political Code, relating to the salary of the superior judge in and for the county of Santa Cruz.

Bill read third time.

MOTION TO REFER TO SPECIAL COMMITTEE OF ONE.

During third reading of the bill, Senator Cleveland moved to refer Assembly Bill No. 193 to Senator Christian, as a Special Committee of One, to amend as follows:

AMENDMENT NUMBER ONE.

On page 1, line 4, of the printed bill, strike out "seven thousand", and insert in lieu thereof the following: "six thousand five hundred".

Motion carried.

REPORT OF SPECIAL COMMITTEE OF ONE.

SENATE CHAMBER, SACRAMENTO, May 14, 1931.

MR. PRESIDENT: Your Special Committee of One, to which was referred Assembly Bill No. 193, with instructions to amend, respectfully reports the same back, amended as per instructions.

CHRISTIAN, Committee.

Report read, and on motion of Senator Cleveland adopted.

Bill ordered to print.

Assembly Bill No. 1136 -An act to amend section 4236*a* of the Political Code, relating to county and township officers in counties of the seventh class, the assistants, deputies, and other employees of said officers, and providing for the compensation of said officers and said assistants, deputies, and other employees.

Bill read third time.

MOTION TO REFER TO SPECIAL COMMITTEE OF ONE.

During third reading of the bill, Senator Inman moved to refer Assembly Bill No. 1136 to Senator Jones, as a Special Committee of One, to amend as follows:

AMENDMENT NUMBER ONE.

On page 2, line 6, of the printed bill, strike out "three", and insert in lieu thereof the word "four", and strike out "six hun-".

AMENDMENT NUMBER TWO.

On page 2, line 7, of the printed bill, strike out "dred."

Motion carried.

REPORT OF SPECIAL COMMITTEE OF ONE.

SENATE CHAMBER, SACRAMENTO, May 14, 1931.

MR. PRESIDENT: Your Special Committee of One, to which was referred Assembly Bill No. 1136, with instructions to amend, respectfully reports the same back, amended as per instructions.

JONES, Committee.

Report read, and on motion of Senator Inman adopted.

Bill ordered to print.

Assembly Bill No. 1301—An act to amend section 718 of the Civil Code, relating to the leasing of municipal property.

Bill read third time.

MOTION TO REFER TO SPECIAL COMMITTEE OF ONE.

During third reading of the bill, Senator Harper moved to refer Assembly Bill No. 1301 to Senator McKinley, as a Special Committee of One, to amend as follows:

AMENDMENT NUMBER ONE.

On page 2, line 43, of the printed bill, as amended in Senate May 12, 1931, strike out the period after "located", and insert in lieu thereof a semicolon and the following: "provided, however, that no incorporated town, city or municipality, shall lease, use or permit the use of any tide or submerged lands for the purpose of production of, or exploration for minerals, oil, gas or other hydrocarbon substance."

Motion carried.

REPORT OF SPECIAL COMMITTEE OF ONE.

SENATE CHAMBER, SACRAMENTO, May 14, 1931.

MR. PRESIDENT: Your Special Committee of One, to which was referred Assembly Bill No. 1301, with instructions to amend, respectfully reports the same back, amended as per instructions.

McKINLEY, Committee.

Report read, and on motion of Senator Harper adopted.

Bill ordered to print.

MESSAGE FROM THE ASSEMBLY.

The following message from the Assembly was received and read:

ASSEMBLY CHAMBER, SACRAMENTO, May 13, 1931.

MR. PRESIDENT: I am directed to inform your honorable body that the Assembly amended, and on this day passed as amended, Senate Bill No. 701—An act to amend sections 2, 3, 4, 5, 6, 7, 8, 9, 10, 11, 12, 13, 14, 15, 16, 17, 18, 19, 20, 21, 22, 23, 24, 25, 26, 27, 28, 29 and to repeal sections 20a and 24a of and to add sections 30, 31, 32, 33, 34, 35, 36, 37 and 38 to an act entitled "An act providing for the regulation and supervision of companies, brokers, agents, and sales of securities as the same are therein defined, and to prevent fraud in the sale of securities; providing for the enforcement of said act and penalties for the violation thereof; and creating a State Corporation Department and the office of 'Commissioner of Corporations,'" approved May 18, 1917, as amended, relating to the Division of Corporations, the regulation and supervision of companies, brokers, agents, investment counsel and sales of securities, and the prevention of fraud in the sale of securities—and respectfully requests your honorable body to concur in said amendments.

ARTHUR A. OHNIMUS, Chief Clerk.

By FRED J. DESCH, Assistant Clerk.

DIVISION OF QUESTION.

Senator Breed moved that Assembly amendment number fifteen to Senate Bill No. 701 be considered separately.

Motion carried.

CONSIDERATION OF ASSEMBLY AMENDMENTS.

The Senate took up for consideration Assembly amendments to Senate Bill No. 701—An act to amend sections 2, 3, 4, 5, 6, 7, 8, 9,

10, 11, 12, 13, 14, 15, 16, 17, 18, 19, 20, 21, 22, 23, 24, 25, 26, 27, 28, 29 and to repeal sections 20a and 24a of and to add sections 30, 31, 32, 33, 34, 35, 36, 37 and 38 to an act entitled "An act providing for the regulation and supervision of companies, brokers, agents, and sales of securities as the same are therein defined, and to prevent fraud in the sale of securities: providing for the enforcement of said act and penalties for the violation thereof; and creating a State Corporation Department and the office of Commissioner of Corporations," approved May 18, 1917, as amended relating to the division of corporations, the regulation and supervision of companies, brokers, agents, investment counsel and sales of securities, and the prevention of fraud in the sale of securities.

ASSEMBLY AMENDMENTS, EXCEPTING AMENDMENT NUMBER FIFTEEN, TO
SENATE BILL NUMBER SEVEN HUNDRED ONE.

AMENDMENT NUMBER ONE.

On page 2, line 29, of the printed bill, as amended, after the word "stock", insert a comma.

AMENDMENT NUMBER TWO.

On page 4, line 29, of the printed bill, as amended, strike out the comma after the word "business".

AMENDMENT NUMBER THREE.

On page 7, line 51, of the printed bill, as amended, strike out the word "agent", and insert in lieu thereof the word "agents".

AMENDMENT NUMBER FOUR.

On page 9, line 6, of the printed bill, as amended, strike out the word "subdivision", and insert in lieu thereof the word "subdivision".

AMENDMENT NUMBER FIVE.

On page 10, line 18, of the printed bill, as amended, strike out the "(a)", and insert in lieu thereof "(1)".

AMENDMENT NUMBER SIX.

On page 10, line 20, of the printed bill, as amended, strike out the "(b)", and insert in lieu thereof "(2)".

AMENDMENT NUMBER SEVEN.

On page 10, line 23, of the printed bill, as amended, strike out the "(c)", and insert in lieu thereof "(3)".

AMENDMENT NUMBER EIGHT.

On page 10, line 25, of the printed bill, as amended, after the word "and", insert the word "possesses".

AMENDMENT NUMBER NINE.

On page 10, line 28, of the printed bill, as amended, strike out the "(d)", and insert in lieu thereof "(4)".

AMENDMENT NUMBER TEN.

On page 11, line 25, of the printed bill, as amended, strike out the word "has", and all of line 26, and insert in lieu thereof the following: "finds, after a hearing upon such notice as he, in his discretion, shall deem reasonable, that there exists any of the grounds herein-".

AMENDMENT NUMBER ELEVEN.

On page 11, line 27, of the printed bill, as amended, strike out the comma.

AMENDMENT NUMBER TWELVE.

On page 11, line 48, of the printed bill, as amended, after the word "certificate", insert a comma.

AMENDMENT NUMBER THIRTEEN.

On page 12, line 43, of the printed bill, as amended, after the word "broker", insert a semicolon and after the words "provided", and "however", insert a comma.

AMENDMENT NUMBER FOURTEEN.

On page 13, line 43, of the printed bill, as amended, strike out the word "therefor", and insert in lieu thereof the word "thereof".

AMENDMENT NUMBER SIXTEEN.

On page 16 of the printed bill, as amended, strike out lines 42 and 43, and insert in lieu thereof the following: "investigation of the business and the books, records, accounts and other papers pertaining thereto, of any company, broker, investment coun-".

AMENDMENT NUMBER SEVENTEEN.

On page 17, line 1, of the printed bill, as amended, strike out the "30", and insert in lieu thereof the word "thirty".

AMENDMENT NUMBER EIGHTEEN.

On page 17, line 2, of the printed bill, as amended, after the word "papers", insert "pertaining to the business".

AMENDMENT NUMBER NINETEEN.

On page 17, line 25, of the printed bill, as amended, strike out the words "revolving fund", and insert in lieu thereof the following: "appropriation for the support of his office".

AMENDMENT NUMBER TWENTY.

On page 17, line 30, of the printed bill, as amended, strike out the word "in".

AMENDMENT NUMBER TWENTY-ONE.

On page 17, line 32, of the printed bill, as amended, strike out the "2", and insert in lieu thereof "two".

AMENDMENT NUMBER TWENTY-TWO.

On page 18, line 17, of the printed bill, as amended, strike out "section 5", and insert in lieu thereof "sections 6 and 9".

AMENDMENT NUMBER TWENTY-THREE.

On page 19, line 41, of the printed bill, as amended, after the syllable "ties", insert a comma.

AMENDMENT NUMBER TWENTY-FOUR.

On page 20, line 27, of the printed bill, as amended, strike out the numeral "18", and insert in lieu thereof the numeral "24".

AMENDMENT NUMBER TWENTY-FIVE.

On page 23 of the printed bill, as amended, strike out all of lines 32 to 50, inclusive; and on page 24 of said bill, strike out all of lines 1 to 3, inclusive.

AMENDMENT NUMBER TWENTY-SIX.

On page 24, line 4, of the printed bill, as amended, strike out the numeral "34", and insert "33"; and strike out the numeral "35", and insert the numeral "34".

AMENDMENT NUMBER TWENTY-SEVEN.

On page 24, line 6, of the printed bill, as amended, strike out the numeral "35", and insert the numeral "34".

AMENDMENT NUMBER TWENTY-EIGHT.

On page 24, line 11, of the printed bill, as amended, strike out the numeral "35", and insert the numeral "34"; and strike out the numeral "36", and insert the numeral "35".

AMENDMENT NUMBER TWENTY-EIGHT AND ONE-HALF.

On page 24, line 13, of the printed bill, as amended, strike out "36", and insert "35".

AMENDMENT NUMBER TWENTY-NINE.

On page 24, line 30, of the printed bill, as amended, strike out the "36", and insert "35"; and strike out the "37", and insert "36".

AMENDMENT NUMBER THIRTY.

On page 24, line 32, of the printed bill, as amended, strike out the "37", and insert "36".

AMENDMENT NUMBER THIRTY-ONE.

On page 24, line 40, of the printed bill, as amended, strike out "37", and insert "36"; and strike out "38", and insert "37".

AMENDMENT NUMBER THIRTY-TWO.

On page 24, line 42, of the printed bill, as amended, strike out the "38", and insert "37".

AMENDMENT NUMBER THIRTY-THREE.

On page 24, line 44, of the printed bill, as amended, strike out the "38", and insert "37".

AMENDMENT NUMBER THIRTY-FOUR.

In line 4 of the title of the printed bill, as amended, strike out "36, 37, and 38", and insert in lieu thereof "36 and 37".

The question being: Shall the Senate concur in the preceding Assembly amendments to Senate Bill No. 701?

The roll was called, and the preceding Assembly amendments to Senate Bill No. 701 concurred in by the following vote:

AYES—Senators Allen, Breed, Bush, Carter, Cassidy, Cleveland, Clock, Crittenden, Deuel, Duval, Edwards, Evans, Harper, Hays, Jones, Maloney, McKinley, Mixer, Moran, Nelson, Riley, Schottky, Slater, Treacy, Tubbs, and Wagy—26.

NOES—None.

ASSEMBLY AMENDMENT TO SENATE BILL NUMBER SEVEN HUNDRED ONE.

AMENDMENT NUMBER FIFTEEN.

On page 16, lines 21 and 22, of the printed bill, as amended, strike out the following: "he shall devote his entire time to such employment".

The question being: Shall the Senate concur in Assembly amendment number fifteen to Senate Bill No. 701?

The roll was called, and the Senate refused to concur in Assembly amendment number fifteen to Senate Bill No. 701 by the following vote:

AYES—Senators Allen, Breed, Carter, McKinley, Nelson, Rochester, Slater, Swing, and Tubbs—9.

NOES—Senators Bush, Christian, Cleveland, Crittenden, Deuel, Duval, Edwards, Evans, Fellom, Hays, Ingels, Jones, Maloney, McCormack, Mixer, Moran, Rich, Riley, Schottky, Sharkey, Treacy, Wagy, and Williams—23.

MESSAGE FROM THE ASSEMBLY.

The following message from the Assembly was received and read:

ASSEMBLY CHAMBER, SACRAMENTO, May 13, 1931.

MR. PRESIDENT: I am directed to inform your honorable body that the Assembly amended, and on this day passed as amended, Senate Bill No. 549—An act to add three new sections to be numbered 2a, 11a and 13a to chapter 267, Statutes of 1923, entitled "An act to regulate and license the business of producing, refining or distributing gasoline, distillate and other motor vehicle fuels, providing for the collection and disposition of license taxes, prescribing penalties for violation of the provisions of said act, and repealing all acts and parts of acts inconsistent herewith," approved May 30, 1923, as amended, relating to the license taxes of unauthorized distributors and revolving funds for the State Board of Equalization and the Department of Public Works, Division of Highways and relating also to the refund provisions of the act—and respectfully requests your honorable body to concur in said amendments.

ARTHUR A. OHNIMUS, Chief Clerk.
By FRED J. DESCH, Assistant Clerk.

CONSIDERATION OF ASSEMBLY AMENDMENTS.

The Senate took up for consideration Assembly amendments to Senate Bill No. 549—An act to add three new sections to be numbered 2a, 11a and 13a to Chapter 267, Statutes of 1923, entitled "An act to regulate and license the business of producing, refining or distributing gasoline, distillate and other motor vehicle fuels, providing for the collection and disposition of license taxes, prescribing penalties for violation of the provisions of said act, and repealing all acts and parts of acts inconsistent herewith," approved May 30, 1923, as amended, relating to the license taxes of unauthorized distributors and revolving funds for the State Board of Equalization and the Department of Public Works, Division of Highways and relating also to the refund provisions of the act.

ASSEMBLY AMENDMENTS TO SENATE BILL NUMBER FIVE HUNDRED
FORTY-NINE.

AMENDMENT NUMBER ONE.

In line 1 of the title of the printed bill, strike out "two", and insert in lieu thereof "three".

AMENDMENT NUMBER TWO.

In line 2 of the title of the printed bill, after "2a", insert a comma and "11a,".

AMENDMENT NUMBER THREE.

In line 23 of the title of the printed bill, after "highway", insert a comma and the following: "and relating also to the refund provisions of the act".

AMENDMENT NUMBER FOUR.

On page 2 of the printed bill, after line 48, add the following:

"SEC. 2. A new section, to be numbered 11a, is hereby added to chapter 267, Statutes of 1923, as amended, to read as follows:

Sec. 11a. Refund provisions contained herein shall not be construed to cover losses in handling, transporting or storage of motor vehicle fuel."

AMENDMENT NUMBER FIVE.

On page 3, line 1, of the printed bill, after "Sec.", strike out "2", and insert in lieu thereof "3".

The question being: Shall the Senate concur in Assembly amendments to Senate Bill No. 549?

The roll was called, and Assembly amendments to Senate Bill No. 549 concurred in by the following vote:

AYES—Senators Allen, Breed, Cassidy, Christian, Crittenden, Deuel, Edwards, Evans, Fellom, Harper, Ingels, Jones, Maloney, McCormack, Mixter, Moran, Rich, Rochester, Sharkey, Slater, Swing, Treacy, Tubbs, and Waggy 24.
NOES—None.

Senate Bill No. 549 ordered to print, and enrollment.

MESSAGE FROM THE ASSEMBLY.

The following message from the Assembly was received and read:

ASSEMBLY CHAMBER, SACRAMENTO, May 14, 1931.

MR. PRESIDENT: I am directed to inform your honorable body that the Assembly amended, and on May 13, 1931, passed as amended, Senate Bill No. 75—An act to add sections 28a and 28b to chapter 36, Statutes of 1881, entitled "An act to allow unincorporated towns and villages to equip and maintain a fire department and to assess and collect taxes, from time to time, for such purpose, and to create a board of fire commissioners," approved March 4, 1881, as amended, relating to the withdrawal from fire districts formed thereunder of territory therein which will not be benefited by remaining within said district, and for the dissolution of fire districts organized thereunder—and respectfully requests your honorable body to concur in said amendments.

ARTHUR A. OHNIMUS, Chief Clerk.
By A. W. ENGELKE, Assistant Clerk.

CONSIDERATION OF ASSEMBLY AMENDMENTS.

The Senate took up for consideration Assembly amendments to Senate Bill No. 75—An act to add sections 28a and 28b to chapter 36, Statutes of 1881, entitled "An act to allow unincorporated towns and villages to equip and maintain a fire department and to assess and collect taxes, from time to time, for such purpose, and to create a board of fire commissioners," approved March 4, 1881, as amended, relating to the withdrawal from fire districts formed thereunder of territory therein which will not be benefited by remaining within said district, and for the dissolution of fire districts organized thereunder.

ASSEMBLY AMENDMENTS TO SENATE BILL NUMBER SEVENTY-FIVE.

AMENDMENT NUMBER ONE.

In line 1 of the title of the printed bill, after "act", insert the following: "to amend sections 3 and 23 of and".

AMENDMENT NUMBER TWO.

In line 6 of the title of the printed bill, before "withdrawal", insert the following: "powers and duties of commissioners, penalties for violating fire ordinances, and to the".

AMENDMENT NUMBER THREE.

On page 1, line 1, of the printed bill, strike out "28a is hereby added to chapter 36, statutes of 1881," and insert in lieu thereof the following: "3 of an act".

AMENDMENT NUMBER FOUR.

On page 1, line 6, of the printed bill, before "to", insert the following: "is hereby amended".

AMENDMENT NUMBER FIVE.

On page 1 of the printed bill, between lines 7 and 8, insert the following:

"Sec. 3. The board of fire commissioners so appointed by said board of supervisors, and their successors, shall be authorized and empowered, and it shall be their duty:

1. To fix and establish the fire limits of said town or village, and shall accurately describe the same, in writing by metes and bounds and file a copy thereof, subscribed by them, in the office of the county recorder of the county in which said town or village is situated;

2. To make all contracts with water companies for a supply of water and attaching hydrants or fire plugs to the pipes, or conduits, or cisterns of such water company; to make contracts for and to purchase the engines, hose, hosecarts or carriages, and other appliances for the full equipment of a fire company or department;

3. To call an election and to submit to the electors residing within said fire limits fixed by them, the question whether a tax shall be levied and raised for the purpose of establishing and equipping a fire department for the said town or village, and for protecting the same from loss by fire;

4. In the event of the establishment and equipment of a fire department in any unincorporated town or village, as provided for in this act, the board of fire commissioners are hereby directed and empowered, and it shall be their duty, to estimate and determine the annual amount of money required for the maintenance of said fire department for the ensuing fiscal year, and shall report the same to the board of supervisors of the county in which said fire district is located not later than the first day of July of each year;

5. To appoint judges, not less than three, and other officers, to conduct such election, and to issue certificates of election;

6. To do and perform such other acts and things as may be proper and necessary to carry out the full intent and meaning of this act; *provided, however*, that nothing in this act shall be interpreted as empowering the board of fire commissioners to delegate any of its authority to subfire commissioners or other agents.

SEC. 2. Section 23 of said act is hereby amended to read as follows:

SEC. 23. Any person who shall violate any of the provisions of said ordinance or who shall falsely impersonate a commissioner appointed or elected under this act, shall be guilty of a misdemeanor.

SEC. 3. Section 28a is hereby added to said act to read as follows:."

AMENDMENT NUMBER SIX.

On page 2 of the printed bill, strike out lines 33 to 36, inclusive, and insert in lieu thereof the following:

SEC. 4. Section 28b is hereby added to said act to read as follows:."

The question being: Shall the Senate concur in Assembly amendments to Senate Bill No. 75?

The roll was called, and Assembly amendments to Senate Bill No. 75 concurred in by the following vote:

AYES—Senators Allen, Breed, Bush, Carter, Cassidy, Christian, Cleveland, Crittenden, Deuel, Duval, Edwards, Fellom, Harper, Hays, Ingels, Jones, Maloney, McCormack, McKinley, Mixter, Moran, Rochester, Schottky, Sharkey, Slater, Swing, Treacy, Tubbs, and Wagay—29.

NOES—None.

Senate Bill No. 75 ordered to print, and enrollment.

MESSAGE FROM THE ASSEMBLY.

The following message from the Assembly was received and read:

ASSEMBLY CHAMBER, SACRAMENTO, May 13, 1931.

MR. PRESIDENT: I am directed to inform your honorable body that the Assembly amended, and on May 12, 1931, passed as amended, Senate Bill No. 288—An act to

amend section 159 of the California Vehicle Act, relating to the Motor Vehicle Fund—and respectfully requests your honorable body to concur in said amendments.

ARTHUR A. OHNIMUS, Chief Clerk.
By FRED J. DESCH, Assistant Clerk.

CONSIDERATION OF ASSEMBLY AMENDMENTS.

The Senate took up for consideration Assembly amendments to Senate Bill No. 288—An act to amend section 159 of the California Vehicle Act, relating to the Motor Vehicle Fund.

ASSEMBLY AMENDMENT TO SENATE BILL NUMBER TWO HUNDRED EIGHTY-EIGHT.

AMENDMENT NUMBER ONE.

On page 2, line 1, of the printed bill, as amended in the Senate April 1, 1931, strike out the words "board of control", and insert in lieu thereof the words "department of finance".

AMENDMENT NUMBER TWO.

On page 3, line 46, of said printed bill, after the word "parks," insert the following: "and for carrying out the provisions of section 365f, chapter 234, statutes of 1925, in the matter of acquiring strips of land extending not to exceed three hundred feet on each side of the center line of any state road or state highway,".

AMENDMENT NUMBER THREE.

On page 3, line 51, of said printed bill, strike out the words "state board of control", and insert in lieu thereof the words "department of finance".

AMENDMENT NUMBER FOUR.

On page 3, line 48, of the printed bill, strike out the words "and for carrying out the provisions", also strike out all of lines 49, 50 and 51 of page 3, and in line 52 of page 3 strike out the words "or state highway".

The question being: Shall the Senate concur in Assembly amendments to Senate Bill No. 288?

The roll was called, and Assembly amendments to Senate Bill No. 288 concurred in by the following vote:

AYES—Senators Allen, Breed, Carter, Cassidy, Christian, Cleveland, Crittenden, Deuel, Duval, Fellom, Harper, Hays, Ingels, Maloney, McCormack, Mixter, Moran, Rochester, Sharkey, Slater, Swing, Tubbs, and Wagy—23.

NOES—None.

Senate Bill No. 288 ordered to print, and enrollment.

MESSAGE FROM THE ASSEMBLY.

The following message from the Assembly was received and read:

ASSEMBLY CHAMBER, SACRAMENTO, May 13, 1931.

MR. PRESIDENT: I am directed to inform your honorable body that the Assembly amended, and on May 12, 1931, passed as amended, Senate Bill No. 561—An act to amend sections 224, 224m and 226 of the Civil Code, relating to adoption—and respectfully requests your honorable body to concur in said amendments.

ARTHUR A. OHNIMUS, Chief Clerk.
By FRED J. DESCH, Assistant Clerk.

CONSIDERATION OF ASSEMBLY AMENDMENTS.

The Senate took up for consideration Assembly amendments to Senate Bill No. 561—An act to amend sections 224, 224m and 226 of the Civil Code, relating to adoption.

ASSEMBLY AMENDMENTS TO SENATE BILL NUMBER FIVE HUNDRED SIXTY-ONE.

AMENDMENT NUMBER ONE.

On page 2, line 41, of the printed bill, strike out the word "making", and insert in lieu thereof the word "giving".

AMENDMENT NUMBER TWO.

On page 3, line 23, of the printed bill, following "child," strike out all of the rest of the paragraph and insert in lieu thereof the following: "it shall be the duty of

the department of social welfare to submit to the court a full report of the facts disclosed by its inquiry with a recommendation regarding the granting of the petition."

The question being: Shall the Senate concur in Assembly amendments to Senate Bill No. 561?

The roll was called, and Assembly amendments to Senate Bill No. 561 concurred in by the following vote:

AYES—Senators Allen, Breed, Carter, Cassidy, Christian, Cleveland, Deuel, Duval, Edwards, Fellon, Harper, Hays, Ingels, Jones, Maloney, McCormack, Mixer, Moran, Schottky, Sharkey, Slater, Swing, Tubbs, Wagy, and Williams—25.

NOES—None.

Senate Bill No. 561 ordered to print, and enrollment.

MESSAGE FROM THE ASSEMBLY.

The following message from the Assembly was received and read:

ASSEMBLY CHAMBER, SACRAMENTO, May 13, 1931.

MR. PRESIDENT: I am directed to inform your honorable body that the Assembly amended, and on this day passed as amended, Senate Bill No. 337—An act making an appropriation for surveys, plans, estimates, preliminary engineering and other preliminary expenses for a bridge across the bay of San Francisco from the city of San Francisco to the county of Alameda—and respectfully requests your honorable body to concur in said amendments.

ARTHUR A. OHNIMUS, Chief Clerk.
By FRED J. DESCH, Assistant Clerk.

CONSIDERATION OF ASSEMBLY AMENDMENT.

The Senate took up for consideration Assembly amendment to Senate Bill No. 337—An act making an appropriation for surveys, plans, estimates, preliminary engineering and other preliminary expenses for a bridge across the bay of San Francisco from the city of San Francisco to the county of Alameda.

ASSEMBLY AMENDMENT TO SENATE BILL NUMBER THREE HUNDRED THIRTY-SEVEN.

AMENDMENT NUMBER ONE.

On page 1 of the printed bill, as amended, strike out all of line 10, and the following words in line 11: "authority and", and insert in lieu thereof the following: "to be expended through and upon authorization of".

The question being: Shall the Senate concur in Assembly amendment to Senate Bill No. 337?

The roll was called, and Assembly amendment to Senate Bill No. 337 concurred in by the following vote:

AYES—Senators Allen, Breed, Carter, Cassidy, Christian, Crittenden, Deuel, Duval, Edwards, Fellon, Harper, Hays, Ingels, Jones, McCormack, Mixer, Moran, Riley, Schottky, Sharkey, Slater, Swing, Wagy, and Williams—24.

NOES—None.

Senate Bill No. 337 ordered to print, and enrollment.

REPORTS OF STANDING COMMITTEES—(RESUMED).

The following report of standing committee was received and read:

ON JUDICIARY.

SENATE CHAMBER, SACRAMENTO, May 13, 1931.

MR. PRESIDENT: Your Committee on Judiciary, to which was referred Assembly Bill No. 1206—An act to add a new section to the Penal Code, to be numbered section 653g, making it a misdemeanor offense to charge or collect, or attempt to charge or collect, a fee or valuable consideration for placing, or assisting in placing, or attempting to place, persons in public work, as herein defined, or for registering persons for such public work, or giving information as to where such public work may be procured, or to place any order for the employment of a worker, or workers.

for such public work where a fee or valuable consideration is to be charged the applicant for such employment—has had the same under consideration, and respectfully reports the same back, without recommendation.

Committee membership—17; committee vote: Ayes—8; absent—9.

CHRISTIAN, Chairman.

SECOND READING OF ASSEMBLY BILL NUMBER ONE THOUSAND
TWO HUNDRED SIX.

Assembly Bill No. 1206—An act to add a new section to the Penal Code, to be numbered section 653g, making it a misdemeanor offense to charge or collect, or attempt to charge or collect, a fee or valuable consideration for placing, or assisting in placing, or attempting to place, persons in public work, as herein defined, or for registering persons for such public work, or giving information as to where such public work may be procured, or to place any order for the employment of a worker, or workers, for such public work where a fee or valuable consideration is to be charged the applicant for such employment.

Bill read second time, and ordered on file for third reading.

REPORTS OF STANDING COMMITTEES—(RESUMED).

The following report of standing committee was received and read:
ON FEDERAL RELATIONS.

SENATE CHAMBER, SACRAMENTO, May 14, 1931.

MR. PRESIDENT: Your Committee on Federal Relations, to which was referred Assembly Joint Resolution No. 27—Relating to memorializing the President of the United States by appropriate means to put the United States on record as requesting the permanent opium committee of the League of Nations, Geneva, Switzerland, to urge upon the governments of certain nations the immediate necessity of limiting the production of all habit-forming narcotic drugs and the raw materials from which they are made to the amount actually required for strictly medicinal and scientific purposes at the forthcoming opium conference of the League of Nations—has had the same under consideration, and respectfully reports the same back, and recommends that it be adopted.

Committee membership—5.

(Signed out)

SCHOTTKY, Chairman.
HARPER.
McCORMACK.
RILEY.
WAGY.

Assembly Joint Resolution No. 27 ordered on file.

REPORTS OF STANDING COMMITTEES—(RESUMED).

The following report of standing committee was received and read:

ON JUDICIARY.

SENATE CHAMBER, SACRAMENTO, May 14, 1931.

MR. PRESIDENT: Your Committee on Judiciary, to which was referred Assembly Concurrent Resolution No. 39—Relative to the appointment of a joint committee of the Senate and Assembly to consider the constitutional mandate with respect to mechanics liens and to consider existing laws affecting trust deeds and mortgages and to suggest remedial legislation; and to make an appropriation to meet expenses of said committee necessarily incurred in said work—has had the same under consideration, and respectfully reports the same back with amendments, and recommends that the amendments be adopted, and that it be adopted as amended.

Committee membership—17; committee vote: Ayes—8; absent—9.

CHRISTIAN, Chairman.

Assembly Concurrent Resolution No. 39—Relative to the appointment of a joint committee of the Senate and Assembly to consider the constitutional mandate with respect to mechanics liens and to consider existing laws affecting trust deeds and mortgages and to suggest remedial legislation; and to make an appropriation to meet expenses of said committee necessarily incurred in said work.

COMMITTEE AMENDMENT.

During the second reading of the bill, the following committee amendment was offered:

AMENDMENT NUMBER ONE.

On page 2, line 28, of the printed bill, after the word "specified", omit the following: "such committee is hereby authorized to employ competent clerical and other help to assist in the preparation and compiling of said report:".

Amendment adopted.

Assembly Concurrent Resolution No. 39 read, ordered to print, and on file.

REPORTS OF STANDING COMMITTEES—(RESUMED).

The following report of standing committee was received and read:

ON MUNICIPAL CORPORATIONS.

SENATE CHAMBER, SACRAMENTO, May 14, 1931.

MR. PRESIDENT: Your Committee on Municipal Corporations, to which was referred Assembly Bill No. 1597—An act to add a new section to be numbered 12½ to "An act to provide for the formation, management and dissolution of county water works districts; for supplying the inhabitants thereof with water; for levying and collecting taxes on property in such districts; and for the issuance of county water works district bonds and the payment thereof," approved June 13, 1913, relative to the organization and regulation of water districts;

Also: Assembly Bill No. 1598—An act to add a new section numbered 13½ to an act entitled "An act to provide for the incorporation and organization and management of county water districts, and to provide for the acquisition of water rights or construction thereby of water works and for the acquisition of all property necessary therefor, and also to provide for the distribution and sale of water by said districts," approved June 10, 1913, as amended, relating to county water districts; Has had the same under consideration, and respectfully reports the same back, and recommends that they do pass.

Committee membership—9.

(Signed out)

HARPER, Chairman.

ALLEN.

CARTER.

MIXTER.

ROCHESTER.

TREACY.

SECOND READING OF ASSEMBLY BILLS—(RESUMED).

Assembly Bill No. 1597—An act to add a new section to be numbered 12½ to "An act to provide for the formation, management and dissolution of county water works districts; for supplying the inhabitants thereof with water; for levying and collecting taxes on property in such districts; and for the issuance of county water works district bonds and the payment thereof," approved June 13, 1913, relative to the organization and regulation of water districts.

Bill read second time, and ordered on file for third reading.

Assembly Bill No. 1598—An act to add a new section numbered 13½ to an act entitled "An act to provide for the incorporation and organization and management of county water districts, and to provide for the acquisition of water rights or construction thereby of waterworks and for the acquisition of all property necessary therefor, and also to provide for the distribution and sale of water by said districts," approved June 10, 1913, as amended, relating to county water districts.

Bill read second time, and ordered on file for third reading.

REPORTS OF STANDING COMMITTEES—(RESUMED).

The following report of standing committee was received and read:

ON JUDICIARY.

SENATE CHAMBER, SACRAMENTO, May 13, 1931.

MR. PRESIDENT: Your Committee on Judiciary, to which was referred Assembly Bill No. 322—An act to amend section 158 of the Code of Civil Procedure, relating

to judges of the superior court—has had the same under consideration, and respectfully reports the same back with amendments, and recommends that the amendments be adopted, and that it do pass as amended.

Committee membership—17; committee vote: Ayes—12; absent—5.

CHRISTIAN, Chairman.

SECOND READING OF ASSEMBLY BILL NUMBER THREE HUNDRED
TWENTY-TWO.

Assembly Bill No. 322—An act to amend section 158 of the Code of Civil Procedure, relating to judges of the superior court.

COMMITTEE AMENDMENT.

During the second reading of the bill, the following committee amendment was offered:

AMENDMENT NUMBER ONE.

On page 1 of the printed bill, strike out line 4, and insert in lieu thereof: "the county".

Amendment adopted.

Bill read second time, ordered to print, and on file for third reading.

REPORTS OF STANDING COMMITTEES—(RESUMED).

The following report of standing committee was received and read:

ON FINANCE.

SENATE CHAMBER, SACRAMENTO, May 14, 1931.

MR. PRESIDENT: Your Committee on Finance, to which was referred Assembly Bill No. 1100—An act amending section 6 of an act entitled "An act authorizing the establishment of municipal courts, prescribing their constitution, regulation, government, procedure and jurisdiction, and providing for the election and appointment of the judges, clerks and other attaches of such courts, their terms of office, qualification and compensation and for the selection of jurors therein," approved May 23, 1925, and as amended and approved April 6, 1929, relating to municipal courts—has had the same under consideration, and respectfully reports the same back, and recommends that it do pass.

Committee membership—17.

(Signed out)

SWING, Chairman.
BREED.
CARTER.
CLOCK.
FELLOM.
MORAN.
NELSON.
SHARKEY.
SLATER.
TUBBS.

Assembly Bill No. 1100—An act amending section 6 of an act entitled "An act authorizing the establishment of municipal courts, prescribing their constitution, regulation, government, procedure and jurisdiction, and providing for the election and appointment of the judges, clerks and other attaches of such courts, their terms of office, qualification and compensation and for the selection of jurors therein," approved May 23, 1925, and as amended and approved April 6, 1929, relating to municipal courts.

Bill read second time, and ordered on file for third reading.

RECESS.

On motion of Senator Breed, at six o'clock and nine minutes p.m., the President of the Senate declared recess until eight o'clock and forty-five minutes p.m.

RECONVENED.

At eight o'clock and forty-five minutes p.m., the Senate reconvened. Lieutenant Governor Frank F. Merriam, President of the Senate, in the chair.

Secretary Joseph A. Beek at the desk.

MESSAGE FROM THE ASSEMBLY.

The following message from the Assembly was received and read:

ASSEMBLY CHAMBER, SACRAMENTO, May 14, 1931.

MR. PRESIDENT: I am directed to inform your honorable body that the Assembly amended, and on May 12, 1931, passed as amended, Senate Bill No. 362—An act to prohibit and prevent the waste of crude petroleum oil in the State of California and defining such waste, and in that behalf creating an Oil Conservation Commission; providing for the appointment of the members of said commission; fixing the terms of office of the members of said commission; providing for the filling of vacancies in the membership of said commission; providing for the powers, duties and authority of said commission and the members thereof; requiring producers of crude petroleum oil and operators of wells and owners and operators of any storage facilities of crude petroleum oil to make and file certain reports; providing for the filing and hearing of complaints concerning the waste of crude petroleum oil and for oaths, subpoenas and depositions; providing for the fixing of allowable production of crude petroleum oil for the State and for the several oil fields thereof, respectively, and for the several zones properties and wells in each such oil field, respectively, so as to stop such waste; providing for the enforcement of said act; providing penalties for refusing to permit the commission or its representatives to inspect any drilling or producing well or storage facilities and for failing, neglecting or refusing to furnish any report or record or statement required by the commission and for wilfully rendering or furnishing a false or fraudulent report, statement or record, creating a fund for the purposes of said act and providing for the assessment and collection thereof—and respectfully requests your honorable body to concur in said amendments.

ARTHUR A. OHNIMUS, Chief Clerk.
By A. W. ENGELKE, Assistant Clerk.

DIVISION OF QUESTION.

Senator Crittenden moved that Assembly amendments No. 2 to Senate Bill No. 362 be considered separately.
Motion carried.

CONSIDERATION OF ASSEMBLY AMENDMENTS.

The Senate took up for consideration Assembly amendments to Senate Bill No. 362—An act to prohibit and prevent the waste of crude petroleum oil in the State of California and defining such waste, and in that behalf creating an Oil Conservation Commission; providing for the appointment of the members of said commission; fixing the terms of office of the members of said commission; providing for the filling of vacancies in the membership of said commission; providing for the powers, duties and authority of said commission and the members thereof; requiring producers of crude petroleum oil and operators of wells and owners and operators of any storage facilities of crude petroleum oil to make and file certain reports; providing for the filing and hearing of complaints concerning the waste of crude petroleum oil and for oaths, subpoenas and depositions; providing for the fixing of allowable production of crude petroleum oil for the State and for the several oil fields thereof, respectively, and for the several zones properties and wells in each such oil field, respectively, so as to stop such waste; providing for the enforcement of said act; providing penalties for refusing to permit the commission or its representatives to inspect any drilling or producing well or storage facilities and for failing, neglecting or refusing to furnish any report or record or statement required by the commission and for wilfully rendering or furnishing a false or fraudulent report, statement or record, creating a fund for the purposes of said act and providing for the assessment and collection thereof.

ASSEMBLY AMENDMENTS TO SENATE BILL NUMBER THREE HUNDRED SIXTY-TWO.

AMENDMENT NUMBER ONE.

On page 2, line 20, of the printed bill, after the word "requirements", strike out the period and insert the following: "as determined upon the basis of past experience existing conditions and estimated future requirements of crude petroleum oil and its refined products for such use and shipment".

AMENDMENT NUMBER TWO.

On page 2, line 39, of the printed bill, as amended, strike out "and one", and insert in lieu thereof a comma and the following: "each of whom shall receive a salary of three thousand six hundred dollars per annum, except the state oil and gas supervisor who shall receive a salary of six thousand dollars per annum, payable out of the petroleum oil and gas fund. One of said commissioners".

AMENDMENT NUMBER THREE.

On page 4, line 1, of the printed bill, as amended, strike out the word "appointed", and insert the word "elected", and on page 4, line 2, of the printed bill, as amended, strike out the word "appointment", and insert the word "elected".

AMENDMENT NUMBER FOUR.

On page 4 of the printed bill, as amended, commencing with line 5, insert the following:

"In case of vacancy, the remaining members of the oil conservation commission shall appoint a person to serve until the next regular meeting called and held for the election of district oil and gas commissioners in the district for which the member whose office has become vacant served. The notice of such meeting shall state the fact of such vacancy and that a member of the oil conservation commission is to be elected thereat to fill such vacancy, and at such meeting the vacancy shall be filled by an election called and held in the same manner as hereinabove specified for the election of the first members, and the result of such election shall be certified and all subsequent proceedings taken as hereinabove specified for the regular election and qualification of members."

AMENDMENT NUMBER FIVE.

On page 4 of the printed bill, as amended, strike out lines 18, 19 and 20.

AMENDMENT NUMBER SIX.

On page 4 of the printed bill, as amended, commencing with line 41, insert the following:

"The oil conservation commissioner elected for any district hereunder may be recalled from office in the following manner: Upon the filing in the office of the state oil and gas supervisor of a written petition, signed by not less than forty per cent (40%) of the voters entitled to vote on the election of such member, as hereinabove set forth, for such district, asking the recall of such member, said supervisor shall forthwith examine and verify the signatures to such petition, and if he shall find the same sufficient he shall, within ten (10) days from the date of the filing of such petition, give written notice to all of the voters entitled to vote for the election of such member of a meeting for a special election to be held at a place within the district for which such member was elected, and at a time designated by said supervisor in such notice. Such notice shall be given at least two (2) weeks prior to the day fixed for such election, and shall be by letter addressed to each of the persons, corporations, copartnerships and associations entitled to vote for such member, as aforesaid, at his or its post-office address or principal place of business. Such election shall be called and held in the same manner as a regular election for a member for such district except that the election shall be for the unexpired portion of the term for which such member was originally elected, and any other candidates may at the same time be voted upon with such member. It shall require a majority of the votes of all the voters entitled to vote for the election of such member to office to elect any candidate for such unexpired portion in his place. In the event no candidate other than such member shall receive a majority of all such votes, such recall shall be deemed to have failed and such member shall continue to serve until the expiration of said term as if no such election had been held. In case any candidate other than such member shall receive a majority of such votes at such election, then such recall shall be deemed to have become effective, and the candidate so receiving such majority of votes shall be deemed elected to such office for such unexpired portion of said term. The chairman and secretary of the meeting at which such election shall be so held shall issue a written certificate to the state oil and gas supervisor setting forth the results of such election, and, if a new member is elected, the name and address of the person so elected. If a new member is so elected said supervisor shall notify him of his election, and shall certify the same to the secretary of State of the State of California. Each person so elected shall qualify as required by law and shall thenceforth be the member of the commission for the district in which such election was held."

AMENDMENT NUMBER SEVEN.

On page 8 of the printed bill, as amended, immediately after line 23 insert the following:

"No order made upon a finding of the commission that waste incident to or resulting from excessive production as hereinbefore set forth is being committed, and no order amending or modifying any such order, other than a repeal or suspension thereof, shall become effective until the same has been approved by the director of natural resources of this state, as hereinafter provided. Every order of the commission requiring the approval of the director of natural resources shall be certified to by the secretary of the commission and a copy thereof forthwith delivered by him to the director of natural resources who shall certify either his approval thereof or his objections thereto to the secretary of the commission. If the director objects to such order, the commission shall reconsider this order and make such new or amended order as it shall determine upon. This new or amended order shall be in like manner subject to the approval of the director of natural resources.

If the director of natural resources fails to either certify his approval or objections to an order of the commission within fifteen (15) days after the certification thereof by the secretary of the commission, the same shall be deemed and considered as having been approved by the director."

AMENDMENT NUMBER EIGHT.

On page 9 of the printed bill, as amended, immediately after line 16 insert the following:

"Sec. 9a. The commission may at any time, upon complaint made in writing to it by any person, firm, company, corporation or syndicate, or upon its own motion, and after a hearing held in the same manner as is provided herein for hearings upon complaints that waste of crude petroleum is being committed in this state, modify, suspend in whole or in part, or rescind any order theretofore made by it pursuant to the provisions of this act."

The question being: Shall the Senate concur in the preceding Assembly amendments to Senate Bill No. 362?

The roll was called, and the preceding Assembly amendments to Senate Bill No. 362 concurred in by the following vote:

AYES—Senators Allen, Breed, Bush, Cassidy, Clock, Crittenden, Deuel, Duval, Edwards, Evans, Fellom, Harper, Jones, Maloney, McKinley, Mixer, Moran, Nelson, Pedrotti, Rich, Sharkey, Slater, Treacy, Tubbs, Wagye, and Williams—26.

NOES—Senators Carter, Cleveland, Ingels, Inman, McCormack, Riley, Rochester, and Schottky—8.

ASSEMBLY AMENDMENTS NUMBER TWO TO SENATE BILL NUMBER
THREE HUNDRED SIXTY-TWO.

AMENDMENT NUMBER ONE.

On page 2, line 20, of the printed bill, after the word "requirements", strike out the period and insert the following: "as determined upon the basis of past experience existing conditions and estimated future requirements of crude petroleum oil and its refined products for such use and shipment".

AMENDMENT NUMBER TWO.

On page 2, line 27, of the printed bill, as amended, strike out everything after the word "SEC. 3." down to the end of line 51 on page 3, and insert in lieu thereof the following: "There is hereby created the oil conservation commission which shall consist of six members one of whom shall be the state oil and gas supervisor and one shall be elected for each of the five districts into which the state is divided by the provisions of section 10 of an act of the State of California entitled "An act to protect the natural resources of petroleum and gas from waste and destruction; relating to the creation of a division in the department of natural resources for the prevention of such waste and destruction; providing for the appointment of a state oil and gas supervisor; prescribing his duties and powers; fixing his compensation; providing for the appointment of deputies and employees; providing for their duties and compensation; providing for the inspection of petroleum and gas wells; requiring all persons operating petroleum and gas wells to make certain reports; permitting and authorizing agreements in the interests of conservation; providing for suits by the director of the department of natural resources in the name of the people of the State of California; providing procedure for arbitration of departmental rulings; creating a fund for the purposes of the acts; providing for assessment of charges to be paid by operators and providing for the collection thereof; and making an appropriation for the purpose of this act," approved June 10, 1915, chapter 718; amended 1917, chapter 759; amended 1919, chapter 536; amended 1921, chapter 912; amended 1929, chapter 535; as follows:

Within thirty (30) days after this act becomes effective a meeting shall be called and held in each of said districts, respectively, at a place to be determined by the

state oil and gas supervisor. At each of such meetings a member of the oil conservation commission for the district in which such meeting is held shall be elected by ballot by a plurality vote of the persons, corporations, copartnerships and associations entitled to vote for district oil and gas commissioners within such district, as provided by said section 10 of said act above referred to, except that each of whom shall be entitled to only one vote. The place and time and details of such meetings, respectively, shall be fixed by the state oil and gas supervisor and he shall deposit a notice thereof in the United States mail, postage prepaid, at least two weeks before the meeting addressed to each of said persons, corporations, copartnerships and associations entitled to vote, as aforesaid, at his or its post-office address or principal place of business, as the same appears on the last record of assessment. At such meeting each of those entitled to vote, as hereinabove provided, may be represented by one person holding the written authority of such voter to act for him at such meeting.

The members first elected for districts number one and number two, as defined in said section 10, shall serve until the third Monday in September, in 1933; the members elected for districts number three and number four, as defined in said section 10, shall serve until the third Monday in September, in 1934; and the member elected for district number five, as defined in said section 10, shall serve until the third Monday in September, in 1935; and thereafter until their respective successors are elected or appointed and qualified. The successors of all members shall thereafter serve for terms of four years each and until their successors are elected or appointed and qualified and shall each be elected on the third Monday in September of the year in which his term of office expires, at the meeting held for the election of district oil and gas commissioners in the district for which his predecessor was elected. The notice of each such meeting shall state that a member of the oil conservation commission is to be elected thereat and the election shall be held in the same manner as hereinabove specified for the election of the first members.

The chairman and secretary of each such meeting shall issue a written certificate to the state oil and gas supervisor, setting forth the results of the election and the name and address of the person elected as such member for said district, and such supervisor in turn shall notify each person so elected of his election and shall certify the same to the secretary of state of the State of California."

The question being: Shall the Senate concur in Assembly amendments No. 2 to Senate Bill No. 362?

The roll was called.

CALL OF THE SENATE.

Pending the announcement of the vote, Senator Sharkey moved a call of the Senate.

Motion carried.

The Secretary was directed to call the roll.

The roll was called, and the following answered to their names:

Senators Allen, Breed, Bush, Carter, Cassidy, Christian, Cleveland, Clock, Crittenden, Deuel, Duval, Edwards, Evans, Fellom, Harper, Hays, Ingels, Inman, Jones, Maloney, McCormack, McKinley, Mixer, Moran, Nelson, Pedrotti, Rich, Riley, Rochester, Schottky, Sharkey, Slater, Treacy, Tubbs, Waggy, and Williams—36.

The Secretary announced the absentees.

Time, ten o'clock and thirty minutes p.m.

The Sergeant directed the Sergeant-at-Arms to close the doors.

The Sergeant-at-Arms, having been furnished with the names of the absentees, was directed to bring them to the bar of the Senate.

PROCEEDINGS UNDER CALL OF THE SENATE.

CONSIDERATION OF DAILY FILE.

THIRD READING OF ASSEMBLY BILLS—(RESUMED).

Assembly Bill No. 997—An act to amend an act entitled "An act to authorize and control the deposit in banks of money belonging to or in the custody of any county, city and county, city, town, municipality or other political subdivision within this State, and to repeal all acts or parts of acts in conflict with this act," approved May 24, 1927, by amending section 4 thereof with reference to the security to be given for such deposits.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Assembly Bill No. 997 passed by the following vote:

AYES—Senators Allen, Breed, Cassidy, Christian, Cleveland, Deuel, Duval, Edwards, Evans, Fellom, Harper, Hays, Ingels, Inman, Jones, Maloney, McCormack, McKinley, Mixter, Moran, Nelson, Pedrotti, Rich, Riley, Rochester, Sharkey, Slater, Swing, Treacy, Tubbs, Waggy, and Williams—32.

NOES—None.

Title read and approved.

Bill ordered transmitted to the Assembly.

MESSAGE FROM THE ASSEMBLY.

The following message from the Assembly was received and read:

ASSEMBLY CHAMBER, SACRAMENTO, May 14, 1931.

MR. PRESIDENT: I am directed to inform your honorable body that the Assembly amended, and on this day passed as amended, Senate Bill No. 52—An act relating to the liability in damages of municipalities, counties, cities and counties, and school districts, in the case of injuries to persons or property resulting from the defective or dangerous condition of public streets, highways, bridges, buildings, works or property; prescribing the duties of the officers thereof in such cases, and authorizing such public or quasi public corporations to take out and pay for insurance to protect them against such liability—and respectfully requests your honorable body to concur in said amendments.

ARTHUR A. OHNIMUS, Chief Clerk.
By A. W. ENGELKE, Assistant Clerk.

CONSIDERATION OF ASSEMBLY AMENDMENTS.

The Senate took up for consideration Assembly amendments to Senate Bill No. 52—An act relating to the liability in damages of municipalities, counties, cities and counties, school districts and the State of California, in the case of injuries to persons or property resulting from the defective or dangerous condition of public streets, highways, bridges, buildings, works or property; prescribing the duties of the officers thereof in such cases, authorizing the State and such public or quasi public corporations to take out and pay for insurance to protect them against such liability, and repealing chapter 328, Statutes of 1923, entitled "An act limiting the liability of supervisors, city trustees, city councils, boards of education and school trustees, and making counties, municipalities and school districts liable for the negligence of their respective officers in certain instances and providing for the payment of costs of actions in certain instances, approved June 13, 1923," limiting the liability of municipalities, counties, cities and counties, school districts, or other public or quasi public corporations for the negligence of their respective officers in certain instances.

ASSEMBLY AMENDMENTS TO SENATE BILL NUMBER FIFTY-TWO.

AMENDMENT NUMBER ONE.

On page 2, line 18, of the printed bill, strike out "it shall be the", and strike out lines 19 to 27, inclusive, and in line 28 strike out "occurred,".

AMENDMENT NUMBER TWO.

On page 2, line 31, of the printed bill, strike out the period, and insert in lieu thereof ", within ninety days after such accident has occurred."

AMENDMENT NUMBER THREE.

On page 2, line 35, of the printed bill, strike out "3", and insert in lieu thereof "2".

AMENDMENT NUMBER FOUR.

On page 2, line 48, of the printed bill, strike out "4", and insert in lieu thereof "3".

AMENDMENT NUMBER FIVE.

On page 3, line 7, of the printed bill, strike out "5", and insert in lieu thereof "4".

AMENDMENT NUMBER SIX.

On page 3, line 14, of the printed bill, strike out "6", and insert in lieu thereof "5".

AMENDMENT NUMBER SEVEN.

In line 6 of the title of the printed bill, after "cases," insert "and".

AMENDMENT NUMBER EIGHT.

In line 8 of the title of the printed bill, strike out the comma in said line, and insert in lieu thereof a period, also strike out all of lines 9 to 18, inclusive, of the title.

AMENDMENT NUMBER NINE.

On page 1 of the printed bill, strike out lines 1 to 9, inclusive, and on page 2 strike out all of lines 1 to 10, inclusive.

AMENDMENT NUMBER TEN.

On page 2, line 11, of the printed bill, strike out "Sec. 2.", and insert in lieu thereof "SECTION 1."

AMENDMENT NUMBER ELEVEN.

On page 2, line 23, of the printed bill, strike out "3", and insert in lieu thereof "2".

AMENDMENT NUMBER TWELVE.

On page 2, line 24, of the printed bill, strike out "must", and insert in lieu thereof "shall".

AMENDMENT NUMBER THIRTEEN.

On page 2, line 27, of the printed bill, strike out "must", and insert in lieu thereof "shall".

AMENDMENT NUMBER FOURTEEN.

On page 2, line 30, of the printed bill, strike out "4", and insert in lieu thereof "3".

AMENDMENT NUMBER FIFTEEN.

On page 2, line 43, of the printed bill, strike out "5", and insert in lieu thereof "4".

AMENDMENT NUMBER SIXTEEN.

On page 3, line 1, of the printed bill, strike out "6", and insert in lieu thereof "5".

AMENDMENT NUMBER SEVENTEEN.

On page 3, line 8, of the printed bill, strike out "7", and insert in lieu thereof "6".

AMENDMENT NUMBER EIGHTEEN.

On page 3, strike out all of line 12 of the printed bill.

AMENDMENT NUMBER NINETEEN.

On page 2, line 18, of the printed bill, strike out "it shall be the", and strike out lines 19 to 27, inclusive, and in line 28 strike out "occurred".

AMENDMENT NUMBER TWENTY.

On page 2, line 31, of the printed bill, strike out the period, and insert in lieu thereof " within ninety days after such accident has occurred."

AMENDMENT NUMBER TWENTY-ONE.

On page 2, line 35, of the printed bill, strike out "3", and insert in lieu thereof "2".

AMENDMENT NUMBER TWENTY-TWO.

On page 2, line 48, of the printed bill, strike out "4", and insert in lieu thereof "3".

AMENDMENT NUMBER TWENTY-THREE.

On page 3, line 7, of the printed bill, strike out "5", and insert in lieu thereof the "4".

AMENDMENT NUMBER TWENTY-FOUR.

On page 3, line 14, of the printed bill, strike out "6", and insert in lieu thereof "5".

AMENDMENT NUMBER TWENTY-FIVE.

On page 2, line 23, of the printed bill, after "liability", insert the following: " other than a liability which may be insured against under the provisions of the workmen's compensation insurance and safety act, or under the workmen's compensation, insurance and safety act of 1917,".

The question being: Shall the Senate concur in Assembly amendments to Senate Bill No. 52?

The roll was called, and Assembly amendments to Senate Bill No. 52 concurred in by the following vote:

AYES—Senators Allen, Breed, Bush, Cassidy, Christian, Cleveland, Crittenden, Deuel, Duval, Edwards, Evans, Fellom, Harper, Hays, Ingels, Inman, Jones, Maloney, McCormack, McKinley, Mixer, Moran, Nelson, Rich, Riley, Schottky, Sharkey, Slater, Treacy, Tubbs, Wagy, and Williams—32.

NOES—None.

Senate Bill No. 52 ordered to print, and enrollment.

MESSAGE FROM THE ASSEMBLY.

The following message from the Assembly was received and read:

ASSEMBLY CHAMBER, SACRAMENTO, May 14, 1931.

MR. PRESIDENT: I am directed to inform your honorable body that the Assembly amended, and on this day passed as amended, Senate Bill No. 53—An act relating to the liability in damages of officers of municipalities, counties, cities and counties, school districts, and the State of California, in the case of injuries to persons or property resulting from the defective or dangerous condition of public streets, highways, bridges, buildings, works or property, and alleged to be due to the negligence or carelessness of such officers; prescribing the duties of claimants in such cases, and authorizing the State and such public or quasi public corporations to take out and pay for insurance to protect their officers against such liability—and respectfully requests your honorable body to concur in said amendments.

ARTHUR A. OHNIMUS, Chief Clerk.

By A. W. ENGELKE, Assistant Clerk.

CONSIDERATION OF ASSEMBLY AMENDMENTS.

The Senate took up for consideration Assembly amendments to Senate Bill No. 53—An act relating to the liability in damages of officers of municipalities, counties, cities and counties, school districts, and the State of California, in the case of injuries to persons or property resulting from the defective or dangerous condition of public streets, highways, bridges, buildings, works or property, and alleged to be due to the negligence or carelessness of such officers; prescribing the duties of claimants in such cases, authorizing the State and such public or quasi public corporations to take out and pay for insurance to protect their officers against such liability, and repealing chapter 360, Statutes of 1919, entitled "An act relating to the liability in damages of the officers of districts, towns, cities, cities and counties, counties and of the State of California for injuries to persons or property resulting from defects and dangers in public streets, highways, bridges, buildings, work or property, prescribing the duties of certain public officers with respect thereto, and repealing an act entitled 'An act relating to the liability of public officers for damages resulting from defects and dangers in streets, highways, public buildings, public work or property,' approved April 26, 1911." relating to the liability in damages of the officers of districts, towns, cities and counties, counties, and of the State of California.

ASSEMBLY AMENDMENTS TO SENATE BILL NUMBER FIFTY-THREE.

AMENDMENT NUMBER ONE.

On page 2, line 4, of the printed bill, after the words "knowledge or", insert the word "actual".

AMENDMENT NUMBER TWO.

On page 2, line 20, of the printed bill, after the words "knowledge or", insert the word "actual".

AMENDMENT NUMBER THREE.

On page 3 of the printed bill, between lines 24 and 25, insert the following:

"SEC. 7. Wherever the word 'person' or 'public' are used in this act, such words shall be deemed to include any pupil attending the public schools of any school or high school district."

AMENDMENT NUMBER FOUR.

On page 3, line 25, of the printed bill, change "SEC. 7.", to "SEC. 8."

AMENDMENT NUMBER FIVE.

On page 2, lines 5 and 6, of the printed bill, strike out "actual knowledge or notice", and insert in lieu thereof "notice or actual knowledge".

AMENDMENT NUMBER SIX.

On page 2, line 8, of the printed bill, strike out "actual".

AMENDMENT NUMBER SEVEN.

On page 2 of the printed bill, strike out line 22, and insert in lieu thereof "officer or officers had notice or actual knowledge that".

AMENDMENT NUMBER EIGHT.

On page 3, lines 4 and 5, of the printed bill, strike out "actual knowledge or notice", and insert in lieu thereof "notice or actual knowledge".

AMENDMENT NUMBER NINE.

In line 8 of the title of the printed bill, after "cases," insert the following: "and".

AMENDMENT NUMBER TEN.

In the title of the printed bill, strike out all of lines 10 to 23, inclusive, and insert in lieu thereof "ance to protect their officers against such liability."

AMENDMENT NUMBER ELEVEN.

On page 1 of the printed bill, strike out all of lines 1 to 4, and on page 2, strike out lines 1 to 28, inclusive.

AMENDMENT NUMBER TWELVE.

On page 2, line 29, of the printed bill, strike out "SEC. 3", and insert in lieu thereof "SECTION 1".

AMENDMENT NUMBER THIRTEEN.

On page 2, line 40, of the printed bill, strike out "4", and insert in lieu thereof "2".

AMENDMENT NUMBER FOURTEEN.

On page 2, line 41, of the printed bill, strike out "must", and insert in lieu thereof "shall".

AMENDMENT NUMBER FIFTEEN.

On page 2, line 44, of the printed bill, strike out "must", and insert in lieu thereof "shall".

AMENDMENT NUMBER SIXTEEN.

On page 2, line 48, of the printed bill, strike out "must", and insert in lieu thereof "shall".

AMENDMENT NUMBER SEVENTEEN.

On page 2, line 49, of the printed bill, strike out "5", and insert in lieu thereof "3".

AMENDMENT NUMBER EIGHTEEN.

On page 3 of the printed bill, strike out all of lines 3 to 8, inclusive, and insert in lieu thereof "the negligence or carelessness of such officer, it shall be the duty of the".

AMENDMENT NUMBER NINETEEN.

On page 3, line 18, of the printed bill, strike out "6", and insert in lieu thereof "4".

AMENDMENT NUMBER TWENTY.

On page 3, line 30, of the printed bill, strike out "7", and insert in lieu thereof "5".

AMENDMENT NUMBER TWENTY-ONE.

On page 3 of the printed bill, strike out all of line 34.

AMENDMENT NUMBER TWENTY-TWO.

On page 2, line 35, of the printed bill, strike out "is shall be the", and strike out all of lines 36 to 42, inclusive, and in line 43, strike out the word "occurred".

AMENDMENT NUMBER TWENTY-THREE.

On page 2, line 46, of the printed bill, strike out the period, and insert in lieu thereof " , within ninety days after such accident has occurred."

AMENDMENT NUMBER TWENTY-FOUR.

On page 3, line 3, of the printed bill, strike out "3", and insert in lieu thereof "2".

AMENDMENT NUMBER TWENTY-FIVE.

On page 3, line 24, of the printed bill, strike out "4", and insert in lieu thereof "3".

AMENDMENT NUMBER TWENTY-SIX.

On page 3, line 36, of the printed bill, strike out "5", and insert in lieu thereof "4".

AMENDMENT NUMBER TWENTY-SEVEN.

On page 2, line 29, of the printed bill, after "liability", insert the following: "other than a liability which may be insured against under the provisions of the workmen's compensation insurance and safety act, or under the workmen's compensation, insurance and safety act of 1917,".

The question being: Shall the Senate concur in Assembly amendments to Senate Bill No. 53?

The roll was called, and Assembly amendments to Senate Bill No. 53 concurred in by the following vote:

AYES—Senators Allen, Breed, Bush, Cassidy, Christian, Cleveland, Clock, Deuel, Duval, Edwards, Evans, Fellom, Harper, Hays, Ingels, Inman, Maloney, McCormack, McKinley, Mixter, Pedrotti, Rich, Rochester, Schottky, Slater, Treacy, Tubbs, Wagye, and Williams—29.

NOES—None.

Senate Bill No. 53 ordered to print, and enrollment.

MESSAGE FROM THE ASSEMBLY.

The following message from the Assembly was received and read:

ASSEMBLY CHAMBER, SACRAMENTO, May 12, 1931.

MR. PRESIDENT: I am directed to inform your honorable body that the Assembly amended, and on this day passed as amended, Senate Joint Resolution No. 14—Relative to memorializing and petitioning Congress to enact legislation to eliminate the restrictions which now attach to the taxation of national banking associations, and creating a committee to further such purpose—and respectfully requests your honorable body to concur in said amendments.

ARTHUR A. OHNIMUS, Chief Clerk.

By A. W. ENGELKE, Assistant Clerk.

CONSIDERATION OF ASSEMBLY AMENDMENTS.

The Senate took up for consideration Assembly amendments to Senate Joint Resolution No. 14—Relative to memorializing and petitioning Congress to enact legislation to eliminate the restrictions which now attach to the taxation of national banking associations, and creating a committee to further such purpose.

ASSEMBLY AMENDMENTS TO SENATE JOINT RESOLUTION NUMBER FOURTEEN.

AMENDMENT NUMBER ONE.

On page 2, line 13, of the printed resolution, strike out the word "two", and insert in lieu thereof the word "four".

AMENDMENT NUMBER TWO.

On page 2, line 14, of the printed resolution, strike out the word "one", and insert in lieu thereof the word "two".

AMENDMENT NUMBER THREE.

On page 2, line 14, of the printed resolution, after the comma after the word "Assembly", strike out the words "to be appointed by the speaker of the Assembly", and insert in lieu thereof the following: "one of whom shall be the speaker of the Assembly and the other shall be appointed by the speaker of the Assembly."

AMENDMENT NUMBER FOUR.

On page 2, line 15, of the printed resolution, strike out the word "one", and insert in lieu thereof the word "two".

AMENDMENT NUMBER FIVE.

On page 2, line 23, of the printed resolution, strike out the words "two thousand five hundred", and insert in lieu thereof the words "four thousand".

AMENDMENT NUMBER SIX.

On page 2, line 32, of the printed resolution, strike out the words "two thousand five hundred", and insert in lieu thereof the words "four thousand".

The question being: Shall the Senate concur in Assembly amendments to Senate Joint Resolution No. 14?

The roll was called, and the Senate refused to concur in Assembly amendments to Senate Joint Resolution No. 14 by the following vote:

AYES—Senators Breed, Christian, Crittenden, Maloney, and Treacy—5.

NOES—Senators Allen, Bush, Carter, Cassidy, Cleveland, Clock, Deuel, Edwards, Evans, Fellom, Harper, Hays, Ingels, Inman, Jones, McCormack, McKinley, Mixer, Moran, Rich, Riley, Rochester, Schottky, Slater, Swing, Tubbs, and Wagy—27.

REPORTS OF STANDING COMMITTEES—(RESUMED).

The following report of standing committee was received and read:

ON MUNICIPAL CORPORATIONS.

SENATE CHAMBER, SACRAMENTO, May 14, 1931.

MR. PRESIDENT: Your Committee on Municipal Corporations, to which was referred Assembly Bill No. 828—An act to amend section 4 of an act entitled "An act to provide for the establishment and change of grade of public highways, streets, public ways and other public property and rights of way, in whole or in part, including property over which possession and right of use have been obtained under the provisions of section 14 of article I of the constitution of the State of California, whether the same are situated within the limits of a municipality or whether such public ways or property are in part within the limits of one or more municipalities, or extend from one municipality into another municipality, or from one or more municipalities into or through unincorporated territory, or in whole or in part form the boundary between adjoining municipalities or between a municipality and adjacent unincorporated territory; and providing for work in and upon the same together with any and all appurtenances and appurtenant work; and providing for assessing the whole or any portion of the costs and expenses thereof upon private property and for the issuance and payment of improvement bonds to represent certain assessments for the costs thereof, and providing for the effect of and the enforcement of such bonds," approved April 21, 1911, as amended, so as to provide for certain preliminary investigation and statement of results in connection with plans and specifications; providing that proceedings thereunder shall be exempted from the operation of any Special Assessment Investigation and Limitation Act if the same be passed at this session of the Legislature, where a demand for the employment of said act is not made by owners of 15 per cent of the area of the district to be assessed, and regulating the procedure in the event that such request is made—has had the same under consideration, and respectfully reports the same back with amendments, and recommends that the amendments be adopted, and that it do pass as amended.

Committee membership—10.

(Signed out)

HARPER, Chairman.
ALLEN.
BUSH.
CARTER.
FELLOM.
MIXER.
RICH.
TREACY.

SECOND READING OF ASSEMBLY BILL NUMBER EIGHT HUNDRED
TWENTY-EIGHT.

Assembly Bill No. 828—An act to amend section 4 of an act entitled "An act to provide for the establishment and change of grade of public highways, streets, public ways and other public property and rights of way, in whole or in part, including property over which possession and right of use have been obtained under the provisions of section 14 of article I of the constitution of the State of California, whether the same are situated within the limits of a municipality or whether such public ways or property are in part within the limits of one or more municipalities, or extend from one municipality into another municipality, or from one or more municipalities into or through unincorporated territory, or in whole or in part form the boundary between adjoining municipalities or between a municipality and adjacent unincorporated territory; and providing for work in and upon the same together with any and all appurtenances and appurtenant work; and providing for

assessing the whole or any portion of the costs and expenses thereof upon private property and for the issuance and payment of improvement bonds to represent certain assessments for the costs thereof, and providing for the effect of and the enforcement of such bonds." approved April 21, 1911, as amended, so as to provide for certain preliminary investigation and statement of results in connection with plans and specifications; providing that proceedings thereunder shall be exempted from the operation of any Special Assessment Investigation and Limitation Act if the same be passed at this session of the Legislature, where a demand for the employment of said act is not made by owners of 15 per cent of the area of the district to be assessed, and regulating the procedure in the event that such request is made.

COMMITTEE AMENDMENTS.

During the second reading of the bill, the following committee amendments were offered:

AMENDMENT NUMBER ONE.

On page 10 of the printed bill, strike out lines 10 and 11, and insert in lieu thereof the following: "thereof providing a special assessment investigation limitation and majority protest act of 1931, then before passing any resolution of intention".

Amendment adopted.

AMENDMENT NUMBER TWO.

On page 10 of the printed bill, strike out line 27 and insert in lieu thereof the following: "is contemplating the passage without first taking the proceeding provided in the special assessment investigation limitation and majority protest act of 1931 of a resolution of intention under".

Amendment adopted.

AMENDMENT NUMBER THREE.

On page 10 of the printed bill, strike out all of lines 39, 40 and 41, and insert in lieu thereof the following: "ceedings for this improvement to be taken under the special assessment investigation limitation and majority protest act of 1931, you are requested to fill".

Amendment adopted.

AMENDMENT NUMBER FOUR.

On page 11 of the printed bill, strike out lines 1 and 2, and insert in lieu thereof the following: "act which is subject to the terms and provisions of the special assessment investigation limitation and majority protest act of 1931".

Amendment adopted.

AMENDMENT NUMBER FIVE.

On page 11, line 23, of the printed bill following the comma after the word "district", insert the following: "or if the assessment be on frontage alone, then from fifteen per cent of the frontage".

Amendment adopted.

AMENDMENT NUMBER SIX.

On page 11 of the printed bill, strike out lines 24, 25 and 26, and insert in lieu thereof the following: "the proceedings be taken pursuant to the special assessment investigation limitation and majority protest act of 1931, then the city council".

Amendment adopted.

AMENDMENT NUMBER SEVEN.

On page 11 of the printed bill, strike out lines 24, 25 and 26, and insert in lieu thereof the following: "of the special assessment investigation limitation and majority protest act of 1931".

Amendment adopted.

AMENDMENT NUMBER EIGHT.

On page 14 of the printed bill, strike out all of lines 50, 51 and 52, and insert in lieu thereof the following: "*provided, however,* that when a protest is made by the

owners of a majority of the property fronting on said improvement in those cases where the cost in whole or in part of said improvement is to be assessed upon the property fronting on said improvement or by the owners of more than one-half of the area of the property to be assessed for said improvement in those cases where the cost in whole or part of said improvement is to be assessed upon the property within a district then said proposed proceeding shall be forthwith and immediately abandoned and such legislative body shall be barred for a period of one year from and after the date of the filing of said protest from instituting or causing to be instituted any proceeding for the construction of the proposed improvement. *Provided, however,* that if any majority protest be against a portion of the improvement only then all further proceedings to construct said portion of said improvement so protested against shall be barred for a period of one year, but the legislative body shall not be barred from initiating a new proceeding not including said portion of said improvement so protested against by such majority protest".

Amendment adopted.

AMENDMENT NUMBER NINE.

On page 15 of the printed bill, strike out lines 1 to 11, inclusive, and insert in lieu thereof "The word "proposed" ".

Amendment adopted.

AMENDMENT NUMBER TEN.

On page 15, line 19, of the printed bill, strike out the following words: "or shall have been overruled".

Amendment adopted.

AMENDMENT NUMBER ELEVEN.

On page 15 of the printed bill, strike out all of line 43, and insert in lieu thereof the following: "hereof, *provided*, always that the property owners shall have the full protection of the bar of the majority protest set up and authorized by section 1 hereof".

Amendment adopted.

Bill read second time, ordered to print, and on file for third reading.

REPORTS OF STANDING COMMITTEES—(RESUMED).

The following report of standing committee was received and read:

ON JUDICIARY.

SENATE CHAMBER, SACRAMENTO, May 13, 1931.

MR. PRESIDENT: Your Committee on Judiciary, to which was referred Assembly Bill No. 350—An act to amend section 602 of the Code of Civil Procedure, relating to challenges of jurors for cause—has had the same under consideration, and respectfully reports the same back with amendments, and recommends that the amendments be adopted, and that it do pass as amended.

Committee membership—17; committee vote: Ayes—12; absent—5.

CHRISTIAN, Chairman.

SECOND READING OF ASSEMBLY BILL NUMBER THREE HUNDRED FIFTY.

Assembly Bill No. 350—An act to amend section 602 of the Code of Civil Procedure, relating to challenges of jurors for cause.

COMMITTEE AMENDMENTS.

During the second reading of the bill, the following committee amendments were offered:

AMENDMENT NUMBER ONE.

On page 2, line 6, of the printed bill, strike out "by", and insert in lieu thereof "being".

Amendment adopted.

AMENDMENT NUMBER TWO.

On page 2, line 7, of the printed bill, strike out "or a party in", and insert in lieu thereof "or a partner in".

Amendment adopted.

Bill read second time, ordered to print, and on file for third reading.

FURTHER PROCEEDINGS UNDER CALL OF THE SENATE DISPENSED WITH.

At ten o'clock and fifty-eight minutes p.m., further proceedings under the call of the Senate were dispensed with, on motion of Senator Sharkey.

The Secretary was directed to call the roll.

The roll was called, and Assembly amendments No. 2 to Senate Bill No. 362 concurred in by the following vote:

AYES—Senators Baker, Breed, Cassidy, Clock, Deuel, Duval, Edwards, Evans, Fellom, Harper, Maloney, McKinley, Mixer, Moran, Nelson, Pedrotti, Rich, Sharkey, Swing, Treacy, Waggy, and Williams—22.

NOES—Senators Allen, Bush, Carter, Christian, Cleveland, Crittenden, Hays, Ingels, Inman, Jones, McCormack, Riley, Rochester, Schottky, Slater, and Tubbs—16.

Senate Bill No. 362 ordered to print, and enrollment.

MESSAGE FROM THE ASSEMBLY.

The following message from the Assembly was received and read:

ASSEMBLY CHAMBER, SACRAMENTO, May 12, 1931.

MR. PRESIDENT: I am directed to inform your honorable body that the Assembly amended, and on this day passed as amended, Senate Bill No. 363—An act to protect persons and property against danger from fire and explosion in oil wells by providing for the location of wells in relation to the outer boundary lines of the property, streets, roads and highways and other wells—and respectfully requests your honorable body to concur in said amendments.

ARTHUR A. OHNIMUS, Chief Clerk.
By A. W. ENGELKE, Assistant Clerk.

CONSIDERATION OF ASSEMBLY AMENDMENTS.

The Senate took up for consideration Assembly amendments to Senate Bill No. 363—An act to protect persons and property against danger from fire and explosion in oil wells by providing for the location of wells in relation to the outer boundary lines of the property, streets, roads and highways and other wells.

ASSEMBLY AMENDMENTS TO SENATE BILL NUMBER THREE HUNDRED SIXTY-THREE.

AMENDMENT NUMBER ONE.

In line 2 of the title of the printed bill, insert after the word "oil", the words "or gas".

AMENDMENT NUMBER TWO.

On page 2, line 6, of the printed bill, as amended, after the word "hundred", insert the word "fifty".

AMENDMENT NUMBER THREE.

On page 2, line 11, of the printed bill, as amended, after the word "permit" strike out the comma and the words "and provided".

AMENDMENT NUMBER FOUR.

On page 2, lines 12 and 13, of the printed bill, as amended, strike out all of line 12, and the following in line 13: "railroad rights of way".

The question being: Shall the Senate concur in Assembly amendments to Senate Bill No. 363?

The roll was called, and Assembly amendments to Senate Bill No. 363 concurred in by the following vote:

AYES—Senators Breed, Cassidy, Clock, Crittenden, Deuel, Duval, Edwards, Evans, Fellom, Harper, Hays, Ingels, Maloney, Mixer, Nelson, Rich, Rochester, Schottky, Sharkey, Slater, Swing, Treacy, Tubbs, Waggy, and Williams—25.

NOES—Senators Allen, Bush, Carter, Christian, and Riley—5

Senate Bill No. 363 ordered to print, and enrollment.

MESSAGE FROM THE ASSEMBLY.

The following message from the Assembly was received and read:

ASSEMBLY CHAMBER, SACRAMENTO, May 14, 1931.

MR. PRESIDENT: I am directed to inform your honorable body that the Assembly amended, and on this day passed as amended, Senate Bill No. 825—An act to provide for the creation, organization and government of water conservation districts, defining their powers and prescribing the method of exercising the same, reenacting and continuing in force the provisions of chapter 166 of the Statutes of 1929, known as the "Water Conservation Act of 1929," and validating and confirming all proceedings had and taken under the provisions of said act resulting in the organization of water conservation districts, and continuing such districts under the provisions of this act with the powers herein conferred—and respectfully requests your honorable body to concur in said amendments.

ARTHUR A. OHNIMUS, Chief Clerk.
By A. W. ENGELKE, Assistant Clerk.

CONSIDERATION OF ASSEMBLY AMENDMENTS.

The Senate took up for consideration Assembly amendments to Senate Bill No. 825—An act to provide for the creation, organization and government of water conservation districts, defining their powers and prescribing the method of exercising the same, reenacting and continuing in force the provisions of chapter 166 of the Statutes of 1929, known as the "Water Conservation Act of 1929," and validating and confirming all proceedings had and taken under the provisions of said act resulting in the organization of water conservation districts, and continuing such districts under the provisions of this act with the powers herein conferred.

ASSEMBLY AMENDMENTS TO SENATE BILL NUMBER EIGHT HUNDRED TWENTY-FIVE.

AMENDMENT NUMBER ONE.

On page 1, line 3, of the printed bill, after the word "state", strike out the comma.

AMENDMENT NUMBER TWO.

On page 1, line 9, of the printed bill, after the words "per cent", strike out a comma.

AMENDMENT NUMBER THREE.

On page 1, line 9, of the printed bill, after the word "more", strike out the comma.

AMENDMENT NUMBER FOUR.

On page 2, line 2, of the printed bill, after the word "river", strike out the comma.

AMENDMENT NUMBER FIVE.

On page 3, line 6, of the printed bill, strike out "or to operate or to make use of same,".

AMENDMENT NUMBER SIX.

On page 3, line 7, of the printed bill, after the word "act", insert the words: "or to operate or to make use of the same".

AMENDMENT NUMBER SEVEN.

On page 3, line 10, of the printed bill, after the word "voted", insert a comma.

AMENDMENT NUMBER EIGHT.

On page 3, line 13, of the printed bill, after the word "raising", strike out "of".

AMENDMENT NUMBER NINE.

On page 3, line 13, of the printed bill, after the word "money", strike out the comma.

AMENDMENT NUMBER TEN.

On page 3, line 19, of the printed bill, after the word "county", strike out the comma.

AMENDMENT NUMBER ELEVEN.

On page 3, line 21, of the printed bill, after the word "by", insert the words: "not less than".

AMENDMENT NUMBER TWELVE.

On page 7, line 6, of the printed bill, strike out the word "duty", and insert in lieu thereof "duties".

AMENDMENT NUMBER THIRTEEN.

On page 12, line 41, of the printed bill, after the word "actions", insert a comma.

AMENDMENT NUMBER FOURTEEN.

On page 12, line 42, of the printed bill, strike out "and", preceding the word "proceedings", and insert the same preceding the word "suits", in the same line.

AMENDMENT NUMBER FIFTEEN.

On page 13, line 30, of the printed bill, after the comma following the word "wells", insert "dams, reservoirs".

AMENDMENT NUMBER SIXTEEN.

On page 13, line 31, of the printed bill, after the word "with", insert "canals, ditches, conduits and".

AMENDMENT NUMBER SEVENTEEN.

On page 13, line 32, of the printed bill, strike out the word "same", and insert in lieu thereof "all such works".

AMENDMENT NUMBER EIGHTEEN.

On page 15, line 51, of the printed bill, strike out "was created", and insert in lieu thereof "exists".

AMENDMENT NUMBER NINETEEN.

On page 16, line 23, of the printed bill, strike out the word "thereat", and insert in lieu thereof "at such election".

AMENDMENT NUMBER TWENTY.

On page 16, line 33, of the printed bill, strike out the word "or", and insert in lieu thereof "on".

AMENDMENT NUMBER TWENTY-ONE.

On page 17, line 5, of the printed bill, strike out "a majority", and insert in lieu thereof "two-thirds".

AMENDMENT NUMBER TWENTY-TWO.

On page 18, line 17, of the printed bill, after the word "interest", insert "on the bonds".

AMENDMENT NUMBER TWENTY-THREE.

On page 18, line 46, of the printed bill, after the word "title", strike out "of", and insert in lieu thereof "to".

AMENDMENT NUMBER TWENTY-FOUR.

On page 19, line 1, after the word "law", strike out "to", and insert in lieu thereof "for".

AMENDMENT NUMBER TWENTY-FIVE.

On page 20, line 39, of the printed bill, strike out the word "titles", and insert in lieu thereof "title".

The question being: Shall the Senate concur in Assembly amendments to Senate Bill No. 825?

The roll was called, and Assembly amendments to Senate Bill No. 825 concurred in by the following vote:

AYES—Senators Allen, Breed, Bush, Carter, Cassidy, Christian, Clock, Crittenden, Deuel, Duval, Edwards, Evans, Fellom, Harper, Hays, Ingels, Inman, Jones, Maloney, McCormack, Mixer, Moran, Nelson, Rich, Riley, Rochester, Sharkey, Slater, Treacy, Tubbs, Waggy, and Williams—32.

NOES—None.

Senate Bill No. 825 ordered to print, and enrollment.

MESSAGE FROM THE ASSEMBLY.

The following message from the Assembly was received and read:

ASSEMBLY CHAMBER, SACRAMENTO, May 14, 1931.

MR. PRESIDENT: I am directed to inform your honorable body that the Assembly amended, and on this day passed as amended, Senate Bill No. 239—An act to repeal sections 2.1197 and 2.1198 of the School Code, relating to the appointments of trustees by superintendents of schools of counties to fill vacancies in school district governing boards—and respectfully requests your honorable body to concur in said amendments.

ARTHUR A. OHNIMUS, Chief Clerk.
By A. W. ENGELKE, Assistant Clerk.

CONSIDERATION OF ASSEMBLY AMENDMENTS.

The Senate took up for consideration Assembly amendments to Senate Bill No. 239—An act to repeal sections 2.1197 and 2.1198 of the School Code, relating to the appointments of trustees by superintendents of schools of counties to fill vacancies in school district governing boards.

ASSEMBLY AMENDMENTS TO SENATE BILL NUMBER TWO HUNDRED THIRTY-NINE.

AMENDMENT NUMBER ONE.

In line 1 of the title of the printed bill, after the comma insert the following: "and to amend section 2.961 thereof."

AMENDMENT NUMBER TWO.

On page 1, line 3, of the printed bill, after said line 3, insert the following: "SEC. 3. Section 2.961 of the School Code is hereby amended to read as follows: 2.961. When a vacancy occurs the county superintendent of schools shall appoint a suitable person to fill the vacancy to hold office for the remainder of the unexpired term".

The question being: Shall the Senate concur in Assembly amendments to Senate Bill No. 239?

The roll was called, and Assembly amendments to Senate Bill No. 239 concurred in by the following vote:

AYES—Senators Allen, Baker, Breed, Bush, Cassidy, Christian, Clock, Crittenden, Deuel, Duval, Edwards, Evans, Fellom, Harper, Hays, Ingels, Inman, Jones, Maloney, McCormack, Mixter, Moran, Nelson, Rich, Riley, Rochester, Swing, Treacy, Tubbs, and Wagy—30.

NOES—None.

Senate Bill No. 239 ordered to print, and enrollment.

MESSAGE FROM THE ASSEMBLY.

The following message from the Assembly was received and read:

ASSEMBLY CHAMBER, SACRAMENTO, May 14, 1931.

MR. PRESIDENT: I am directed to inform your honorable body that the Assembly amended, and on this day passed as amended, Senate Bill No. 706—An act authorizing the establishment, maintenance and operation of memorial districts for the acquisition of sites for, and the acquisition, construction, operation, maintenance, and management of, halls, buildings and meeting places for veterans and organizations of veterans; and authorizing the leasing, conveying, or making available, of public lands in certain instances to memorial districts for such purposes—and respectfully requests your honorable body to concur in said amendment.

ARTHUR A. OHNIMUS, Chief Clerk.
By A. W. ENGELKE, Assistant Clerk.

CONSIDERATION OF ASSEMBLY AMENDMENT.

The Senate took up for consideration Assembly amendment to Senate Bill No. 706—An act authorizing the establishment, maintenance and operation of memorial districts for the acquisition of sites for, and the acquisition, construction, operation, maintenance, and management of, halls, buildings and meeting places for veterans and organizations of veterans; and authorizing the leasing, conveying, or making available, of public lands in certain instances to memorial districts for such purposes.

ASSEMBLY AMENDMENT TO SENATE BILL NUMBER SEVEN HUNDRED SIX.

AMENDMENT NUMBER ONE.

On page 3, line 32, of the printed bill, strike out "a majority", and insert in lieu thereof the following: "two-thirds".

The question being: Shall the Senate concur in Assembly amendment to Senate Bill No. 706?

The roll was called, and the Senate refused to concur in Assembly amendment to Senate Bill No. 706 by the following vote:

AYES—Senators Riley, Schottky, Sharkey, Treacy, and Tubbs—5.

NOES—Senators Allen, Baker, Breed, Bush, Carter, Cassidy, Christian, Cleveland, Clock, Crittenden, Deuel, Duval, Edwards, Evans, Fellom, Harper, Hays, Ingels, Jones, Maloney, McCormack, Mixer, Moran, Nelson, Rochester, Slater, Wag, and Williams—28.

MESSAGE FROM THE ASSEMBLY.

The following message from the Assembly was received and read:

ASSEMBLY CHAMBER, SACRAMENTO, May 14, 1931.

MR. PRESIDENT: I am directed to inform your honorable body that the Assembly amended, and on this day passed as amended, Senate Bill No. 384—An act to repeal articles I, II, III, IV, V and IX, embracing respectively, sections 2,670 to 2,674, both inclusive, of the School Code; sections 2,680 to 2,684, both inclusive, sections 2,690 to 2,693, both inclusive, sections 2,700 to 2,710, both inclusive, sections 2,720 to 2,728, both inclusive, section 2,760, all of chapter XI of part I of division II of the School Code; to repeal article II, embracing sections 2,1130 and 2,1133, both inclusive, of chapter V of part II of division II of the School Code; to repeal sections 2, 3, and 4 of chapter 433 of the Statutes of 1929, entitled "An act relating to the formation, suspension and support of junior college districts and the powers of governing boards thereof," approved May 23, 1929; to repeal chapter 194 of the Statutes of 1929, entitled "An act relating to the governing boards of union, joint union, county and joint county junior college districts," approved April 30, 1929; to repeal article II, embracing sections 3,370 to 3,375, both inclusive, of chapter XI of part I of division II of the School Code; to add new articles to chapter XI of part I of division II of the School Code to be known as articles I, II, and IX, embracing respectively sections 2,670 to 2,677, both inclusive; sections 2,680 to 2,689, both inclusive; section 2,760; to add a new article to chapter V of part II of division II of the School Code to be known as article II, embracing sections 2,1130 and 2,1133; to add new sections to the School Code to be numbered 4,943 and 4,944; and to amend sections 2,740, 2,741, 2,742, 2,1121, 2,1140, 2,1150, 2,1160, 2,1170, 4,941 and 4,942, all relating to the formation, suspension, re-establishment, lapsation, government and support of junior college districts—and respectively requests your honorable body to concur in said amendment.

ARTHUR A. OHNIMUS, Chief Clerk.

By A. W. ENGELKE, Assistant Clerk.

CONSIDERATION OF ASSEMBLY AMENDMENT.

The Senate took up for consideration Assembly amendment to Senate Bill No. 384—An act to repeal articles I, II, III, IV, V and IX, embracing respectively, sections 2,670 to 2,674, both inclusive, of the School Code; sections 2,680 to 2,684, both inclusive, sections 2,690 to 2,693, both inclusive, sections 2,700 to 2,710, both inclusive, sections 2,720 to 2,728, both inclusive, section 2,760, all of chapter XI of part I of division II of the School Code; to repeal article II, embracing sections 2,1130 and 2,1133, both inclusive, of chapter V of part II of division II of the School Code; to repeal sections 2, 3, and 4 of chapter 433 of the Statutes of 1929, entitled "An act relating to the formation, suspension and support of junior college districts and the powers of governing boards thereof," approved May 23, 1929; to repeal chapter 194 of the Statutes of 1929, entitled "An act relating to the governing boards of union, joint union, county, and joint county junior college districts," approved April 30, 1929; to repeal article II, embracing sections 3,370 to 3,375, both inclusive, of chapter XI of part I of division II of the School Code; to add new articles to chapter XI of part I of division II of the School

Code to be known as articles I, II, and IX, embracing respectively sections 2.670 to 2.677, both inclusive; sections 2.680 to 2.689, both inclusive; section 2.760; to add a new article to chapter V of part II of division II of the School Code to be known as article II, embracing sections 2.1130 and 2.1131; to add new sections to the School Code to be numbered 4.943 and 4.944; and to amend sections 2.740, 2.741, 2.742, 2.1121, 2.1140, 2.1150, 2.1160, 2.1170, 4.941 and 4.942, all relating to the formation, suspension, re-establishment lapsation, government and support of junior college districts.

ASSEMBLY AMENDMENT TO SENATE BILL NUMBER THREE HUNDRED EIGHTY-FOUR.

AMENDMENT NUMBER ONE.

On page 4, line 1, of the printed bill, as amended in Senate April 27, 1931, after the word "ballots", insert the following: "and other necessary expenses incurred in the calling, holding and conducting of such election".

The question being: Shall the Senate concur in Assembly amendment to Senate Bill No. 384?

The roll was called, and Assembly amendment to Senate Bill No. 384 concurred in by the following vote:

AYES—Senators Allen, Baker, Breed, Carter, Cassidy, Christian, Cleveland, Cloek, Crittenden, Deuel, Edwards, Evans, Fellom, Hays, Inman, Jones, Maloney, McCormack, Mixer, Moran, Nelson, Rich, Sharkey, Slater, Tubbs, Wagy, and Williams—27.

NOES—None.

Senate Bill No. 384 ordered to print, and enrollment.

MESSAGE FROM THE ASSEMBLY.

The following message from the Assembly was received and read:

ASSEMBLY CHAMBER, SACRAMENTO, May 14, 1931.

MR. PRESIDENT: I am directed to inform your honorable body that the Assembly amended, and on this day passed as amended, Senate Bill No. 548—An act to amend chapter 266, Statutes of 1923, entitled the California Vehicle Act, approved May 30, 1923, as amended, by amending the title thereof, and by amending sections 7, 7½, 8½, 21, 29, 35, 36, 41, 43, 47, 64, 72, 82, 83½, 85, 87, 89, 90, 91, 94, 95, 96, 100, 110, 111, 113, 115, 116, 119, 122, 123, 124, 125, 126, 135, 136, 138, 142, 145, 146, 151, and by adding thereto new sections numbered 7½, 45½, 47½, 57½, 62½, 64½, 93½, 111½, 113½, 114½, 131½, 135½, 136½, 139½, 145½, 145½, relating to the regulation of traffic on streets and highways and to the use and operation of vehicles and the registration and identification of vehicles and the licensing of operators and chauffeurs, the service of civil process on nonresidents, the reporting of accidents and damage to vehicles, and to the powers and duties of the California Highway Patrol and to the erection of signs, signals or lights upon or adjacent to highways and to the enforcement of this act—and respectfully requests your honorable body to concur in said amendments.

ARTHUR A. OHNIMUS, Chief Clerk.

By A. W. ENGELKE, Assistant Clerk.

CONSIDERATION OF ASSEMBLY AMENDMENTS.

The Senate took up for consideration Assembly amendments to Senate Bill No. 548—An act to amend chapter 266, Statutes of 1923, entitled the California Vehicle Act, approved May 30, 1923, as amended, by amending the title thereof, and by amending sections 7, 7½, 8½, 21, 29, 35, 36, 41, 43, 47, 64, 72, 82, 83½, 85, 87, 89, 90, 91, 94, 95, 96, 100, 110, 111, 113, 115, 116, 119, 122, 123, 124, 125, 126, 135, 136, 138, 142, 145, 146, 151, and by adding thereto new sections numbered 7½, 45½, 47½, 57½, 62½, 64½, 93½, 111½, 113½, 114½, 131½, 135½, 136½, 139½, 145½, 145½, relating to the regulation of traffic on streets and highways and to the use and operation of vehicles and the registration and identification of vehicles and the licensing of operators and chauffeurs, the service

of civil process on nonresidents, the reporting of accidents and damage to vehicles, and to the powers and duties of the California Highway Patrol and to the erection of signs, signals or lights upon or adjacent to highways and to the enforcement of this act.

ASSEMBLY AMENDMENTS TO SENATE BILL NUMBER FIVE HUNDRED FORTY-EIGHT.

AMENDMENT NUMBER ONE.

In line 5 of the title of the printed amended bill, following the figures "72", add the figures "77".

AMENDMENT NUMBER TWO.

In line 9 of the title of the printed amended bill, after the numeral "64½", insert the numeral "73½".

AMENDMENT NUMBER THREE.

On page 2 of the printed amended bill, strike out all of lines 26 to 33, both inclusive, and insert in lieu thereof the following:

"(a) Every vehicle of the trailer type having one or more axles and two or more wheels so designed and used in conjunction with a motor vehicle that some part of its own weight and that of its own load rests upon or is carried by another vehicle.

(b) Any motor unit composed of a tractor so constructed as not to carry any independent load and a semitrailer permanently joined to the tractor shall be deemed to be one vehicle."

AMENDMENT NUMBER FOUR.

On page 5 of the printed amended bill, strike out all of lines 26 to 34, both inclusive.

AMENDMENT NUMBER FIVE.

On page 5, line 35, of the printed amended bill, strike out the letter "(d)", and insert in lieu thereof the letter "(c)", and in line 44 strike out the letter "(e)", and insert in lieu thereof the letter "(d)".

AMENDMENT NUMBER SIX.

On page 6, line 27, of the printed amended bill, after the word "registration", insert the words "and ownership".

AMENDMENT NUMBER SEVEN.

On page 12 of the printed amended bill, between lines 40 and 41, insert the following:

"Sec. 194. The California vehicle act is hereby amended by adding thereto a new section to be numbered 73½, to read as follows:

Sec. 73½. Showing of financial responsibility required following conviction for certain offenses.

(a) Whenever any person shall be convicted upon a charge of violation of any of the provisions of sections 112 or 141 of the California vehicle act, and time for an appeal shall have elapsed without an appeal having been taken, or after any said appeal has been taken and judgment of conviction affirmed, the clerk of the court in which said judgment was rendered, shall immediately report the facts to the division of motor vehicles, and the division of motor vehicles shall thereupon suspend the operator's or chauffeur's license of the person so convicted, and such suspension shall remain in effect unless and until the person so convicted and whose license is suspended shall give proof of financial responsibility in accordance with the provisions of sections 36½ and 36¾ of the California vehicle act."

AMENDMENT NUMBER EIGHT.

On page 12 of the printed amended bill, between lines 40 and 41, insert the following new section:

"Sec. 194. Section 77 of said act is hereby amended to read as follows:

Sec. 77. Registration fees. (a) A registration fee of three dollars shall be paid to the division for the registration of every motor vehicle, trailer or semitrailer, except for those which are exempted in this act, and such fee shall be paid at the time application is made for registration.

(b) Fees for electric vehicles. In addition to the registration fee specified in subdivision (a) of this section, there shall be paid for the registration of every electric passenger motor vehicle a registration fee of ten dollars, and for the registration of every electric motor vehicle designed, used or maintained primarily for the transportation of passengers for hire, or for the transportation of property, there shall be paid fees according to the following schedule:

For each such vehicle weighing, when unladen, less than six thousand pounds	\$50 00
For each such vehicle weighing, when unladen, six thousand pounds or more, but less than ten thousand pounds	\$70 00
For each such vehicle weighing, when unladen, ten thousand pounds or more	\$90 00

(c) The following registration fees in addition to the registration fee specified in subdivision (a) of this section shall be paid for the registration of vehicles, including trailers and semitrailers, designed, used or maintained primarily for the transportation of passengers for hire, or for the transportation of property, according to the following table, except that the fees specified in this subsection need not be paid for electric vehicles.

When such vehicles are equipped wholly with pneumatic tires:

For each such vehicle weighing, when unladen, three thousand pounds or more, but less than six thousand pounds-----	\$8 00
For each such vehicle weighing, when unladen, six thousand pounds or more, but less than ten thousand pounds and limited under the provisions of this act to a total weight, including vehicle and load, not exceeding twenty-two thousand pounds-----	\$40 00
For each such vehicle weighing, when unladen, ten thousand pounds or more, and limited under the provisions of this act to a total weight, including vehicle and load, not exceeding twenty-two thousand pounds-----	\$50 00
For each such vehicle weighing, when unladen, six thousand pounds or more, and entitled under the provisions of this act to a total weight, including vehicle and load, in excess of twenty-two thousand pounds--	\$70 00

Vehicles not equipped with pneumatic tires. When such vehicles are not equipped wholly with pneumatic tires, there shall be paid in addition to the fees specified in subdivision (a) of this section fees according to the weight thereof unladen amounting to twice the fees set forth in the following table:

Provided, however, when such vehicles are operated wholly within the corporate limits of any single city or between cities where no portion of a state or county highway is traversed in the operation, the fees required under subdivisions (b) and (c) of this section shall be reduced to fifteen per cent less than the amount otherwise required under said subdivisions (b) or (c).

Fees for less than year. Upon registration issued after the beginning of the registration year, the fees required under subdivisions (b) and (c) of the section shall be reduced by one-twelfth for each month which shall have elapsed since the beginning of the registration year.

(d) If the license tax provided for by that certain act entitled "An act to regulate and license the business of producing, refining or distributing gasoline, distillate and other motor vehicle fuels, providing for the collection and disposition of license taxes, prescribing penalties for violation of the provisions of said act, and repealing all acts and parts of acts inconsistent herewith," heretofore adopted by the Legislature at its forty-fifth session is held by the supreme court of the State of California, or by the supreme court of the United States, to be unconstitutional, then beginning with the first year next succeeding the date upon which such decision becomes final there shall be paid upon and for the registration and reregistration of every motor vehicle with the division of motor vehicles, in addition to any other fees imposed by law, a registration fee of five dollars for every electric motor vehicle and for every other motor vehicle a fee amounting to the sum of forty cents for each horsepower or major fraction thereof of such motor vehicle and a proportionate amount thereof for the registration of such vehicle for a period of less than one year. The horsepower of any motor vehicle, except electric or steam driven motor vehicles, shall be determined by the formula commonly known as that of the Association of Licensed Automobile Manufacturers (A. L. A. M.) being as follows: Square the diameter of the cylinder in inches, multiply by the number of cylinders, and divide by two and five-tenths; *provided*, that for the purpose hereof the horsepower of any steam driven motor vehicle shall be the horsepower rating fixed and advertised by the manufacturer thereof. In the event that the registration fees for electric motor vehicles and fees based on horsepower as hereinabove specified shall be collected, all such fees shall be paid into the motor vehicle fund of the State of California, and shall be distributed and used for such purposes as may be provided by law for the distribution and use of such motor vehicle fund; *and provided, further*, that in the event the provisions of this section, relative to registration fees, based upon horsepower rating, shall become effective the provisions of this section contained in subdivisions (a) and (b) shall be deemed to be superseded."

AMENDMENT NUMBER NINE.

On page 13 of the printed amended bill, strike out all of lines 3 to 9, both inclusive, and insert in lieu thereof the following: "*Provided*, that an operator's license fee shall be charged and collected upon an original application for such license only and not upon any application for renewal of any said license heretofore or hereafter issued."

AMENDMENT NUMBER TEN.

On page 13 of the printed amended bill, strike out all of lines 35 to 38, both inclusive, and insert in lieu thereof the following: "the vehicle or load, except that said limitation shall not apply to a load consisting of poles or pipes".

AMENDMENT NUMBER ELEVEN.

On page 14 of the printed amended bill, strike out all of lines 37, 38 and 39.

AMENDMENT NUMBER TWELVE.

On page 17, line 44, of the printed amended bill, strike out the word "may", and insert the word "any".

AMENDMENT NUMBER THIRTEEN.

On page 20, line 51, of the printed amended bill, strike out the word "shall", and insert in lieu thereof the word "may", and on page 21, line 1, of the printed bill, strike out the word "shall", and insert in lieu thereof the word "may".

AMENDMENT NUMBER FOURTEEN.

On page 30 of the printed amended bill, strike out all of lines 47 to 52, both inclusive, and on page 31 strike out all of lines 1 to 5, both inclusive, and insert in lieu thereof the following:

"Sec. 135½. Signs on vehicles carrying explosives or inflammables. No person shall operate any motor vehicle, trailer or semitrailer transporting any explosive substance, or transport poisonous gases as a cargo or part of a cargo, unless at the time of such operation or transportation there shall be displayed upon the exterior of such vehicle, upon each side and the rear thereof, a sign of the size of at least twelve inches in height and fourteen inches in length with red or white background and in black letters containing the word "explosives" or "inflammables", whichever may correctly designate such cargo; *provided, however,* that when any such explosive substance or poisonous gases shall be transported in a vehicle commonly known as a "tank truck" or in any trailer or semitrailer attached thereto, whereon shall be prominently displayed on each side and the rear thereof a trade-mark, trade name, other designating mark, or legend substantially descriptive of the cargo of said tank truck, trailer or semitrailer, and generally known to and recognized by the public as being applied to explosive substances and or poisonous gases, no such sign as heretofore in this section provided need be displayed upon such vehicle, trailer or semitrailer."

AMENDMENT NUMBER FIFTEEN.

On page 32, line 20, of the printed amended bill, after the words "In front of a", insert the words "public or".

AMENDMENT NUMBER SIXTEEN.

On page 32 of the printed amended bill, between lines 29 and 30, insert the following:

"SEC. 53. Section 139 of said act is hereby amended to read as follows:."

AMENDMENT NUMBER SEVENTEEN.

On page 35, line 17, of the printed amended bill, after the word "any", insert the words "state buildings, state capitol,".

AMENDMENT NUMBER EIGHTEEN.

On page 35, line 22, of the printed amended bill, after the word "such", insert the words "state buildings, state capitol,".

The question being: Shall the Senate concur in Assembly amendments to Senate Bill No. 548?

The roll was called, and the Senate refused to concur in Assembly amendments to Senate Bill No. 548 by the following vote:

AYES—None.

NOES—Senators Allen, Baker, Breed, Carter, Cassidy, Christian, Cleveland, Clock, Crittenden, Deuel, Duval, Edwards, Evans, Fellom, Hays, Ingels, Inman, Jones, McCormack, Mixter, Moran, Nelson, Rich, Schottky, Sharkey, Slater, Treacy, Wagy, and Williams—29.

MESSAGE FROM THE ASSEMBLY.

The following message from the Assembly was received and read:

ASSEMBLY CHAMBER, SACRAMENTO, May 14, 1931.

MR. PRESIDENT: I am directed to inform your honorable body that the Assembly amended, and on this day passed as amended, Senate Bill No. 962—An act to provide for the organization, government, powers and functions of flood control and flood water conservation districts—and respectfully requests your honorable body to concur in said amendments.

ARTHUR A. OHNIMUS, Chief Clerk.
By A. W. ENGELKE, Assistant Clerk.

CONSIDERATION OF ASSEMBLY AMENDMENTS.

The Senate took up for consideration Assembly amendments to Senate Bill No. 962—An act to provide for the organization, govern-

ment, powers and functions of flood control and flood water conservation districts.

ASSEMBLY AMENDMENTS TO SENATE BILL NUMBER NINE HUNDRED
SIXTY-TWO.

AMENDMENT NUMBER ONE.

On page 1, line 10, of the printed bill, strike out the period following the word "done", and insert in lieu thereof the following: "; *provided, however,* that no district organized under the provisions of this act shall include lands which are within the boundaries of any other flood control district heretofore created or organized".

AMENDMENT NUMBER TWO.

On page 1, line 9, of the printed bill, after "shall", insert the following: "be embraced entirely within the boundaries of one county and shall".

AMENDMENT NUMBER THREE.

On page 1 of the printed bill, strike out lines 11 to 24, inclusive, and insert in lieu thereof the following: "Such petition shall be signed by owners of land representing at least twenty-five per cent of the total assessed valuation of all lands within the proposed district. Such signatures shall be at least ten in number. The petition shall assert that the signers thereof are interested in and will be benefited by the formation of the proposed district and in the work proposed to be done by such district. The signers of the petition shall set forth opposite their names their respective addresses. Any such petition shall set forth".

AMENDMENT NUMBER FOUR.

On page 2 of the printed bill, strike out lines 2 to 10, inclusive, and insert in lieu thereof "formed."

AMENDMENT NUMBER FIVE.

On page 2, lines 16 and 17, of the printed bill, strike out "each of the counties to be benefited or affected by the proposed work", and insert in lieu thereof "the county".

AMENDMENT NUMBER SIX.

On page 2, line 51, of the printed bill, strike out "shall", and insert in lieu thereof "may, in its discretion".

AMENDMENT NUMBER SEVEN.

On page 3 of the printed bill, strike out lines 8 to 12, inclusive.

AMENDMENT NUMBER EIGHT.

On page 3 of the printed bill, strike out line 13, and insert in lieu thereof the following: "from land owners residing in the district, who shall hold office".

AMENDMENT NUMBER NINE.

On page 3 of the printed bill, strike out lines 35, 36 and 37, and insert in lieu thereof the following:

"7. To cooperate, negotiate and contract with any other flood control and water conservation district for any of the purposes or powers of constructing or maintaining any works or other projects."

AMENDMENT NUMBER TEN.

On page 3 of the printed bill, strike out lines 46 to 48, inclusive, and insert in lieu thereof the following:

"10. To do any and all other things incidental to the carrying out of the purposes of the district."

AMENDMENT NUMBER ELEVEN.

On page 3 of the printed bill, strike out lines 49 to 52, inclusive, and insert in lieu thereof the following: "The board of trustees shall hold a regular meeting at least once each month. All meetings of the board must be public and three members of the board shall constitute a quorum for the transaction of business. Full and complete minutes shall be kept and shall be open to the inspection of the public at all reasonable hours. A full and complete record of all receipts of money and expenditures thereof shall be kept showing the source of the receipts, and to whom and for what purpose all disbursements are made."

AMENDMENT NUMBER TWELVE.

On page 4, line 3, of the printed bill, strike out the period in said line, and insert in lieu thereof the following: "and it shall be the duty of the trustees to adequately maintain all works and projects of the district after the same are started.

SEC. 10. The negligence of a trustee or trustees of a flood control and water conservation district shall be imputed to the district to the same extent as if the water conservation and flood control district were a private corporation, and such district shall have power and authority to levy assessments for the purpose of paying any damage so incurred as hereafter provided.

SEC. 11. In addition to the other powers listed in this act the board of trustees shall have power to levy assessments upon the lands contained within the boundaries of the district in accordance with the benefits accruing to said lands for the following purposes only:

1. To pay any indebtedness of the district for which no or insufficient funds are available.

2. To maintain works or projects of the district or to undertake and complete such work as may be necessary to adequately protect the works or projects which have already been undertaken or completed by the district.

SEC. 12. The total amount of money to be raised shall be reported to the supervisors of the county, and assessments therefor shall be levied and collected in the same manner as is provided for the determination, levying and collection of assessments for and by reclamation districts. In the event that the trustees fail to cause said assessments to be levied, it shall be the duty of the board of supervisors to cause the same to be levied and collected."

AMENDMENT NUMBER THIRTEEN.

On page 4, line 4, of the printed bill, strike out the figure "10", and insert in lieu thereof "13".

AMENDMENT NUMBER FOURTEEN.

On page 4 of the printed bill, strike out lines 7 to 16, inclusive, and insert in lieu thereof the following: "board of supervisors of each county which is or may be damaged or otherwise affected or which contains land or water rights which are or may be damaged, infringed or otherwise affected in any manner by the proposed work regardless of whether or not said county or any portion thereof is included within the district doing the work."

The question being: Shall the Senate concur in Assembly amendments to Senate Bill No. 962?

The roll was called, and Assembly amendments to Senate Bill No. 962 concurred in by the following vote:

AYES—Senators Allen, Breed, Bush, Carter, Cassidy, Christian, Clock, Crittenden, Duell, Edwards, Evans, Fellom, Harper, Hays, Inman, Jones, Maloney, McCormack, Mixter, Moran, Nelson, Riley, Sharkey, Slater, Swing, Treacy, Wagy, and Williams—28.

NOES—None.

Senate Bill No. 962 ordered to print, and enrollment.

MESSAGE FROM THE ASSEMBLY.

The following message from the Assembly was received and read:

ASSEMBLY CHAMBER, SACRAMENTO, May 14, 1931.

MR. PRESIDENT: I am directed to inform your honorable body that the Assembly amended, and on this day passed as amended, Senate Bill No. 578—An act to amend the title of and to revise that certain act entitled "An act providing for the creation, organization and government of joint highway districts composed of two or more counties of the State of California," approved April 5, 1917, as amended—and respectfully requests your honorable body to concur in said amendments.

ARTHUR A. OHNIMUS, Chief Clerk.
By A. W. ENGELKE, Assistant Clerk.

CONSIDERATION OF ASSEMBLY AMENDMENTS.

The Senate took up for consideration Assembly amendments to Senate Bill No. 578—An act to amend the title of and to revise that certain act entitled "An act providing for the creation, organization and government of joint highway districts composed of two or more counties of the State of California," approved April 5, 1917, as amended.

ASSEMBLY AMENDMENTS TO SENATE BILL NUMBER FIVE HUNDRED SEVENTY-EIGHT.

AMENDMENT NUMBER ONE.

On page 23, line 20, of the printed bill, strike out "thirty", and insert in lieu thereof "one hundred"

AMENDMENT NUMBER TWO.

On page 23, line 20, of the printed bill, strike out "ten", and insert in lieu thereof "three".

AMENDMENT NUMBER THREE.

On page 23, line 22, of the printed bill, strike out "thirty", and insert in lieu thereof "one hundred".

AMENDMENT NUMBER FOUR.

On page 23 of the printed bill, strike out lines 23 to 28, and insert in lieu thereof "the ratio shall be not more than two per cent thereof."

The question being: Shall the Senate concur in Assembly amendments to Senate Bill No. 578?

The roll was called, and Assembly amendments to Senate Bill No. 578 concurred in by the following vote:

AYES—Senators Allen, Baker, Bush, Cassidy, Clock, Crittenden, Edwards, Fellom, Harper, Hays, Ingels, Inman, Jones, Maloney, McCormack, Moran, Nelson, Rich, Riley, Sharkey, Slater, Swing, Treacy, Wag, and Williams—25.

NOES—None.

Senate Bill No. 578 ordered to print, and enrollment.

MESSAGE FROM THE ASSEMBLY.

The following message from the Assembly was received and read:

ASSEMBLY CHAMBER, SACRAMENTO, May 14, 1931.

MR. PRESIDENT: I am directed to inform your honorable body that the Assembly amended, and on this day passed as amended, Senate Bill No. 952—An act to amend section 1228 of the Penal Code, relating to capital punishment—and respectfully requests your honorable body to concur in said amendment.

ARTHUR A. OHNIMUS, Chief Clerk.

By A. W. ENGELKE, Assistant Clerk.

CONSIDERATION OF ASSEMBLY AMENDMENT.

The Senate took up for consideration Assembly amendment to Senate Bill No. 952—An act to amend section 1228 of the Penal Code, relating to capital punishment.

ASSEMBLY AMENDMENT TO SENATE BILL NUMBER NINE HUNDRED

FIFTY-TWO.

AMENDMENT NUMBER ONE.

On page 1 of the printed bill, after line 4 add the following:

"SEC. 2. The change made by section 1 of this act in the method of inflicting the punishment of death shall not apply to crimes committed before this act takes effect, and the punishment of death in such cases shall be inflicted by hanging the defendant by the neck until he is dead."

The question being: Shall the Senate concur in Assembly amendment to Senate Bill No. 952?

The roll was called, and Assembly amendment to Senate Bill No. 952 concurred in by the following vote:

AYES—Senators Allen, Bush, Carter, Cassidy, Clock, Crittenden, Deuel, Duval, Edwards, Evans, Fellom, Harper, Hays, Ingels, Inman, Jones, Maloney, McCormack, McKinley, Mixer, Moran, Nelson, Sharkey, Slater, Swing, Treacy, and Williams—27.

NOES—None.

Senate Bill No. 952 ordered to print, and enrollment.

MESSAGE FROM THE ASSEMBLY.

The following message from the Assembly was received and read:

ASSEMBLY CHAMBER, SACRAMENTO, May 14, 1931.

MR. PRESIDENT: I am directed to inform your honorable body that the Assembly amended, and on this day passed as amended, Senate Bill No. 243—An act to amend section 3.339 of the School Code, relating to the transportation of high school pupils—and respectfully requests your honorable body to concur in said amendment.

ARTHUR A. OHNIMUS, Chief Clerk.

By A. W. ENGELKE, Assistant Clerk.

CONSIDERATION OF ASSEMBLY AMENDMENT.

The Senate took up for consideration Assembly amendment to Senate Bill No. 243—An act to amend section 3.339 of the School Code, relating to the transportation of high school pupils.

ASSEMBLY AMENDMENT TO SENATE BILL NUMBER TWO HUNDRED FORTY-THREE.

AMENDMENT NUMBER ONE.

On page 1, line 3, of the printed bill, after the word "apportion", insert the following: "from the unapportioned county high school fund".

The question being: Shall the Senate concur in Assembly amendment to Senate Bill No. 243?

The roll was called, and Assembly amendment to Senate Bill No. 243 concurred in by the following vote:

AYES—Senators Allen, Bush, Cassidy, Clock, Crittenden, Denel, Duval, Edwards, Evans, Fellom, Hays, Ingels, Inman, Jones, Maloney, McCormack, McKinley, Moran, Riley, Sharkey, Slater, Swing, Treacy, and Williams—24.

NOES—None.

Senate Bill No. 243 ordered to print, and enrollment.

MESSAGE FROM THE ASSEMBLY.

The following message from the Assembly was received and read:

ASSEMBLY CHAMBER, SACRAMENTO, May 14, 1931.

MR. PRESIDENT: I am directed to inform your honorable body that the Assembly amended, and on this day passed as amended, Senate Bill No. 129—An act to repeal title I and title II of part IV of division III of the Civil Code; to repeal sections 1083, 1036, 1140, 1141, 1142, 3049, 3078, 3079, 3080, 3308, 3309, 3310, 3311, 3312, 3313, and 3314 of said code; to amend sections 1612, 1613, 1624, 1689, and 3387 of said code; to add a new title I of part IV of division III of said code in place thereof consisting of sections 1721 to 1800, both inclusive; and to add a new section to said code to be known as section 1624a, all relating to sale of goods; to amend section 36 of said code relating to disaffirmance by minor; to amend section 658 of said code relating to real property; to amend section 660 of said code relating to fixtures; to add a new section to said code to be known as section 35a, relating to minors and to add three new sections to said code to be known as sections 1097, 1098 and 1099, relating to real property, and to make the law of sale of goods in the State of California uniform with the law of other states—and respectfully requests your honorable body to concur in said amendment.

ARTHUR A. OHNIMUS, Chief Clerk.
By A. W. ENGELKE, Assistant Clerk.

CONSIDERATION OF ASSEMBLY AMENDMENT.

The Senate took up for consideration Assembly amendment to Senate Bill No. 129—An act to repeal title I and title II of part IV of division III of the Civil Code; to repeal sections 1083, 1036, 1140, 1141, 1142, 3049, 3078, 3079, 3080, 3308, 3309, 3310, 3311, 3312, 3313, and 3314 of said code; to amend sections 1612, 1613, 1624, 1689, and 3387 of said code; to add a new title I of part IV of division III of said code in place thereof consisting of sections 1721 to 1800, both inclusive; and to add a new section to said code to be known as section 1624a, all relating to sale of goods; to amend section 36 of said code relating to disaffirmance by minor; to amend section 658 of said code, relating to real property; to amend section 660 of said code relating to fixtures; to add a new section to said code to be known as section 35a, relating to minors and to add three new sections to said code to be known as sections 1097, 1098 and 1099, relating to real property, and to make the law of sale of goods in the State of California uniform with the law of other states.

ASSEMBLY AMENDMENT TO SENATE BILL NUMBER ONE HUNDRED
TWENTY-NINE.

AMENDMENT NUMBER ONE.

On page 3, line 41, of the printed bill, strike out the period, and insert in lieu thereof the following: "unless the agreement otherwise provides."

The question being: Shall the Senate concur in Assembly amendment to Senate Bill No. 129?

The roll was called, and Assembly amendment to Senate Bill No. 129 concurred in by the following vote:

AYES—Senators Allen, Baker, Bush, Cassidy, Christian, Cleveland, Clock, Crittenden, Deuel, Duval, Evans, Fellom, Hays, Ingels, Jones, Maloney, McCormack, McKinley, Moran, Nelson, Pedrotti, Rich, Riley, Sharkey, Slater, Swing, Treacy, and Williams—28.

NOES—None.

Senate Bill No. 129 ordered to print, and enrollment.

MESSAGE FROM THE ASSEMBLY.

The following message from the Assembly was received and read:

ASSEMBLY CHAMBER, SACRAMENTO, May 14, 1931.

MR. PRESIDENT: I am directed to inform your honorable body that the Assembly amended, and on this day passed as amended, Senate Bill No. 644—An act to amend section 182 of the Penal Code, relating to criminal conspiracy—and respectfully requests your honorable body to concur in said amendments.

ARTHUR A. OHNIMUS, Chief Clerk.
By A. W. ENGELKE, Assistant Clerk.

CONSIDERATION OF ASSEMBLY AMENDMENTS.

The Senate took up for consideration Assembly amendments to Senate Bill No. 644—An act to amend section 182 of the Penal Code, relating to criminal conspiracy.

ASSEMBLY AMENDMENTS TO SENATE BILL NUMBER SIX HUNDRED
FORTY-FOUR.

AMENDMENT NUMBER ONE.

On page 1, line 18, of said printed bill, strike out beginning with the word "or," down to and including the word "laws," in line 21.

AMENDMENT NUMBER TWO.

On page 1, line 23, of the printed bill, strike out the words "the commission of".

AMENDMENT NUMBER THREE.

On page 1, line 23, of the printed bill, strike out the words "or act, respectively,".

AMENDMENT NUMBER FOUR.

On page 1 of the printed bill, strike out lines 25 to 28, both inclusive.

AMENDMENT NUMBER FIVE.

In line 2 of the title of the printed amended bill, strike out the period following the word "company", and insert in lieu thereof a comma and the following: "compelling witnesses to give evidence respecting the same and exempting them from punishment for any crime with respect to which said evidence was given."

AMENDMENT NUMBER SIX.

On page 2 of the printed bill, following line 9, add the following:

"No person otherwise competent as a witness, shall be disqualified or excused from testifying at any trial, hearing, lawful investigation or judicial proceeding, concerning any of the offenses enumerated and set forth in this section on the ground that such testimony may criminate himself. Said person may be compelled to attend and testify and produce any books, papers, documents or other evidence, but shall not thereafter be liable to prosecution, trial or punishment for any crime or offense with reference to which his evidence was given or which said evidence tends to establish or prove.

No person shall be exempt from prosecution, trial or punishment for any crime or offense with reference to which his testimony or other evidence was given, or which said testimony or other evidence tends to establish or prove, where such person

voluntarily testifies or produces such evidence or where such person so testifying or so producing evidence fails to ask to be excused from testifying or so producing evidence on the ground that his testimony or such evidence may incriminate himself, but in all such cases the testimony or evidence so given may be used in any criminal prosecution or proceeding against the person so testifying or producing such evidence."

The question being: Shall the Senate concur in Assembly amendments to Senate Bill No. 644?

The roll was called, and Assembly amendments to Senate Bill No. 644 concurred in by the following vote:

AYES—Senators Allen, Baker, Breed, Bush, Carter, Cassidy, Christian, Cleveland, Clock, Crittenden, Deuel, Edwards, Evans, Hays, Ingels, Inman, Jones, Maloney, McCormack, McKinley, Mixer, Pedrotti, Rich, Riley, Sharkey, Slater, Swing, Treacy, and Williams—29.

NOES—None.

Senate Bill No. 644 ordered to print, and enrollment.

MESSAGE FROM THE ASSEMBLY.

The following message from the Assembly was received and read:

ASSEMBLY CHAMBER, SACRAMENTO, May 14, 1931.

MR. PRESIDENT: I am directed to inform your honorable body that the Assembly amended, and on this day passed as amended, Senate Bill No. 934—An act to amend sections 4, 7, 8, 9, 10, 11, 12, 13, 14, 15, 17, 18, 25, 26, 27 and 29 of "An act to provide for the formation, government, operation, reorganization, dissolution and alteration of boundaries of sanitary districts in any part of the State, for the construction of sewers, septic tanks, and other sanitary disposal of sewerage matter; the acquisition of property thereby, the calling and conducting of elections in such districts; the assessment, levying, collection, custody, and disbursement of taxes therein; the issuance, disposal and retirement of the bonds thereof, and the determination of their validity and making provisions for the payment of such bonds, and the disposal of their proceeds," approved May 25, 1919, relating to sanitary districts—and respectfully requests your honorable body to concur in said amendments.

ARTHUR A. OHNIMUS, Chief Clerk.

By A. W. ENGELKE, Assistant Clerk.

CONSIDERATION OF ASSEMBLY AMENDMENTS.

The Senate took up for consideration Assembly amendments to Senate Bill No. 934—An act to amend sections 4, 7, 8, 9, 10, 11, 12, 13, 14, 15, 17, 18, 25, 26, 27 and 29 of "An act to provide for the formation, government, operation, reorganization, dissolution and alteration of boundaries of sanitary districts in any part of the State, for the construction of sewers, septic tanks, and other sanitary disposal of sewerage matter; the acquisition of property thereby, the calling and conducting of elections in such district; the assessment, levying, collection, custody, and disbursement of taxes therein; the issuance, disposal and retirement of the bonds thereof, and the determination of their validity and making provision for the payment of such bonds, and the disposal of their proceeds," approved May 25, 1919, relating to sanitary districts.

ASSEMBLY AMENDMENTS TO SENATE BILL NUMBER NINE HUNDRED THIRTY-FOUR.

AMENDMENT NUMBER ONE.

On page 7, line 22, of the printed bill, strike out "one", and insert in lieu thereof "five".

AMENDMENT NUMBER TWO.

On page 7, line 34, of the printed bill, strike out "one", and insert in lieu thereof "five".

AMENDMENT NUMBER THREE.

On page 7, between lines 36 and 37, of the printed bill, insert the following:

"SEC. 7. Section 13 of the act cited in the title hereof is hereby amended to read as follows:

Sec. 13. The tax collector shall pay over to the county treasurer all moneys collected by him for sanitary purposes, as fast as the same shall be collected, and the said treasurer shall keep the same in the county treasury as follows: In a fund called the bond fund of sanitary district (naming it) he shall place and keep the moneys levied by the sanitary board for such fund; and no part of the money in this fund shall be transferred to any other fund, or be used for any other purpose than the payment of the principal and interest of the bonds of the sanitary district, and for the retirement of bonds which had been issued by a district which formerly formed a part of the sanitary district as hereinafter provided for, so long as any such bonds shall be unpaid; in a fund called the running expense of sanitary district (naming it) he shall place and keep the moneys levied by the sanitary board for such fund. The whole or any part of the money in the running expense fund may be transferred to the bond fund, or to the other fund hereinafter provided for, upon the order of the sanitary board and it shall be the duty of the treasurer to comply with such order. The treasurer shall pay out moneys from either of said funds, or from the fund hereinafter mentioned, only upon the written order of the sanitary board, signed by the president and countersigned by the secretary, which order shall specify the name of the person to whom the money is to be paid and the fund from which it is to be paid, and shall state generally the purpose for which the payment is made, and such order shall be entered in the minutes of the sanitary board. The treasurer shall keep the order as his voucher, and shall keep a specific account of his receipts and disbursements of money for sanitary purposes. He shall also keep an accurate account of all interest earned upon any of the funds mentioned in this section, or any other increase therein. All such interest and increase may be used only in the manner provided for the fund from which it shall have accrued. The sanitary board may require the treasurer, by order duly entered upon the minutes of the board, to place such funds of the sanitary district in a bank situated within such sanitary district; and the treasurer must comply with the order of the board. The treasurer and sureties upon his official bond shall be liable for the due performance of the duties imposed upon him by this act."

AMENDMENT NUMBER FOUR.

On page 7, line 37, of the printed bill, strike out "SEC. 7.", and insert in lieu thereof "SEC. 8."

AMENDMENT NUMBER FIVE.

On page 8, line 7, of the printed bill, strike out "8", and insert in lieu thereof "9".

AMENDMENT NUMBER SIX.

On page 8, line 17, of the printed bill, strike out "9", and insert in lieu thereof "10".

AMENDMENT NUMBER SEVEN.

On page 9, between lines 5 and 6, of the printed bill, insert the following:

"SEC. 11. Section 18 of the act cited in the title hereof is hereby amended to read as follows:

Sec. 18. All bonds issued under the provisions of this act shall be of such denominations as the sanitary board may determine, except that no bonds shall be of a less denomination than one hundred dollars, nor of a greater denomination than one thousand dollars. Said bonds shall be payable in gold coin of the United States at the office of the county treasurer of the county wherein said district is situated, and shall bear interest at a rate not exceeding six per cent per annum, which interest shall be payable semiannually in like gold coin. Not less than one-fortieth part of the total issue of bonds shall be payable each year, on a day to be specified by the sanitary board, but no bonds shall be payable in installments, but each bond issued hereunder shall be payable in full on the date specified therein by said board. Each bond shall be signed by the president and countersigned by the secretary of the sanitary board, and said bonds shall be numbered consecutively, beginning with number one, and shall have coupons attached referring to the number of the bond to which they are attached, which coupons shall be signed by the president and countersigned by the secretary of said board. The bonds must be disposed of by the sanitary board in such manner and in such quantities as may be determined by said board in its discretion, but no bond must be disposed for less than its face value. The proceeds of such sale shall be deposited with the county treasurer and shall be by him placed in the fund to be called the sewer construction fund of ----- sanitary district (naming it); the proceeds of such sale shall be placed at interest by the treasurer and the interest earned thereon together with any other increase thereof shall be used only as provided in this section. The interest at which such funds are placed shall not be less than that earned by county funds; the money and all increase thereof in such fund shall be used for the purpose indicated in the order calling the election upon the question of the issuance of the bonds, and for no other purposes; *provided*, that if after such purposes are entirely fulfilled any balance remain in such fund, such balance may, upon the order of the sanitary board, be transferred to either of the other funds provided by this act. The sanitary board may order the proceeds of such sale placed in a bank situated in the sanitary district, as provided in section 13 of this act."

AMENDMENT NUMBER EIGHT.

On page 9, line 6, of the printed bill, strike out "10", and insert in lieu thereof "12".

AMENDMENT NUMBER NINE.

On page 10, line 23, of the printed bill, strike out "11", and insert in lieu thereof "13".

AMENDMENT NUMBER TEN.

On page 12, line 39, of the printed bill, strike out "12", and insert in lieu thereof "14".

AMENDMENT NUMBER ELEVEN.

On page 13, line 3, of the printed bill, strike out "13", and insert in lieu thereof "15".

The question being: Shall the Senate concur in Assembly amendments to Senate Bill No. 934?

The roll was called, and Assembly amendments to Senate Bill No. 934 concurred in by the following vote:

AYES—Senators Allen, Breed, Bush, Cassidy, Clock, Crittenden, Deuel, Edwards, Evans, Ingels, Inman, Jones, Maloney, McCormack, McKinley, Mixer, Moran, Nelson, Pedrotti, Rich, Riley, Sharkey, Slater, Swing, Treacy, and Williams—26.

NOES—None.

Senate Bill No. 934 ordered to print, and enrollment.

MESSAGE FROM THE ASSEMBLY.

The following message from the Assembly was received and read:

ASSEMBLY CHAMBER, SACRAMENTO, May 14, 1931.

MR. PRESIDENT: I am directed to inform your honorable body that the Assembly amended, and on this day passed as amended, Senate Bill No. 831—An act to amend sections 4.360, 4.361, 4.362, 4.365, 4.366, 4.372, 4.440, of the School Code, and to add thereto new sections to be numbered 4.374, 4.375 and 4.376; to repeal chapter IV, embracing sections 4.460 to 4.501, both inclusive, chapter V, embracing sections 4.510 to 4.520, both inclusive, chapter VI, embracing sections 4.530 to 4.582, both inclusive, chapter VII, embracing sections 4.590 to 4.626, both inclusive, of part III of division IV of the School Code; to repeal chapter 397 of the Statutes of 1929, entitled "An act relating to maximum rates of tax for school district purposes," approved May 22, 1929—and respectfully requests your honorable body to concur in said amendments.

ARTHUR A. OHNIMUS, Chief Clerk.

By A. W. ENGELKE, Assistant Clerk.

CONSIDERATION OF ASSEMBLY AMENDMENTS.

The Senate took up for consideration Assembly amendments to Senate Bill No. 831—An act to amend sections 4.360, 4.361, 4.362, 4.365, 4.366, 4.372, 4.440, of the School Code, and to add thereto new sections to be numbered 4.374, 4.375 and 4.376; to repeal chapter IV, embracing sections 4.460 to 4.501, both inclusive, chapter V, embracing sections 4.510 to 4.520, both inclusive, chapter VI, embracing sections 4.530 to 4.582, both inclusive, chapter VII, embracing sections 4.590 to 4.626, both inclusive, of part III of division IV of the School Code; to repeal chapter 397 of the Statutes of 1929, entitled "An act relating to maximum rates of tax for school district purposes," approved May 22, 1929.

ASSEMBLY AMENDMENTS TO SENATE BILL NUMBER EIGHT HUNDRED THIRTY-ONE.

AMENDMENT NUMBER ONE.

In line 13 of the title of the printed bill, as amended in Senate April 6, 1931, strike out the period and insert in lieu thereof the following: "and to repeal chapter 282 of the statutes of 1929, entitled "An act providing for the use of kindergarten funds for building, furnishing and equipping buildings for the accommodation of kindergartens," approved May 14, 1929."

AMENDMENT NUMBER TWO.

On page 2, line 4, of the printed bill, as amended in Senate April 6, 1931, after the word "board", insert the word "shall".

AMENDMENT NUMBER THREE.

On page 4, line 4, of the printed bill, as amended in Senate April 6, 1931, after said line 4, insert the following:

"SEC. 18. Chapter 282 of the statutes of 1929, entitled "An act providing for the use of kindergarten funds for building, furnishing and equipping buildings for the accommodation of kindergartens," approved May 14, 1929, is hereby repealed."

AMENDMENT NUMBER FOUR.

On page 2, line 4, of the printed bill, as amended in Senate April 6, 1931, after the word "board", insert the word "shall".

The question being: Shall the Senate concur in Assembly amendments to Senate Bill No. 831?

The roll was called, and Assembly amendments to Senate Bill No. 831 concurred in by the following vote:

AYES—Senators Allen, Breed, Carter, Cassidy, Christian, Cleveland, Clock, Crittenden, Edwards, Evans, Ingels, Inman, Jones, Maloney, McCormack, McKinley, Nelson, Rich, Riley, Sharkey, Slater, Swing, Treacy, and Williams—24.

NOES—None.

Senate Bill No. 831 ordered to print, and enrollment.

MESSAGE FROM THE ASSEMBLY.

The following message from the Assembly was received and read:

ASSEMBLY CHAMBER, SACRAMENTO, May 14, 1931.

MR. PRESIDENT: I am directed to inform your honorable body that the Assembly amended, and on this day passed as amended, Senate Bill No. 840—An act to amend section 4 of chapter 277 of the Statutes of 1907, entitled "An act to create a fund to be known as the United States Forest Reserve Fund and to provide for the payment out of such fund to the treasuries of the several counties entitled thereto of certain moneys received from the government of the United States, and also to regulate the manner of expenditure by the counties of the moneys so paid," approved March 18, 1907, as amended, relating to the apportionment of moneys received by counties from the United States Forest Reserve Fund—and respectfully requests your honorable body to concur in said amendments.

ARTHUR A. OHNIMUS, Chief Clerk.
By A. W. ENGELKE, Assistant Clerk.

CONSIDERATION OF ASSEMBLY AMENDMENTS.

The Senate took up for consideration Assembly amendments to Senate Bill No. 840—An act to amend section 4 of chapter 277 of the Statutes of 1907, entitled "An act to create a fund to be known as the United States Forest Reserve Fund and to provide for the payment out of such fund to the treasuries of the several counties entitled thereto of certain moneys received from the government of the United States, and also to regulate the manner of expenditure by the counties of the moneys so paid," approved March 18, 1907, as amended, relating to the apportionment of moneys received by counties from the United States Forest Reserve Fund.

ASSEMBLY AMENDMENTS TO SENATE BILL NUMBER EIGHT HUNDRED FORTY.

AMENDMENT NUMBER ONE.

On page 1, line 16, of the printed bill, after the word "elementary", insert the following: "school".

AMENDMENT NUMBER TWO.

On page 2, line 2, of the printed bill, after the word "county", insert the following: "elementary".

The question being: Shall the Senate concur in Assembly amendments to Senate Bill No. 840?

The roll was called, and Assembly amendments to Senate Bill No. 840 concurred in by the following vote:

AYES—Senators Allen, Baker, Breed, Carter, Cassidy, Christian, Cleveland, Clock, Crittenden, Duval, Edwards, Evans, Inman, Jones, Maloney, McCormack, McKinley, Mixer, Moran, Rich, Riley, Sharkey, Slater, Treacy, and Williams—25.
NOES—None.

Senate Bill No. 840 ordered to print, and enrollment.

CONSIDERATION OF DAILY FILE.

THIRD READING OF ASSEMBLY BILLS—(RESUMED).

ASSEMBLY CONCURRENT RESOLUTION No. 24.

Relative to amendment of the Joint Rules of Senate and Assembly.

Resolved by the Assembly, the State concurring. That Rules 9, 21 and 22 of the Joint Rules of the Senate and Assembly be amended to read as follows:

Sec. 9. In case of a bill amending a code section or a general law, any new matter shall be underlined and any matter to be omitted shall have a single horizontal line through the center. When printed the new matter shall be printed in italics and the matter to be omitted shall be printed in canceled or "strikeout" type. When bills are amended to provide for the amendment of other or additional sections of the codes or the general laws, other than those contained in the original bill the changes proposed to be made in such sections shall be shown in the same manner as if they had been contained in the original bills.

Sec. 21. Each house shall cause to be printed on Monday of each week, during the session, a complete history of all bills, joint or concurrent resolutions and constitutional amendments, originating in or acted upon by the respective Houses. Such history shall show the action taken upon each measure up to and including the legislative day preceding its issuance.

For each legislative day intervening there shall be printed a supplementary history showing the action taken upon any measure since the issuance of the complete history. A regular form shall be prescribed by the secretary of the Senate and chief clerk of the Assembly and no other form shall be used. There may however be printed on each day of the last 14 days of the session a complete history.

Immediately following the adjournment for the constitutional recess the history shall be compiled and printed to date of recess.

Sec. 22. The superintendent of state printing shall not print and charge to legislative printing any matter other than provided by law or by these rules, except upon a written order signed by the secretary of the Senate or the chief clerk of the Assembly, and delivered to him prior to beginning the work or printing. The secretary of the Senate and the chief clerk of the Assembly may also, when necessity requires it, order certain matter printed in advance of the regular order, by the issuance of a rush order.

These rules so far as they relate to the pre-printing of bills or other printing or other duties of the officers shall remain in effect until the convening of the next regular session of the Legislature.

Resolution read.

The question being on the adoption of the resolution.

The roll was called, and Assembly Concurrent Resolution No. 24 adopted by the following vote:

AYES—Senators Allen, Baker, Breed, Bush, Carter, Cassidy, Christian, Cleveland, Clock, Crittenden, Duval, Edwards, Evans, Harper, Hays, Ingels, Jones, Maloney, McCormack, McKinley, Mixer, Moran, Nelson, Pedrotti, Rich, Schottky, Sharkey, Slater, Swing, Treacy, and Williams—32.
NOES—None.

Assembly Concurrent Resolution No. 24 ordered transmitted to the Assembly.

Assembly Bill No. 1534—An act to amend section 737ddd of the Political Code, relating to the salary of the judge of the superior court in and for the county of Ventura.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Assembly Bill No. 1534 passed by the following vote:

AYES—Senators Allen, Baker, Bush, Cassidy, Christian, Clock, Crittenden, Duval, Evans, Ingels, Inman, Maloney, McCormack, McKinley, Mixter, Moran, Nelson, Pedrotti, Rich, Schottky, Slater, Swing, Treacy, Tubbs, and Williams—25.
NOES—Senator Cleveland—1.

Title read and approved.

Bill ordered transmitted to the Assembly.

Assembly Bill No. 431—An act making an appropriation for the purchase of land for the Santa Barbara State Teachers College.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Assembly Bill No. 431 passed by the following vote:

AYES—Senators Allen, Baker, Breed, Bush, Carter, Cassidy, Clock, Crittenden, Deuel, Duval, Edwards, Evans, Harper, Ingels, Inman, Maloney, McCormack, McKinley, Moran, Nelson, Pedrotti, Schottky, Sharkey, Slater, Swing, Treacy, Tubbs, and Williams—28.
NOES—None.

Title read and approved.

Bill ordered transmitted to the Assembly.

ASSISTANT SECRETARY FRANCIS E. DALIN AT THE DESK.

Assembly Bill No. 1298—An act making an appropriation to defray the expenses of the winter sports program to be held in connection with the Olympic Games in the State of California.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Assembly Bill No. 1298 passed by the following vote:

AYES—Senators Allen, Baker, Breed, Bush, Carter, Cassidy, Cleveland, Clock, Crittenden, Deuel, Duval, Edwards, Evans, Harper, Hays, Maloney, McCormack, McKinley, Mixter, Moran, Nelson, Pedrotti, Schottky, Slater, Treacy, Tubbs, and Williams—27.
NOES—None.

Title read and approved.

Bill ordered transmitted to the Assembly.

Assembly Bill No. 315—An act relating to the judges of the superior court in and for the county of Santa Barbara, increasing the number and prescribing the salaries thereof.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Assembly Bill No. 315 passed by the following vote:

AYES—Senators Allen, Baker, Breed, Bush, Carter, Cassidy, Christian, Cleveland, Clock, Crittenden, Deuel, Duval, Edwards, Evans, Harper, Ingels, Inman, Jones, Maloney, McCormack, McKinley, Mixter, Moran, Nelson, Pedrotti, Rich, Schottky, Sharkey, Slater, Treacy, Tubbs, and Williams—32.
NOES—None.

Title read and approved.

Bill ordered transmitted to the Assembly.

Assembly Bill No. 1374—An act to amend section 737^{ww} of the Political Code, relating to the salary of the superior judges in and for the county of Sonoma.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Assembly Bill No. 1374 passed by the following vote:

AYES—Senators Allen, Baker, Carter, Cassidy, Christian, Cleveland, Clock, Crittenden, Duval, Edwards, Evans, Harper, Hays, Ingels, Inman, Jones, Maloney, McCormack, McKinley, Mixer, Moran, Nelson, Pedrotti, Schottky, Sharkey, Slater, Swing, Treacy, Tubbs, and Williams—30.

NOES—None.

Title read and approved.

Bill ordered transmitted to the Assembly.

Assembly Bill No. 1422—An act to amend section 737^{mm} of the Political Code, relating to the salaries of the judges of the superior court in and for the county of San Joaquin.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Assembly Bill No. 1422 passed by the following vote:

AYES—Senators Allen, Baker, Breed, Christian, Cleveland, Crittenden, Duval, Edwards, Evans, Harper, Hays, Ingels, Inman, Jones, Maloney, McCormack, McKinley, Mixer, Moran, Nelson, Pedrotti, Rich, Schottky, Sharkey, Slater, Swing, Treacy, Tubbs, and Williams—29.

NOES—None.

Title read and approved.

Bill ordered transmitted to the Assembly.

Assembly Bill No. 1817—An act to amend section 737^f of the Political Code, relating to the salary of the superior judge in and for the county of Colusa.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Assembly Bill No. 1817 passed by the following vote:

AYES—Senators Allen, Baker, Breed, Carter, Christian, Crittenden, Duval, Edwards, Evans, Harper, Hays, Ingels, Inman, Jones, Maloney, McCormack, McKinley, Mixer, Moran, Nelson, Pedrotti, Rich, Schottky, Sharkey, Slater, Swing, Treacy, Tubbs, and Williams—29.

NOES—None.

Title read and approved.

Bill ordered transmitted to the Assembly.

Assembly Bill No. 554—An act to amend section 2 of chapter 462 of the Statutes of 1929, entitled "An act to accept the provisions and benefits of an act passed by the Senate and House of Representatives of the United States of America in Congress assembled and approved February 5, 1929, to provide for the further development of vocational education; to create a Vocational Education Fund and making an appropriation therefor," approved May 24, 1929, relating to an appropriation for vocational education.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Assembly Bill No. 554 passed by the following vote:

AYES—Senators Allen, Baker, Breed, Bush, Christian, Deuel, Duval, Edwards, Evans, Harper, Hays, Ingels, Inman, Jones, Maloney, McCormack, McKinley, Mixer, Nelson, Pedrotti, Rich, Riley, Schottky, Slater, Swing, Treacy, and Williams—27.
NOES—None.

Title read and approved.

Bill ordered transmitted to the Assembly.

Assembly Bill No. 614—An act making an appropriation for painting portraits of Governors of California, and directing the State Department of Finance to carry out the provisions thereof.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Assembly Bill No. 614 passed by the following vote:

AYES—Senators Allen, Baker, Breed, Bush, Carter, Cassidy, Christian, Duval, Edwards, Evans, Harper, Hays, Ingels, Inman, Jones, Maloney, McCormack, McKinley, Mixer, Moran, Nelson, Pedrotti, Rich, Riley, Schottky, Slater, Swing, Treacy, Tubbs, and Williams—30.
NOES—None.

Title read and approved.

Bill ordered transmitted to the Assembly.

Assembly Bill No. 1889—An act to abolish the Board of Pharmacy Fine Fund and the Pharmacy Board Poison Law Fund and to transfer the money in the State treasury to the credit of said funds to the Pharmacy Board Contingent Fund in the State treasury.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Assembly Bill No. 1889 passed by the following vote:

AYES—Senators Allen, Baker, Breed, Bush, Carter, Cassidy, Christian, Crittenden, Deuel, Duval, Edwards, Evans, Harper, Hays, Ingels, Inman, Jones, Maloney, McCormack, McKinley, Mixer, Moran, Nelson, Pedrotti, Rich, Riley, Schottky, Sharkey, Slater, Treacy, Tubbs, Wag, and Williams—33.
NOES—None.

Title read and approved.

Bill ordered transmitted to the Assembly.

Assembly Bill No. 1692—An act providing for the exhibit of the products and resources of the State of California at the Chicago World's Fair Centennial Celebration to be held at Chicago, Illinois, in 1933, creating the California World's Fair Centennial Celebration Commission and defining its powers and duties, and making an appropriation therefor.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Assembly Bill No. 1692 passed by the following vote:

AYES—Senators Allen, Baker, Breed, Bush, Carter, Cassidy, Christian, Crittenden, Duval, Edwards, Evans, Harper, Inman, Jones, Maloney, McCormack, McKin-

ley, Mixer, Nelson, Pedrotti, Rich, Schottky, Sharkey, Slater, Swing, Treacy, Tubbs, Wagy, and Williams—29.

NOES—Senators Ducl, and Moran—2.

Title read and approved.

Bill ordered transmitted to the Assembly.

Assembly Bill No. 123—An act making an appropriation for repairs, improvements, equipment and furnishing of the gubernatorial mansion in Sacramento.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Assembly Bill No. 123 passed by the following vote:

AYES—Senators Allen, Baker, Breed, Bush, Carter, Cassidy, Christian, Crittenden, Ducl, Edwards, Harper, Hays, Ingels, Inman, Jones, Maloney, McCormack, McKinley, Mixer, Moran, Nelson, Pedrotti, Rich, Riley, Rochester, Schottky, Slater, Swing, Treacy, Tubbs, Wagy, and Williams—32.

NOES—None.

Title read and approved.

Bill ordered transmitted to the Assembly.

Assembly Bill No. 154—An act providing for the preparation and printing of a cumulative supplement to the Index of the Laws of California and a statutory record, and making an appropriation therefor.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Assembly Bill No. 154 passed by the following vote:

AYES—Senators Allen, Baker, Breed, Carter, Cassidy, Christian, Crittenden, Ducl, Duval, Edwards, Evans, Harper, Hays, Ingels, Inman, Jones, Maloney, McCormack, McKinley, Mixer, Moran, Nelson, Pedrotti, Rich, Riley, Rochester, Schottky, Sharkey, Slater, Swing, Tubbs, Wagy, and Williams—33.

NOES—None.

Title read and approved.

Bill ordered transmitted to the Assembly.

Assembly Bill No. 477—An act to create a State Medical Library under the direction of the Regents of the University of California, providing for the establishment of branches of said library and for the administration, maintenance, and support of the same, and making an appropriation therefor.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Assembly Bill No. 477 passed by the following vote:

AYES—Senators Allen, Baker, Breed, Bush, Carter, Cassidy, Christian, Crittenden, Ducl, Duval, Edwards, Evans, Harper, Hays, Ingels, Inman, Jones, Maloney, McCormack, McKinley, Mixer, Moran, Nelson, Rich, Rochester, Schottky, Sharkey, Slater, Swing, Tubbs, Wagy, and Williams—32.

NOES—None.

Title read and approved.

Bill ordered transmitted to the Assembly.

Assembly Bill No. 1150—An act making an appropriation for the construction and equipment of an Armory at the city of San Jose.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Assembly Bill No. 1150 passed by the following vote:

AYES—Senators Allen, Bush, Carter, Cassidy, Crittenden, Deuel, Duval, Edwards, Evans, Ingels, Inman, Jones, Maloney, McCormack, McKinley, Mixter, Nelson, Pedrotti, Rich, Riley, Schottky, Slater, Swing, Tubbs, Waggy, and Williams—26.

NOES—Senator Baker—1.

Title read and approved.

Bill ordered transmitted to the Assembly.

Assembly Bill No. 1271—An act creating the California Polytechnic School Project Revolving Fund and making an appropriation therefor; providing for the expenditure and replenishment thereof, declaring the urgency thereof, and providing that this act shall take effect immediately.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Assembly Bill No. 1271 passed by the following vote:

AYES—Senators Allen, Baker, Breed, Cassidy, Christian, Crittenden, Duval, Edwards, Evans, Harper, Ingels, Inman, Jones, Maloney, McCormack, McKinley, Mixter, Morau, Nelson, Pedrotti, Rich, Rochester, Schottky, Sharkey, Swing, Waggy, and Williams—27.

NOES—None.

Title read and approved.

Bill ordered transmitted to the Assembly.

ADJOURNMENT.

At eleven o'clock and forty-eight minutes p.m., on motion of Senator Breed, the President declared the Senate adjourned until nine o'clock and thirty minutes a.m., Friday, May 15, 1931.

HAROLD J. POWERS, Minute Clerk.

IN SENATE.

SENATE CHAMBER,
SACRAMENTO, Friday, May 15, 1931.

The Senate met at nine o'clock and thirty minutes a.m.

Lieutenant Governor Frank F. Merriam, President of the Senate, in the chair.

Secretary Joseph A. Beek at the desk.

ROLL CALL.

The roll was called, and the following answered to their names:

Senators Allen, Baker, Breed, Bush, Carter, Cassidy, Christian, Cleveland, Clock, Crittenden, Deuel, Duval, Edwards, Evans, Fellom, Harper, Hays, Ingels, Inman, Jones, Maloney, McCormack, McKinley, Mixter, Moran, Nelson, Pedrotti, Rich, Riley, Rochester, Schottky, Sharkey, Slater, Swing, Treacy, Tubbs, Waggy, and Williams—38.

Quorum present.

PRAYER.

Prayer was offered by the Chaplain, Rev. Sherman L. Divine.

READING OF THE JOURNAL.

During the reading of the Journal of Thursday, May 14, 1931, the further reading was dispensed with on motion of Senator Slater.

MESSAGES FROM THE ASSEMBLY.

The following messages from the Assembly were received and read:

ASSEMBLY CHAMBER, SACRAMENTO, May 14, 1931.

MR. PRESIDENT: I am directed to inform your honorable body that the Assembly on this day refused passage to Senate Bill No. 161—An act to add a new section to the Civil Code to be known as section 3045, covering the lien of an attorney at law.

ARTHUR A. OHNIMUS, Chief Clerk.
By A. W. ENGELKE, Assistant Clerk.

Also:

ASSEMBLY CHAMBER, SACRAMENTO, May 14, 1931.

MR. PRESIDENT: I am directed to inform your honorable body that the Assembly on this day passed Senate Bill No. 324—An act to add a new section to the Penal Code, to be numbered 6260½, relating to the protection of fish;

Also: Senate Bill No. 946—An act to amend section 141½ of the California Vehicle Act, approved May 30, 1923, relating to liability of an owner or driver or person responsible for the operation of a vehicle, for the injury or death of a guest;

Also: Senate Bill No. 688—An act to amend section 35 of an act entitled "An act to provide for the organization and government of drainage districts, for the drainage of agricultural lands other than swamp and overflowed lands, and to provide for the acquisition or construction thereby of works for the drainage of the lands embraced within such districts," approved March 20, 1903, as amended, and relating to refunding bonds of such districts;

Also: Senate Bill No. 8—An act to amend section 67a of the Code of Civil Procedure, relating to the superior court in counties of the first class, increasing the number of judges thereof.

ARTHUR A. OHNIMUS, Chief Clerk.
By A. W. ENGELKE, Assistant Clerk.

Senate Bills Nos. 324, 946, 688 and 8 ordered to enrollment.

Also:

ASSEMBLY CHAMBER, SACRAMENTO, May 14, 1931.

MR. PRESIDENT: I am directed to inform your honorable body that the Assembly on this day passed Senate Bill No. 478—An act to amend section 1161a of the Code of Civil Procedure, relating to recovery of possession of real property;

Also: Senate Bill No. 605—An act to amend section 1329 of the Penal Code of the State of California, relating to fees of witnesses when from without the county, or without the State of California;

Also: Senate Bill No. 373—An act to amend chapter 485, Statutes of 1927, entitled "An act to define collection agencies; to provide for the regulation, bonding, supervision and licensing thereof; to provide for the enforcement of said act and penalties for violation thereof," approved May 14, 1927, as amended, by amending sections 2, 4, 6, 7, 11 and 14 thereof;

Also: Senate Bill No. 641—An act to amend section 197 of the Penal Code, defining justifiable homicide.

ARTHUR A. OHNIMUS, Chief Clerk.
By A. W. ENGELKE, Assistant Clerk.

Senate Bills Nos. 478, 605, 373 and 641 ordered to enrollment.

Also:

ASSEMBLY CHAMBER, SACRAMENTO, May 14, 1931.

MR. PRESIDENT: I am directed to inform your honorable body that the Assembly on this day passed Senate Bill No. 684—An act to add a new section to the Penal Code to be numbered 537½, relating to the defrauding of owners of automobiles;

Also: Senate Bill No. 947—An act to amend section 1510 of the Penal Code, relating to the duties of the coroner;

Also: Senate Bill No. 130—An act to amend section 1973 of the Code of Civil Procedure, and to add to said code a new section to be numbered 1973a, relating to agreements in writing;

Also: Senate Bill No. 390—An act to amend section 1203 of the Penal Code, relating to probation of persons arrested for crime, after plea or verdict of guilty and the suspending of the imposition or execution of sentence during the term of

probation or the imposition of jail sentence or fine or both or other conditions to fit the crime in connection with probation, and the disposition of such accusation after full compliance with the terms of probation and providing for the creation of offices of adult probation officer, assistant adult probation officer and deputy adult probation officer and fixing their compensation and duties and providing for adult probation boards in said counties and cities and counties.

ARTHUR A. OHNIMUS, Chief Clerk.
By A. W. ENGELKE, Assistant Clerk.

Senate Bills Nos. 684, 947, 130 and 390, ordered to enrollment.

Also:

ASSEMBLY CHAMBER, SACRAMENTO, May 14, 1931.

MR. PRESIDENT: I am directed to inform your honorable body that the Assembly on this day passed Senate Bill No. 257—An act to add a new section to the Political Code to be numbered 4041.28, relating to the disposition of court house and other sites dedicated to public use.

ARTHUR A. OHNIMUS, Chief Clerk.
By A. W. ENGELKE, Assistant Clerk.

Senate Bill No. 257 ordered to enrollment.

Also:

ASSEMBLY CHAMBER, SACRAMENTO, May 14, 1931.

MR. PRESIDENT: I am directed to inform your honorable body that the Assembly on this day passed Senate Bill No. 246—An act to add a new article to chapter I of part II of division II of the School Code, to be numbered article IX, embracing sections 2,860 to 2,866, both inclusive, and to repeal article XII, embracing sections 2,1010 to 2,1016, both inclusive, of chapter II of part II of division II of the School Code, all relating to annual meetings of school trustees;

Also: Senate Bill No. 950—An act to amend article IX of chapter I of part III of division IV of the School Code, embracing sections 4,380 to 4,384, inclusive, and to repeal chapter 709, Statutes of 1929, all relating to financial reports of school districts;

Also: Senate Bill No. 236—An act to repeal section 1.13 of the School Code, relating to the attendance of Indian children upon public schools;

Also: Senate Bill No. 237—An act to amend section 2,914 of the School Code; to add a new section thereto to be numbered 2,913; to repeal section 2,913 thereof and to repeal chapter 284 of the Statutes of 1929, entitled "An act relating to the holding of school elections in union or joint union school districts," approved May 14, 1929, relating to elections for members of union or joint union school district governing boards.

ARTHUR A. OHNIMUS, Chief Clerk.
By A. W. ENGELKE, Assistant Clerk.

Senate Bills Nos. 246, 950, 236 and 237 ordered to enrollment.

Also:

ASSEMBLY CHAMBER, SACRAMENTO, May 14, 1931.

MR. PRESIDENT: I am directed to inform your honorable body that the Assembly on this day passed Senate Bill No. 827—An act to amend section 4,730 of the School Code, and to repeal sections 4,731 and 4,732, relating to the duty of the Superintendent of Public Instruction to make certain reports to the State Controller;

Also: Senate Bill No. 242—An act to amend section 3,331 of the School Code, relative to the payment of tuition and transportation of high school pupils attending high school in an adjoining state;

Also: Senate Bill No. 241—An act to repeal sections 3,120 and 3,121 of the School Code, relating to the admission of children to kindergarten;

Also: Senate Bill No. 244—An act to repeal section 3,637 of the School Code, relating to the admission of deaf children to schools established for the deaf;

Also: Senate Bill No. 245—An act to amend section 2,1152 of the School Code, relating to the organization of junior college district governing boards.

ARTHUR A. OHNIMUS, Chief Clerk.
By A. W. ENGELKE, Assistant Clerk.

Senate Bills Nos. 827, 242, 241, 244 and 245 ordered to enrollment.

Also:

ASSEMBLY CHAMBER, SACRAMENTO, May 14, 1931.

MR. PRESIDENT: I am directed to inform your honorable body that the Assembly on this day passed Senate Bill No. 832—An act to amend sections 4,871, 4,872, 4,873, 4,874, 4,875, 4,890, 4,891, 4,892, 4,893, 4,894, 4,895, and 4,896 of the School

Code, and to repeal sections 4.876, 4.897, 4.899, 4.900, 4.921, 4.925, 4.926, and 4.927 thereof, relating to the apportionment of State and county funds to high school districts;

Also: Senate Bill No. 247—An act to amend section 2.123 of the School Code, relating to the providing of educational facilities by superintendents of schools of counties;

Also: Senate Bill No. 248—An act to amend section 2.101 of the School Code, relating to petitions for the changing of school district boundaries;

Also: Senate Bill No. 249—An act to amend section 1.32 of the School Code, relating to causes for suspension or expulsion of pupils from the public schools;

Also: Senate Bill No. 250—An act to amend section 1.33 of the School Code, relating to the injuring of the property of a school district.

ARTHUR A. OHNIMUS, Chief Clerk.

By A. W. ENGELKE, Assistant Clerk.

Senate Bills Nos. 832, 247, 248, 249 and 250 ordered to enrollment.

Also:

ASSEMBLY CHAMBER, SACRAMENTO, May 14, 1931.

MR. PRESIDENT: I am directed to inform your honorable body that the Assembly on this day passed Senate Bill No. 642—An act to amend section 2 of chapter 339, Statutes of 1923, entitled "An act to control and regulate the possession, sale and use of pistols, revolvers and other firearms capable of being concealed upon the person; to prohibit the manufacture, sale, possession or carrying of certain other dangerous weapons within this State; to provide for registering all sales of pistols, revolvers or other firearms capable of being concealed upon the person; to prohibit the carrying of concealed firearms except by lawfully authorized persons; to provide for the confiscation and destruction of such weapons in certain cases; to prohibit the ownership, use, or possession of any of such weapons by certain classes of persons; to prescribe penalties for violation of this act and increased penalties for repeated violations hereof; to authorize, in proper cases, the granting of licenses or permits to carry firearms concealed upon the person; to provide for licensing retail dealers in such firearms and regulating sales thereunder; and to repeal chapter 145 of California Statutes of 1917, relating to the same subject," approved June 13, 1923, and relating to penalties for violations of this act;

Also: Senate Bill No. 828—An act to amend section 4.721 of the School Code, relating to the determination of the units of average daily attendance in schools closed by boards of health or public disaster;

Also: Senate Bill No. 829—An act to amend section 4.280 of the School Code, relating to the powers and duties of governing boards of school districts;

Also: Senate Bill No. 830—An act to amend the title of article VI of chapter I of part IV of division V of the School Code and to amend sections 4.750 and 4.751 thereof, relating to the average daily attendance in school district.

ARTHUR A. OHNIMUS, Chief Clerk.

By A. W. ENGELKE, Assistant Clerk.

Senate Bills Nos. 642, 828, 829 and 830 ordered to enrollment.

Also:

ASSEMBLY CHAMBER, SACRAMENTO, May 14, 1931.

MR. PRESIDENT: I am directed to inform your honorable body that the Assembly on this day passed Senate Bill No. 238—An act to amend section 2.1090 of the School Code, relating to the organization of high school district governing boards;

Also: Senate Bill No. 240—An act to amend section 3.5 of the School Code, relating to the opening and maintenance of schools in school districts;

Also: Senate Bill No. 372—An act to add a new section to the Political Code, to be numbered 4041.24a, relating to the withdrawal of county records;

Also: Senate Bill No. 861—An act to amend section 4269 of the Political Code, relating to compensation of county and township officers in counties of the fortieth class;

Also: Senate Bill No. 42—An act to increase the number of judges of the superior court of the State of California, in and for the county of San Diego; to provide for the appointment of two additional judges and the manner of payment of their compensation.

ARTHUR A. OHNIMUS, Chief Clerk.

By A. W. ENGELKE, Assistant Clerk.

Senate Bills Nos. 238, 240, 372, 861 and 42 ordered to enrollment.

CONSIDERATION OF DAILY FILE.

THIRD READING OF ASSEMBLY BILLS.

Assembly Bill No. 1136—An act to amend section 4236a of the Political Code, relating to county and township officers in counties of the

seventh class, the assistants, deputies, and other employees of said officers, and provided for the compensation of said officers and said assistants, deputies, and other employees.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Assembly Bill No. 1136 passed by the following vote :

AYES—Senators Allen, Baker, Carter, Cleveland, Clock, Duval, Edwards, Evans, Fellom, Hays, Inman, Maloney, McKinley, Mixter, Moran, Pedrotti, Rich, Schottky, Sharkey, Slater, Swing, Wagy, and Williams—23.

NOES—None.

Title read and approved.

Bill ordered transmitted to the Assembly.

Assembly Bill No. 278—An act to amend section 103 of the Code of Civil Procedure, relating to justices of the peace, justices' courts and to salaries of certain justices of the peace.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Assembly Bill No. 278 passed by the following vote :

AYES—Senators Allen, Baker, Carter, Christian, Cleveland, Clock, Duval, Edwards, Evans, Fellom, Hays, Jones, Maloney, McCormack, McKinley, Mixter, Moran, Rich, Schottky, Sharkey, Slater, Swing, Treacy, Wagy, and Williams—25.

NOES—None.

Title read and approved.

Bill ordered transmitted to the Assembly.

Assembly Bill No. 1091—An act to amend section 4014 of the Political Code, relating to township officers.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Assembly Bill No. 1091 passed by the following vote :

AYES—Senators Allen, Baker, Carter, Christian, Cleveland, Clock, Duval, Edwards, Evans, Fellom, Hays, Jones, Maloney, McCormack, McKinley, Mixter, Moran, Rich, Schottky, Sharkey, Slater, Swing, Treacy, Wagy, and Williams—25.

NOES—None.

Title read and approved.

Bill ordered transmitted to the Assembly.

Assembly Bill No. 1092—An act to amend section 103v of the Code of Civil Procedure, providing for justice's clerks and deputy clerks.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Assembly Bill No. 1092 passed by the following vote :

AYES—Senators Allen, Baker, Carter, Christian, Cleveland, Clock, Duval, Edwards, Evans, Fellom, Hays, Jones, Maloney, McKinley, Mixter, Moran, Rich, Sharkey, Slater, Swing, Treacy, Wagy, and Williams—23.

NOES—None.

Title read and approved.

Bill ordered transmitted to the Assembly.

Assembly Bill No. 1093—An act amending section 103 of the Code of Civil Procedure, relating to justices' courts in townships and cities.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Assembly Bill No. 1093 passed by the following vote:

AYES—Senators Allen, Baker, Carter, Christian, Cleveland, Clock, Duval, Edwards, Evans, Fellom, Hays, Ingels, Jones, Maloney, McKinley, Mixter, Moran, Rich, Sharkey, Slater, Swing, Treacy, Wagy, and Williams—24.

NOES—None.

Title read and approved.

Bill ordered transmitted to the Assembly.

Assembly Bill No. 1280—An act to amend section 4259 of the Political Code, relating to the salaries, fees and expenses of officers in counties of the twenty-eighth class.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Assembly Bill No. 1280 passed by the following vote:

AYES—Senators Allen, Baker, Carter, Christian, Cleveland, Clock, Crittenden, Duval, Evans, Fellom, Hays, Inman, Jones, Maloney, McKinley, Mixter, Moran, Rich, Schottky, Slater, Swing, Treacy, Wagy, and Williams—24.

NOES—None.

Title read and approved.

Bill ordered transmitted to the Assembly.

Assembly Bill No. 1233—An act providing for the creation and organization of a port district, as an agency of the State of California, for the improvement, development, maintenance, control, government and operation of the harbor of San Francisco, and its authorized facilities, and for the development of the commerce, navigation, and fisheries of that harbor, to be known as the Port of San Francisco, and to become the successor of the Board of State Harbor Commissioners; defining the powers, duties, and jurisdiction of said port district; providing for the qualifications, the selection, and certain powers and duties of the officers and employees of said port district; abolishing the Board of State Harbor Commissioners and officers and positions thereunder; transferring certain State property to said port district, in trust for the State, for the uses and purposes of the act; providing for the acquisition, construction, maintenance, management and operation of property by said port district; authorizing said port district to levy taxes and incur indebtedness for certain purposes, and to fix, regulate, and collect for its own purposes all charges for the use or enjoyment of public property under the jurisdiction, possession and control of said port district or managed or operated by it; authorizing the City and County of San Francisco to make contributions to said port district for certain purposes; defining the obligations and privileges of the port district with regard to certain public moneys and certain State bonds, and certain harbor improvement funds and sinking funds connected therewith; providing a procedure for determining the validity of the bonds of said port district; and providing for the extension of said port district and the acquisition of certain State property in the event

of any consolidation of the City and County of San Francisco with the county of San Mateo or any part thereof.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Assembly Bill No. 1233 refused passage by the following vote:

AYES—Senators Cleveland, Crittenden, Fellom, Maloney, and Treacy—5.

NOES—Senators Allen, Baker, Breed, Bush, Carter, Cassidy, Christian, Clock, Ducl, Duval, Evans, Harper, Hays, Ingels, Inman, Jones, McCormack, McKinley, Mixer, Moran, Nelson, Rich, Rochester, Schottky, Slater, Swing, and Williams—29.

Assembly Bill No. 1183—An act to amend section 4.922 of the School Code, relating to the computing of units of average daily attendance in secondary schools.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Assembly Bill No. 1183 passed by the following vote:

AYES—Senators Allen, Baker, Breed, Bush, Christian, Cleveland, Clock, Crittenden, Ducl, Evans, Fellom, Harper, Hays, Jones, Maloney, McCormack, Mixer, Moran, Nelson, Rich, Rochester, Schottky, Slater, Swing, and Williams—25.

NOES—None.

Title read and approved.

Bill ordered transmitted to the Assembly.

SENATE CONCURRENT RESOLUTION No. 40.

Providing for the appointment of a commission on legislation pertaining to water resources.

WHEREAS, Reports have heretofore been submitted to the Legislature by the legislative committees, executive commissions and departments of the State government relating to the water resources of this State and a proposed plan for the conservation, development and distribution thereof; and

WHEREAS, It appears necessary and advisable that further studies relating thereto, particularly with reference to the economic, legal, statutory and constitutional questions relating thereto be continued to the end that a definite program be submitted for consideration by a future session of the Legislature; and

WHEREAS, It is deemed advisable that a commission be appointed to consider such matters wherein all sections of the State, so far as practicable, may be represented; now, therefore, be it

Resolved by the Senate, the Assembly concurring. That it is recommended a commission, to be known as the California Water Resources Commission, consisting of nine members, be appointed by the Governor, the commissioners to be selected from representative areas and the chairman to be designated by the Governor, to study and report upon the conservation, development and distribution of the water resources of the State, including particularly findings and recommendations as to the economic phases involved in said plan and such proposed legislation, resolutions and constitutional amendments as may be necessary and advisable to carry into effect a coordinated plan for the development and distribution of the water resources of this State; and, be it further

Resolved, That in selecting the members of the commission the Governor may designate thereto State officers other than members of the Legislature or the judiciary as well as other persons, and the commission shall meet with and collaborate with any joint legislative committee created by resolution adopted at the forty-ninth session of this Legislature for the purpose of considering and reporting to the Legislature at the next session thereof, with reference to the economic, legal, statutory and constitutional questions relating to the conservation, development and distribution of the water resources of this State; and, be it further

Resolved, That said commission cooperate and confer with the President of the United States and any board, commission, congressional committee or other agency of the government of the United States which may be designated by the President or by law to have charge of activities of the United States government in respect to water conservation, utilization, flood control or navigation; and, be it further

Resolved, That each department, board, commission or officer of the State, whenever requested to do so by the commission hereby created, shall furnish to said commission such assistance as it may require; and, be it further

Resolved, That said commission is hereby authorized to hold public hearings at any place in the State of California, at which hearings the people shall have an opportunity to present their views to the commission; and, be it further

Resolved, That said commission is hereby authorized and empowered to do any and all things necessary to make a full and complete investigation of and report upon the matters herein referred to.

Resolution read.

The question being on the adoption of the resolution.

The roll was called, and Senate Concurrent Resolution No. 40 adopted by the following vote:

AYES—Senators Baker, Breed, Bush, Carter, Christian, Cleveland, Clock, Crittenden, Duval, Evans, Fellom, Harper, Ingels, Jones, Maloney, McCormack, McKinley, Mixter, Moran, Pedrotti, Riley, Rochester, Schottky, Sharkey, Slater, Swing, and Wagy—27.

NOES—Senator Hays—1.

Senate Concurrent Resolution No. 40 ordered transmitted to the Assembly.

MESSAGE FROM THE ASSEMBLY.

The following message from the Assembly was received and read:

ASSEMBLY CHAMBER, SACRAMENTO, May 14, 1931.

MR. PRESIDENT: I am directed to inform your honorable body that the Assembly on this day passed Assembly Bill No. 1957—An act to amend section 675 of the Political Code, relating to the Department of Finance.

ARTHUR A. OHNIMUS, Chief Clerk.
By A. W. ENGELKE, Assistant Clerk.

CONSIDERATION OF ASSEMBLY BILL NUMBER ONE THOUSAND
NINE HUNDRED FIFTY-SEVEN.

Senator Swing asked for, and was granted, unanimous consent to consider Assembly Bill No. 1957, without reference to committee, for purpose of passage.

Assembly Bill No. 1957—An act to amend section 675 of the Political Code, relating to the Department of Finance.

Bill read first time without reference to committee.

RESOLUTION.

The following resolution was offered:

By Senator Swing:

Resolved, That Assembly Bill No. 1957 presents a case of urgency, as that term is used in section 15 of article IV of the constitution, and the provision of that section requiring that the bill shall be read on three several days in each house is hereby dispensed with, and it is ordered that said bill be read the first, second and third times, and placed upon its passage.

Resolution read.

The question being on the adoption of the resolution.

The roll was called, and the resolution adopted by the following vote:

AYES—Senators Allen, Baker, Breed, Bush, Carter, Christian, Cleveland, Clock, Crittenden, Duval, Edwards, Evans, Fellom, Harper, Hays, Ingels, Jones, Maloney, McCormack, McKinley, Mixter, Moran, Nelson, Pedrotti, Rich, Riley, Schottky, Sharkey, Slater, Swing, Treacy, and Wagy—33.

NOES—None.

Whereupon, the President declared the provisions of section 15 of article IV of the constitution suspended for the purpose of considering, at this time, Assembly Bill No. 1957,

SECOND READING OF ASSEMBLY BILL NUMBER ONE THOUSAND
NINE HUNDRED FIFTY-SEVEN.

Assembly Bill No. 1957—An act to amend section 675 of the Political Code, relating to the Department of Finance.

Bill read second time, and ordered on file for third reading.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Assembly Bill No. 1957 passed by the following vote:

AYES—Senators Allen, Baker, Breed, Christian, Cleveland, Clock, Crittenden, Deuel, Duval, Edwards, Evans, Fellom, Harper, Ingels, Jones, Maloney, McCormack, McKinley, Mixter, Moran, Nelson, Rich, Riley, Rochester, Schottky, Sharkey, Slater, Swing, Treacy, and Wagy—30.

NOES—None.

Title read and approved.

Bill ordered transmitted to the Assembly.

Assembly Bill No. 291—An act to amend the California Irrigation District Act by adding a new section thereto, to be numbered section 55a, relating to rates and charges for water.

Bill read third time.

MOTION TO REFER TO SPECIAL COMMITTEE OF ONE.

During third reading of the bill, Senator McCormack moved to refer Assembly Bill No. 291 to Senator Duval, as a Special Committee of One, to amend as follows:

AMENDMENT NUMBER ONE.

On page 1 of the printed bill, strike out lines 15 to 19, inclusive, and insert in lieu thereof the following: "right; and provided, further, that if such persons, firms or corporations shall be served in the premises by virtue of having been served by a public utility, the properties of which have been transferred to the said district, or if their predecessors in interest shall have been so served, then nothing herein contained shall deprive the railroad commission of the State of California of the power to fix rates or promulgate rules in the premises if it shall have been or shall hereafter be determined by a court of competent jurisdiction that said railroad commission would have had such power had this section not been enacted."

AYES AND NOES DEMANDED.

A roll call was demanded by Senators Mixter, McCormack and McKinley, on Senator McCormack's motion to refer Assembly Bill No. 291 to Senator Duval, as a Special Committee of One, for amendment.

The roll was called, and Senator McCormack's motion to refer Assembly Bill No. 291 to a Special Committee of One carried by the following vote:

AYES—Senators Allen, Breed, Carter, Clock, Edwards, Evans, Fellom, Harper, Hays, Maloney, McCormack, McKinley, Moran, Nelson, Riley, Sharkey, Slater, and Tubbs—18.

NOES—Senators Cassidy, Christian, Crittenden, Deuel, Duval, Ingels, Mixter, Rich, Rochester, Schottky, and Wagy—11.

REPORT OF SPECIAL COMMITTEE OF ONE.

SENATE CHAMBER, SACRAMENTO, May 15, 1931.

MR. PRESIDENT: Your Special Committee of One, to which was referred Assembly Bill No. 291, with instructions to amend, respectfully reports the same back, amended as per instructions.

DUVAL, Committee.

Report read, and on motion of Senator McCormack adopted.

Bill ordered to print.

Assembly Bill No. 966—An act to amend section 4099a of the Political Code, relating to accounts of orphans and half-orphans.

On motion of Senator Crittenden, Assembly Bill No. 966 was ordered re-referred to Committee on Public Charities and Corrections.

ASSEMBLY CONCURRENT RESOLUTION No. 37.

Relative to revision of motor vehicle laws of California.

WHEREAS, Motor vehicle legislation in California is amended at each session of the Legislature due to improvements in motor car manufacture, highway extension, traffic development and street and highway safety needs; and

WHEREAS, The Legislature of California, at each session is required to consider many measures, frequently conflicting, dealing with the use and operation of motor cars; and

WHEREAS, The Division of Motor Vehicles is constantly in touch with the practical application of existent laws and has an attorney conversant with the laws which control motor car dealers and the motor car owning public in their ownership and use of motor cars; now, therefore, be it

Resolved by the Assembly, the Senate concurring. That there shall be and there hereby is created a committee of five members, consisting of three members of the Assembly to be appointed by the Speaker of the Assembly and two members of the Senate to be appointed by the President of the Senate, for the purpose of studying motor vehicle legislation effective on the statute books of California and recommending such revision of or additions to such laws as they may find to be necessary and proper; and be it further

Resolved. That such committee, upon appointment, shall proceed to organize by electing one of its members as chairman and by election of a secretary and shall then, at such times and places as it may deem necessary, hold meetings and proceed to carry out the purposes of this resolution, and shall, through the news columns of the public press, invite motor car dealers, automobile clubs, truck and stage operators and motor car users to attend such meetings and cooperate with it in discussing and, if possible, suggesting improvements to existing laws relating to the use and operation of motor vehicles; and be it further

Resolved. That the Department of Public Works of the State of California is hereby requested to provide a place of meeting for such committee and through the Division of Motor Vehicles shall furnish and is hereby authorized to furnish, when requested by such committee, such assistance and advice as the said committee may require and the said Division of Motor Vehicles may legally supply; and be it further

Resolved. That the committee herein provided for shall hold at least one meeting in Los Angeles and one meeting in San Francisco prior to the convening of the fiftieth session of the Legislature of the State of California and shall prepare its report which shall comprehend its suggestions in the form of a bill, or bills, to be concurrently presented in the Senate and Assembly of California during the first half of the session of the fiftieth Legislature; and be it further

Resolved. That the sum of \$2,000, or so much thereof as may be necessary be reserved and appropriated out of the respective contingent funds of the Assembly and the Senate which may have heretofore or may hereafter be appropriated for the contingent expenses of the Assembly and the Senate by the Legislature of California, said sum to be payable one-half from the Contingent Fund of the Assembly and one-half from the Contingent Fund of the Senate for the purpose of meeting the expenses of said committee, and said payments shall be disbursed from time to time, not to exceed the sum total of \$2,000, by Controller's warrants drawn upon such contingent funds upon the written orders of the chairman of said joint committee; and be it further

Resolved. That the Division of Highways of the Department of Public Works and the Railroad Commission of the State of California are hereby invited and authorized to cooperate with the committee in matters relating to the use and operation of motor vehicles upon the highways, State and county, of California; and be it further

Resolved. That all meetings of the committee herein authorized shall be public hearings open to all persons interested in the revision or extension of California's existent motor vehicle regulations and laws.

Resolution read.

DEMAND FOR PREVIOUS QUESTION.

Senator Carter demanded the previous question.

The question being put: Shall the main question be now put?

Demand sustained.

The question being on the adoption of the resolution.

The roll was called.

CALL OF THE SENATE.

Pending the announcement of the vote, Senator Sharkey moved a call of the Senate.

Motion carried.

The Secretary was directed to call the roll.

The roll was called, and the following answered to their names:

Senators Allen, Baker, Breed, Bush, Carter, Christian, Cleveland, Clock, Crittenden, Deuel, Duval, Edwards, Evans, Fellom, Harper, Hays, Ingels, Inman, Jones, Maloney, McKinley, Mixer, Moran, Nelson, Pedrotti, Rich, Riley, Rochester, Schottky, Sharkey, Slater, Swing, Treacy, Tubbs, and Williams. 26.

The Secretary announced the absentees.

Time, ten o'clock and twenty-two minutes p.m.

The President directed the Sergeant-at-Arms to close the doors.

The Sergeant-at-Arms, having been furnished with the names of the absentees, was directed to bring them to the bar of the Senate.

MESSAGES FROM THE ASSEMBLY.

The following messages from the Assembly were received and read:

ASSEMBLY CHAMBER, SACRAMENTO, May 14, 1931.

MR. PRESIDENT: I am directed to inform your honorable body that the Assembly amended, and on this day passed as amended, Senate Bill No. 895—An act authorizing the Governor of the State of California to select and engage the services of an educational research foundation or other organization engaged or organized to engage in the work of making critical surveys in the field of education, to make a survey of the present system, plan of organization, and conduct of public education of higher than high school grade in the State of California and to report in writing the results of its survey with its recommendations, providing for the compensation of such foundation or other organization, making an appropriation therefor and for the payment of expenses incidental to carrying out the provisions of this act, and authorizing the Governor to accept gifts of money, property or services in furtherance of the work to be carried out as in this act provided—and respectfully requests your honorable body to concur in said amendments.

ARTHUR A. OHNIMUS, Chief Clerk.

By A. W. ENGELKE, Assistant Clerk.

CONSIDERATION OF ASSEMBLY AMENDMENTS.

The Senate took up for consideration Assembly amendments to Senate Bill No. 895—An act authorizing the Governor of the State of California to select and engage the services of an educational research foundation or other organization engaged or organized to engage in the work of making critical surveys in the field of education, to make a survey of the present system, plan of organization, and conduct of public education of higher than high school grade in the State of California and to report in writing the results of its survey with its recommendations, providing for the compensation of such foundation or other organization, making an appropriation therefor and for the payment of expenses incidental to carrying out the provisions of this act, and authorizing the Governor to accept gifts of money, property or services in furtherance of the work to be carried out as in this act provided.

ASSEMBLY AMENDMENTS TO SENATE BILL NUMBER EIGHT HUNDRED NINETY-FIVE.

AMENDMENT NUMBER ONE.

On page 1 of the printed bill, as amended, strike out all of lines 4, 5, and 6, and insert in lieu thereof the following: "an educational research foundation of nationwide scope engaged or organized".

AMENDMENT NUMBER TWO.

On page 1, line 11, of the printed bill, as amended, after the period, add a new paragraph as follows:

"The educational research foundation so selected to be one that has not already announced a policy relative to the establishment of four-year regional colleges."

The question being: Shall the Senate concur in Assembly amendments to Senate Bill No. 895?

The roll was called, and the Senate refused to concur in Assembly amendments to Senate Bill No. 895 by the following vote:

AYES—None.

NOES—Senators Allen, Breed, Bush, Carter, Christian, Cleveland, Deuel, Duval, Edwards, Evans, Fellom, Harper, Hays, Ingels, Inman, Jones, Maloney, McKinley, Mixter, Moran, Nelson, Rochester, Slater, Swing, Treacy, Tubbs, and Williams—27.

Also:

ASSEMBLY CHAMBER, SACRAMENTO, May 15, 1931.

MR. PRESIDENT: I am directed to inform your honorable body that the Assembly on this day concurred in Senate amendments to Assembly Bill No. 1168—An act to amend sections 6.260, 6.262, 6.264 and 6.523 of, and to add sections 2.1223, 6.274, 6.275, 6.276 and 6.561 to the School Code, relating to the public school system:

Also: Assembly Bill No. 431—An act making an appropriation for the purchase of land for the Santa Barbara State Teachers College;

Also: Assembly Bill No. 1298—An act authorizing and directing the California Olympiad Commission to provide for holding winter sports in connection with the Olympic Games in the State of California in 1932;

Also: Assembly Bill No. 1486—An act to add a new section to the School Code to be numbered 6.36, relating to the powers and duties of governing boards of school districts.

ARTHUR A. OHNIMUS, Chief Clerk.
By A. W. ENGELKE, Assistant Clerk.

Also:

ASSEMBLY CHAMBER, SACRAMENTO, May 15, 1931.

MR. PRESIDENT: I am directed to inform your honorable body that the Assembly on this day concurred in Senate amendments to Assembly Bill No. 1125—An act to amend sections 1, 2, 3, and 4 of and to add sections 5, 6, 7, 8, 9, 10, 11 and 12 to, chapter 389, Statutes of 1915, entitled "An act providing for the sale of certain State lands," as approved May 19, 1915, relating to State lands;

Also: Assembly Bill No. 1856—An act to add a new article to be numbered VIIIa embracing sections 2.440a, 2.441a, 2.442a, 2.443a, 2.444a, 2.445a, 2.446a, 2.447a, 2.448a, 2.449a, 2.450a, 2.451a, 2.452a, 2.453a and 2.454a to chapter VI of part I of division II of the School Code, and to repeal an act entitled "An act providing for the organization of certain elementary or union elementary school districts into high school districts," approved June 18, 1929, all relating to withdrawal of territory from high school districts and formation and government of new high school districts;

Also: Assembly Bill No. 1683—An act to amend sections 3 and 7 of chapter 598, Statutes 1913, entitled "An act to regulate the practice of optometry; to provide for the appointment of a Board of Optometry, define its duties and powers and prescribing a penalty for the violation of this act," approved June 16, 1913, relating to the Board of Optometry and fees for practicing optometry;

Also: Assembly Bill No. 247—An act to amend sections 542a, 542b, 544 and 560 of the Code of Civil Procedure, relating to attachment;

Also: Assembly Bill No. 1798—An act to amend section 16551 of the Weights and Measures Act, relating to sealers of weights and measures in counties of the fifty-first class;

Also: Assembly Bill No. 1665—An act to amend section 2.446 of the School Code, relating to a change of boundaries as a consequence of two or more school districts forming a union or joint union district.

ARTHUR A. OHNIMUS, Chief Clerk.
By A. W. ENGELKE, Assistant Clerk.

Also:

ASSEMBLY CHAMBER, SACRAMENTO, May 15, 1931.

MR. PRESIDENT: I am directed to inform your honorable body that the Assembly on this day concurred in Senate amendments to Assembly Bill No. 218—An act to limit the amount of special assessments for public improvements and acquisitions of property for public purposes; to provide for a preliminary investigation, report and hearing upon proposed public improvements and acquisitions of property for public purposes where the cost of such improvements or acquisitions is to be paid in whole or part by special assessments; to provide a basis for valuation of property for the purpose of establishing a special assessment limitation, and to authorize the payment

of a part of the cost of such public improvements and acquisitions of property from any available public fund where a part of such cost is paid by special assessment on benefited property, and to provide that a majority protest shall be a bar to any proceeding;

Also: Assembly Bill No. 1089—An act to add to the Penal Code a new section numbered 437, prescribing penalties for nonpayment of certain taxes;

Also: Assembly Bill No. 375—An act to amend section 3629 of the Political Code, relating to the statement of property owned subject to taxation;

Also: Assembly Bill No. 835—An act making an appropriation to pay the claim of the Atchison, Topeka and Santa Fe Railway Company against the State of California;

Also: Assembly Bill No. 578—An act making an appropriation to pay the claim of Sarah G. White against the State of California;

Also: Assembly Bill No. 1358—An act to amend section 542 of the Code of Civil Procedure, relating to the method of levying an attachment upon real or personal property.

ARTHUR A. OHNIMUS, Chief Clerk.
By A. W. ENGELKE, Assistant Clerk.

Also:

ASSEMBLY CHAMBER, SACRAMENTO, May 15, 1931.

MR. PRESIDENT: I am directed to inform your honorable body that the Assembly on this day concurred in Senate amendments to Assembly Bill No. 447—An act to add a new section to the School Code to be numbered 5750 and relating to the manner of paying salaries of certified employees of school districts;

Also: Assembly Bill No. 1572—An act to amend section 50½ of an act to provide for the organization of the Railroad Commission, to define its powers and duties and the rights, remedies, powers and duties of public utilities and their officers, and the rights and remedies of patrons of public utilities, and to provide penalties for offenses by public utilities, their officers, agents and employees and by other persons and corporations, creating the "Railroad Commission Fund" and appropriating the moneys therein to carry out the provisions of this act, and repealing title XV of part IV of division I of the Civil Code and all acts and parts of acts inconsistent with the provisions of this act, as amended;

Also: Assembly Bill No. 219—An act to amend section 737s of the Political Code, relating to the salaries of the judges of the superior court of the county of Los Angeles;

Also: Assembly Bill No. 69—An act to amend section 737ll of the Political Code, relating to salaries of judges of the superior court in and for the City and County of San Francisco;

Also: Assembly Bill No. 822—An act to amend section 737a of the Political Code, relating to the salaries of the judges of the superior court of the county of Alameda;

Also: Assembly Bill No. 1752—An act to amend sections 1, 2, 3, 4, 5 and 6 of an act entitled "An act to create the office of State Fire Marshal, to provide for his powers and duties, and to repeal all acts or parts of acts inconsistent herewith," approved May 23, 1923, as amended, relating to the office of State Fire Marshal and to the State Fire Marshal's Fund.

ARTHUR A. OHNIMUS, Chief Clerk.
By A. W. ENGELKE, Assistant Clerk.

Also:

ASSEMBLY CHAMBER, SACRAMENTO, May 15, 1931.

MR. PRESIDENT: I am directed to inform your honorable body that the Assembly on this day concurred in Senate amendments to Assembly Bill No. 1574—An act to amend section 11 of the "Workmen's Compensation, Insurance and Safety Act of 1917," approved May 23, 1917, as amended by making additional provisions regarding serious and wilful misconduct and regarding employees who are totally disabled and bedridden;

Also: Assembly Bill No. 1178—An act to add a new section to the School Code, to be numbered 5805, providing for the exemption of certain persons from the benefits and burdens of part IV of division V of the School Code;

Also: Assembly Bill No. 1545—An act to add section 4327 to the Political Code, relating to vacations of county officers and employees;

Also: Assembly Bill No. 1542—An act to add a new section to the Political Code, to be numbered 4295a, relative to fees for official services;

Also: Assembly Bill No. 222—An act to amend sections 2, 4, 5, 8, 9, 10, 40 and 41 of an act entitled "Acquisition and Improvement Act of 1925," approved May 23, 1925, Statutes 1925, page 849, as amended, relating to acquisition and improvement of property, limiting the amount of special assessments that may be imposed, providing that the bar of a majority protest can not be overruled, relating to the form of protests, relating to the manner of collection of special assessment taxes and providing for the acceptance of matured unpaid bonds and interest coupons in payment for property sold for delinquency in the payment of special assessment taxes of the district for which such bond was issued;

Also: Assembly Bill No. 677—An act to amend section 4234 and to repeal section 4235a of the Political Code, relating to the compensation of county and township officers in counties of the fifth class.

ARTHUR A. OHNIMUS, Chief Clerk.
By A. W. ENGELKE, Assistant Clerk.

Also:

ASSEMBLY CHAMBER, SACRAMENTO, May 15, 1931.

MR. PRESIDENT: I am directed to inform your honorable body that the Assembly on this day concurred in Senate amendments to Assembly Bill No. 853—An act making an appropriation to pay the claim of Veterans' Bureau of United States government against the State of California;

Also: Assembly Bill No. 228—An act to amend the title and sections 3, 5, 6, 7, 17, 21, 24, 25, 26, 60 and 61, of an act entitled "An act to provide for work in and upon streets, avenues, lanes, alleys, courts, places and sidewalks within municipalities, and upon property and rights of way owned by municipalities or of which a municipality has possession and the right of use under the provisions of section 14 of article I of the constitution, and for establishing and changing the grades of any such streets, avenues, lanes, alleys, courts, places, sidewalks, properties or rights of way, and providing for the issuance and payment of street improvement bonds to represent certain assessments for the cost thereof, and providing a method for the payment of such bonds," approved April 7, 1911, Statutes 1911, page 730, as amended, and to add sections 1a, and 65a, relating to the doing of work upon streets, avenues, lanes, alleys, courts, places and sidewalks, and the method of providing for the payment for such works;

Also: Assembly Bill No. 1475—An act to provide for the funding and refunding of the indebtedness of districts organized under and in pursuance of the "Road District Improvement Act of 1907" and to provide for the levy of assessments and reassessments for such refunding, and to enforce the liens of said assessments and reassessments, and for the issue and sale or exchange of refunding bonds and the retirement of the unpaid bonds of said districts, and to provide for the payment of bonds and for proceedings to test the validity of such refunding and reassessment;

Also: Assembly Bill No. 492—An act to add a new section to the Political Code to be numbered 3881a, to authorize the county auditor to enter corrections on the county assessment book and the county tax collector to cancel payments made in error under certain conditions;

Also: Assembly Bill No. 1568—An act to amend section 26 of the "Workmen's Compensation, Insurance and Safety Act of 1917," approved May 23, 1917, as amended.

ARTHUR A. OHNIMUS, Chief Clerk.
By A. W. ENGELKE, Assistant Clerk.

Also:

ASSEMBLY CHAMBER, SACRAMENTO, May 15, 1931.

MR. PRESIDENT: I am directed to inform your honorable body that the Assembly on this day concurred in Senate amendments to Assembly Constitutional Amendment No. 31—A resolution to propose to the people of the State of California, an amendment to section 8, of article XI of the constitution of the State of California, relating to the drafting of a charter by the board of freeholders.

ARTHUR A. OHNIMUS, Chief Clerk.
By A. W. ENGELKE, Assistant Clerk.

Also:

ASSEMBLY CHAMBER, SACRAMENTO, May 15, 1931.

MR. PRESIDENT: I am directed to inform your honorable body that the Assembly on this day concurred in Senate amendments to Assembly Bill No. 855—An act making an appropriation to pay the claim of Kimball-Tyson Company against the State of California;

Also: Assembly Bill No. 864—An act making an appropriation to pay the claim of Harold E. Smith against the State of California;

Also: Assembly Bill No. 410—An act to amend section 4276 and to repeal sections 4276a and 4276b of the Political Code, relating to salaries and fees of officials in counties of the forty-seventh class;

Also: Assembly Bill No. 286—An act to amend section 4280 of the Political Code, relating to the salaries and fees of officials in counties of the fifty-first class;

Also: Assembly Bill No. 1825—An act to amend section 2322a26 of the Political Code, relating to the office of agricultural commissioner in counties of the twenty-sixth class;

Also: Assembly Bill No. 438—An act to provide for the funding and refunding of the indebtedness of, and for the issue and sale or exchange of funding bonds and the retirement of outstanding bonds of districts organized under and in pursuance of the Acquisition and Improvement Act of 1925, and to provide for payment of such bonds and for proceedings to test the validity of the refunding proceeding,

and for such funding or refunding to levy assessments and reassessments and enforce the liens thereof.

ARTHUR A. OHNIMUS, Chief Clerk.
By A. W. ENGELKE, Assistant Clerk.

Also:

ASSEMBLY CHAMBER, SACRAMENTO, May 15, 1931.

MR. PRESIDENT: I am directed to inform your honorable body that the Assembly on this day concurred in Senate amendments to Assembly Bill No. 848—An act making an appropriation to pay the claim of Union Fish Company against the State of California;

Also: Assembly Bill No. 849—An act making an appropriation to pay the claim of J. D. Fabris against the State of California;

Also: Assembly Bill No. 850—An act making an appropriation to pay the claim of United Ship Repair Company against the State of California;

Also: Assembly Bill No. 851—An act making an appropriation to pay the claim of Associated Oil Company against the State of California.

ARTHUR A. OHNIMUS, Chief Clerk.
By A. W. ENGELKE, Assistant Clerk.

Also:

ASSEMBLY CHAMBER, SACRAMENTO, May 15, 1931.

MR. PRESIDENT: I am directed to inform your honorable body that the Assembly on this day concurred in Senate amendments to Assembly Bill No. 553—An act making an appropriation to pay the claim of Moore Mercantile Company against the State of California;

Also: Assembly Bill No. 705—An act to pay the claim of B. J. Humphreys against the State of California;

Also: Assembly Bill No. 846—An act making an appropriation to pay the claim of Felix Cross Company against the State of California;

Also: Assembly Bill No. 847—An act making an appropriation to pay the claim of Gordon's Sea Food Grotto against the State of California.

ARTHUR A. OHNIMUS, Chief Clerk.
By A. W. ENGELKE, Assistant Clerk.

Also:

ASSEMBLY CHAMBER, SACRAMENTO, May 15, 1931.

MR. PRESIDENT: I am directed to inform your honorable body that the Assembly on this day concurred in Senate amendments to Assembly Bill No. 1925—An act to amend section 1 of an act entitled "An act providing for the creation of revolving funds in the counties of the State," approved May 9, 1923, as amended, relating to the persons for whom revolving funds may be established;

Also: Assembly Bill No. 1082—An act to amend section 636 of the Penal Code, relating to the protection of fish and game;

Also: Assembly Bill No. 1021—An act authorizing and empowering any county, city and county, or city, in the State of California, to donate, convey and grant to the State of California any real property owned by it, or which it may hereafter acquire, and to donate such part of its funds as deemed necessary for the purpose of assisting the State of California to purchase and acquire parks, playgrounds, recreation centers, or beaches for recreational purposes within its corporate limits;

Also: Assembly Bill No. 1066—An act to amend sections 7, 8, 9, and 10 of an act entitled "An act to define the duties of and to license land surveyors, and to repeal an act entitled 'An act to define the duties of and to license land surveyors,' approved March 31, 1891," approved March 16, 1907, Statutes of 1907, page 310, relating to licensing of surveyors and the preparation and filing of maps.

ARTHUR A. OHNIMUS, Chief Clerk.
By A. W. ENGELKE, Assistant Clerk.

Also:

ASSEMBLY CHAMBER, SACRAMENTO, May 15, 1931.

MR. PRESIDENT: I am directed to inform your honorable body that the Assembly on this day receded from Assembly amendments to Senate Bill No. 701—An act to amend sections 2, 3, 4, 5, 6, 7, 8, 9, 10, 11, 12, 13, 14, 15, 16, 17, 18, 19, 20, 21, 22, 23, 24, 25, 26, 27, 28, 29 and to repeal sections 20a and 24a of and to add sections 30, 31, 32, 33, 34, 35, 36 and 37 to an act entitled "An act providing for the regulation and supervision of companies, brokers, agents, and sales of securities as the same are therein defined, and to prevent fraud in the sale of securities; providing for the enforcement of said act and penalties for the violation thereof; and creating a State Corporation Department and the office of 'Commissioner of Corporations,'" approved May 18, 1917, as amended, relating to the division of corporations, the regulation and supervision of companies, brokers, agents, investment counsel and sales of securities, and the prevention of fraud in the sale of securities;

Also: Senate Bill No. 17—An act appropriating money for the control and conservation of flood waters in the Los Angeles County Flood Control District.

ARTHUR A. OHNIMUS, Chief Clerk.
By A. W. ENGELKE, Assistant Clerk.

Senate Bills Nos. 701 and 17 ordered to enrollment.

Also:

ASSEMBLY CHAMBER, SACRAMENTO, May 15, 1931.

MR. PRESIDENT: I am directed to inform your honorable body that the Assembly on this day adopted the report of the Committee on Free Conference concerning Assembly Bill No. 1690—An act to add a new section to the Penal Code to be numbered 648a, relating to circulating slugs of the same dimension as United States coins.

ARTHUR A. OHNIMUS, Chief Clerk.
By C. W. BOOTH, Assistant Clerk.

Also:

ASSEMBLY CHAMBER, SACRAMENTO, May 13, 1931.

MR. PRESIDENT: I am directed to inform your honorable body that the Assembly on this day adopted the report of the Committee on Free Conference concerning Assembly Bill No. 298—An act to amend section 4266 and to repeal section 4264a of the Political Code, relating to the salaries of county officers of counties of the thirty-seventh class.

ARTHUR A. OHNIMUS, Chief Clerk.
By C. W. BOOTH, Assistant Clerk.

Also:

ASSEMBLY CHAMBER, SACRAMENTO, May 14, 1931.

MR. PRESIDENT: I am directed to inform your honorable body that the Assembly on this day adopted the report of the Committee on Free Conference concerning Assembly Bill No. 354—An act to amend section 24 of chapter 690, Statutes of 1913, entitled "An act to provide for and regulate primary elections, and providing a method for choosing the delegates for political parties to State conventions and for nominating electors of President and Vice President of the United States, and providing for the election of party county central committees, and to repeal an act approved April 7, 1911, known as the Direct Primary Law, and also to repeal an act approved December 24, 1911, amending sections 1, 3, 5, 7, 10, 12, 13, 22, 23, and 24 of the said Direct Primary Law, and also to repeal all other acts or parts of acts inconsistent with or in conflict with the provisions of this act," approved June 16, 1913, as amended, relating to party conventions, membership and organization of State central committees and county central committees.

ARTHUR A. OHNIMUS, Chief Clerk.
By C. W. BOOTH, Assistant Clerk.

Also:

ASSEMBLY CHAMBER, SACRAMENTO, May 14, 1931.

MR. PRESIDENT: I am directed to inform your honorable body that the Assembly amended, and on this day passed as amended, Senate Bill No. 847—An act to repeal chapter II, embracing sections 4.760 to 4.864, both inclusive, of part IV of division IV of the School Code, and to add thereto a new chapter to be known as chapter II embracing sections 4.760 to 4.833, both inclusive, relating to the apportionment of State and county elementary school funds—and respectfully requests your honorable body to concur in said amendments.

ARTHUR A. OHNIMUS, Chief Clerk.
By FRED J. DESCH, Assistant Clerk.

CONSIDERATION OF ASSEMBLY AMENDMENT.

The Senate took up for consideration Assembly amendment to Senate Bill No. 847—An act to repeal chapter II, embracing sections 4.760 to 4.864, both inclusive, of part IV of division IV of the School Code and to add thereto a new chapter to be known as chapter II, embracing sections 4.760 to 4.833, both inclusive, relating to the apportionment of State and county elementary school funds.

ASSEMBLY AMENDMENT TO SENATE BILL NUMBER EIGHT HUNDRED FORTY-SEVEN.

AMENDMENT NUMBER ONE.

On page 2, line 28, of the printed bill, after the word "district", insert a comma and the following: "union or joint union elementary school district".

The question being: Shall the Senate concur in Assembly amendment to Senate Bill No. 847?

The roll was called, and the Senate refused to concur in Assembly amendment to Senate Bill No. 847 by the following vote:

AYES—None.

NOES—Senators Allen, Baker, Bush, Christian, Cleveland, Clock, Crittenden, Deuel, Duval, Edwards, Evans, Harper, Hays, Inman, Jones, Maloney, McKinley, Mixter, Nelson, Pedrotti, Riley, Rochester, Schottky, Sharkey, Slater, Swing, Treacy, Tubbs, Wagy, and Williams—30.

REPORT OF COMMITTEE ON FREE CONFERENCE.

The following report of the Committee on Free Conference was received and read.

SENATE CHAMBER, SACRAMENTO, May 15, 1931.

MR. PRESIDENT: Your Committee on Free Conference concerning Assembly Bill No. 298—An act to amend section 4266 and to repeal section 4264a of the Political Code, relating to the salaries of county officers of counties of the thirty-seventh class—reports that it has met a like committee of the Assembly, consisting of Assemblymen McGuinness, Badham and Miller, J. A., and reports that the Committee on Free Conference has agreed to recommend the following: That the Assembly concur in the Senate amendment.

AMENDMENT NUMBER ONE.

On page 4 of the printed bill, strike out lines 48 to 50, inclusive, and in line 51 strike out "month.", and insert in lieu thereof the following: "per month."

BADHAM,
MCGUINNESS,
MILLER, JAMES A.,

Assembly Committee on Free Conference.

ALLEN,
CLOCK,
SCHOTTKY,

Senate Committee on Free Conference.

The question being on the adoption of the report of Committee on Free Conference and amendment.

The roll was called, and the report of the Committee on Free Conference and amendment adopted by the following vote:

AYES—Senators Allen, Baker, Breed, Bush, Carter, Cassidy, Christian, Cleveland, Clock, Crittenden, Deuel, Duval, Edwards, Fellom, Harper, Hays, Ingels, Inman, Maloney, McCormack, Mixter, Moran, Nelson, Pedrotti, Rich, Riley, Rochester, Schottky, Slater, Swing, Treacy, Tubbs, and Williams—33.

NOES—None.

REPORT OF JOINT COMMITTEE.

The following report of Joint Committee was received, and ordered printed in the Journal:

Report of the Joint Legislative Committee on Lien Laws.

To the Senate and Assembly.

GENTLEMEN: Your Committee on Lien Laws, appointed pursuant to Assembly Concurrent Resolution No. 47 of the 1929 session of the Legislature, begs to report the following:

That Senators Inman and McCormack were appointed by President Carnahan as the Senate members of the committee, and that Assemblymen Crawford and Scofield were appointed by Speaker Levey as Assembly members of the committee.

Neither Assembly Concurrent Resolution No. 47, nor any other legislative act, appropriated money to meet the expenses of the committee, and consequently it became impossible for the committee to hold hearings in different parts of the State and to take testimony concerning the matter which the committee was appointed to investigate. The committee did, however, after some correspondence agree that Senator Inman should act as chairman of the committee and that the committee should proceed as far as conditions permitted to carry out the purposes for which the committee was appointed.

The committee, by letters to persons believed to be interested in lien laws and through items in the press, solicited criticism of the existing lien laws and recommendations as to improvements or corrections in the law which might be of benefit to the people of the State.

The committee received six principal recommendations for changes in the Mechanics' Lien Law, which briefly, are as follows:

1. That section 564 of the Code of Civil Procedure be amended to provide that in an action by a mechanics' lien claimant for the foreclosure of a mechanics' lien and the sale of property affected thereby, where it appeared that the property was in danger of being lost, removed, materially injured or that such property was insufficient to discharge the debt, the judge of the court in which the proceeding was had, might in his discretion, appoint a receiver.

2. The second proposal submitted was that section 1184 of the Code of Civil Procedure be amended to permit the filing of a verified stop notice similar to those now required by law to be filed in cases involving public work in those cases in which there is no bond ensuring to the benefit of laborers, subcontractors and materialmen, and requiring that the owner, upon receipt of such stop notice, withhold from the contractor and that the lender under a building loan, withhold from the borrower out of the next progress payment, which will become due to the contractor under the terms of the building contract or to the borrower under the terms of the building loan, respectively, such amount of money as will be sufficient to pay the verified claim and any mechanics' lien which may be established in connection therewith.

3. The third proposition submitted proposed to amend section 1185 of the Code of Civil Procedure to provide that, with respect to construction under the direct control of the owner, that a bond should be procured and filed by the owner which would afford protection by such borrower and his sureties for the benefit of the laborer, subcontractor and materialmen, similar to the protection now afforded by the statutory labor and material bond as is now required by section 1183 of the Code of Civil Procedure with respect to construction under the direction and control of the contractor.

4. The fourth recommendation which was submitted as an alternative to the third proposition proposed an amendment to section 1186 of the Code of Civil Procedure which briefly stated, would give mechanics' liens priority over encumbrances unmade and unrecorded at the time the improvement or the first of an interrelated group of improvements was commenced, unless there was furnished a bond insuring to the benefit of the lien claimants, in which event such building loan incumbrance would be prior to such mechanics' liens.

5. The fifth proposal was that a law should be passed giving all just and proven claims protection by legally filed liens, precedence over all claims, debts and mortgages subsequent to the first mortgage or date of trust.

6. Several other recommendations were also received but they were generally too vague or were not of such nature that the committee felt they came within the scope of their consideration under the resolution creating the committee.

The committee requested from the persons submitting propositions arguments in support of their contentions, and also requested persons opposed to the propositions submitted to file briefs stating their position and reasons for their objections. The committee made copies of all the briefs and recommendations and submitted them to the other parties who had shown any interest in the matter of lien laws and requested replies to the arguments submitted.

Except in the case of the first proposition enumerated above, upon which there was no disagreement, the committee found that the propositions were all ably and vigorously championed by their proponents and likewise they were just as vigorously opposed by others, the alignments apparently having been very definitely drawn by previous contests over the same subject matter.

By reason of the lack of adequate opportunity to study the proposals submitted to the committee, because of the fact that the two Assemblymen appointed to the committee did not seek reelection and are not now members of the Assembly, because no appropriation was made to enable the committee to hold hearings and make a more thorough investigation of the proposals, and because of the further fact that there exists some difference of opinion between the two remaining members of the committee as to certain proposals, the committee has been able only to agree and to recommend as follows:

1. It appears to the committee that a considerable evil exists with respect to the failure of the present Mechanics' Lien Laws and business practices connected therewith to adequately prevent the diversion of building loan funds from the payment of bills contracted with respect to building construction.

2. The committee approves of the recommendation that provision be made for the appointment of receivers in those certain mechanics' lien foreclosure cases in which such action may be necessary to preserve the property to which the lien is attached, as was proposed in the proposition submitted by the committee and designated number one above and recommends the adoption of such a measure.

3. As to the other proposals submitted, the committee feels that it has not been able, under the circumstances, to give sufficient consideration to the proposals to make recommendations. The committee, therefore, makes no recommendations thereon, but respectfully suggests that the Legislature or the Judiciary Committee give further and more mature consideration to the proposals.

The committee has on file the proposals submitted to it and the arguments for and against each such proposal and will be pleased to make the same available to any legislative committee or group desiring to study the same.

Respectfully submitted,

J. M. INMAN,
THOMAS McCORMACK,
Committee.

CONSIDERATION OF DAILY FILE.

THIRD READING OF ASSEMBLY BILLS—(RESUMED).

Assembly Bill No. 688—An act to amend section 737jj of the Political Code, relating to the annual salary of judges of the superior court in and for the county of San Bernardino.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Assembly Bill No. 688 passed by the following vote:

AYES—Senators Allen, Baker, Breed, Bush, Cassidy, Christian, Cleveland, Clock, Crittenden, Deuel, Edwards, Evans, Fellom, Harper, Hays, Ingels, Inman, Jones, Maloney, McKinley, Mixer, Moran, Pedrotti, Riley, Schottky, Sharkey, Slater, Swing, Treacy, Tubbs, Wagy, and Williams—32.

NOES—Senator Rochester—1.

Title read and approved.

Bill ordered transmitted to the Assembly.

Assembly Bill No. 750—An act to amend sections 737d, 737r, 737cc, 737ce, 737ff, 737tt, 737yy, 737fff, 737t, 737v, and 737x of the Political Code, relating to salaries of judges of the superior court.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Assembly Bill No. 750 passed by the following vote:

AYES—Senators Allen, Baker, Breed, Bush, Carter, Cassidy, Christian, Cleveland, Crittenden, Deuel, Duval, Edwards, Evans, Fellom, Harper, Ingels, Inman, Jones, Maloney, McCormack, McKinley, Mixer, Moran, Pedrotti, Rich, Riley, Schottky, Sharkey, Slater, Swing, Treacy, Tubbs, Wagy, and Williams—34.

NOES—Senator Rochester—1.

Title read and approved.

Bill ordered transmitted to the Assembly.

Assembly Bill No. 1240—An act to amend section 737p of the Political Code, relating to the salary of the judge of the superior court in and for the county of Kings.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Assembly Bill No. 1240 passed by the following vote:

AYES—Senators Allen, Baker, Breed, Bush, Cassidy, Christian, Crittenden, Deuel, Edwards, Evans, Fellom, Harper, Ingels, Inman, Maloney, McKinley, Mixer, Moran, Pedrotti, Rich, Riley, Schottky, Sharkey, Slater, Swing, Treacy, Tubbs, Wagy, and Williams—29.

NOES—Senator Rochester—1.

Title read and approved.

Bill ordered transmitted to the Assembly.

Assembly Bill No. 1728—An act providing for the retirement of funded debt bonds of 1873, and making an appropriation therefor.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Assembly Bill No. 1728 passed by the following vote:

AYES—Senators Allen, Baker, Breed, Bush, Carter, Cassidy, Christian, Cleveland, Clock, Crittenden, Deuel, Duval, Edwards, Evans, Fellom, Harper, Hays, Ingels, Inman, Jones, Maloney, McCormack, McKinley, Mixer, Moran, Nelson, Pedrotti, Rich, Riley, Rochester, Schottky, Sharkey, Slater, Swing, Treacy, Tubbs, Wagy, and Williams—38.

NOES—None.

Title read and approved.

Bill ordered transmitted to the Assembly.

Assembly Bill No. 1729—An act to amend section 6 and section 24 of the "State Medical Practice Act," approved June 2, 1913, as amended, relating to report of receipts, title of act, and penalties and disposition of fines.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Assembly Bill No. 1729 passed by the following vote:

AYES—Senators Allen, Baker, Breed, Bush, Carter, Cassidy, Christian, Cleveland, Clock, Crittenden, Deuel, Duval, Edwards, Evans, Fellom, Harper, Hays, Ingels, Inman, Jones, Maloney, McCormack, McKinley, Mixer, Moran, Nelson, Pedrotti, Rochester, Schottky, Sharkey, Slater, Swing, Treacy, Tubbs, Wagy, and Williams—36.

NOES—None.

Title read and approved.

Bill ordered transmitted to the Assembly.

Assembly Bill No. 319—An act defining runners and cappers and prohibiting the solicitation of business by runners and cappers for attorneys at law; providing that contracts secured by them shall be void; and providing penalties for any violation of this act.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Assembly Bill No. 319 passed by the following vote:

AYES—Senators Allen, Breed, Bush, Carter, Cassidy, Christian, Cleveland, Clock, Crittenden, Deuel, Duval, Edwards, Fellom, Harper, Hays, Inman, Jones, McCormack, McKinley, Mixer, Moran, Nelson, Pedrotti, Rich, Riley, Rochester, Schottky, Slater, Swing, Treacy, Tubbs, Wagy, and Williams—33.

NOES—None.

Title read and approved.

Bill ordered transmitted to the Assembly.

Assembly Bill No. 1080—An act to amend section 1033 of the Code of Civil Procedure, relating to the filing of and affidavit to bill of costs.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Assembly Bill No. 1080 passed by the following vote:

AYES—Senators Allen, Breed, Bush, Cassidy, Christian, Cleveland, Clock, Crittenden, Deuel, Duval, Edwards, Evans, Fellom, Harper, Hays, Ingels, Inman, Jones,

Maloney, McCormack, McKinley, Mixter, Moran, Nelson, Pedrotti, Rich, Rochester, Schottky, Sharkey, Slater, Swing, Treacy, Tubbs, Wagy, and Williams—35.

NOES—None.

Title read and approved.

Bill ordered transmitted to the Assembly.

FURTHER PROCEEDINGS UNDER CALL OF THE SENATE DISPENSED WITH.

At ten o'clock and fifty-five minutes p.m., further proceedings under the call of the Senate were dispensed with, on motion of Senator Sharkey.

The secretary was directed to call the roll.

The roll was called, and Assembly Concurrent Resolution No. 37 adopted by the following vote:

AYES—Senators Allen, Baker, Bush, Clock, Crittenden, Deuel, Fellom, Harper, Hays, Ingels, Inman, Maloney, Mixter, Moran, Pedrotti, Rich, Rochester, Sharkey, Treacy, Wagy, and Williams—21.

NOES—Senators Breed, Carter, Cassidy, Christian, Cleveland, Duval, Edwards, Evans, Jones, McCormack, McKinley, Nelson, Riley, Schottky, Slater, Swing, and Tubbs—17.

Assembly Concurrent Resolution No. 37 ordered transmitted to the Assembly.

MESSAGES FROM THE ASSEMBLY.

The following messages from the Assembly were received and read:

ASSEMBLY CHAMBER, SACRAMENTO, May 14, 1931.

MR. PRESIDENT: I am directed to inform your honorable body that the Assembly on this day appointed as a Committee on Free Conference on Assembly Bill No. 354—An act to amend section 24 of chapter 690, Statutes of 1913, entitled "An act to provide for and regulate primary elections, and providing a method for choosing the delegates for political parties to State conventions and for nominating electors of President and Vice President of the United States, and providing for the election of party county central committees, and to repeal an act approved April 7, 1911, known as the Direct Primary Law, and also to repeal an act approved December 24, 1911, amending sections 1, 3, 5, 7, 10, 12, 13, 22, 23, and 24 of the said Direct Primary Law, and also to repeal all other acts or parts of acts inconsistent with or in conflict with the provisions of this act," approved June 16, 1913, as amended, relating to party conventions, membership and organization of State central committees and county central committees—the following Assemblymen: Hornblower, Williamson and Reid, to meet with a like committee from your honorable body.

ARTHUR A. OHNIMUS, Chief Clerk.

By C. W. BOOTH, Assistant Clerk.

Also:

ASSEMBLY CHAMBER, SACRAMENTO, May 14, 1931.

MR. PRESIDENT: I am directed to inform your honorable body that the Assembly on this day appointed as a Committee on Free Conference on Assembly Bill No. 1690—An act to add a new section to the Penal Code to be numbered 648a, relating to circulating slugs of the same dimension as United States coins—the following Assemblymen: Houser, Badham and Cronin, to meet with a like committee from your honorable body.

ARTHUR A. OHNIMUS, Chief Clerk.

By C. W. BOOTH, Assistant Clerk.

Also:

ASSEMBLY CHAMBER, SACRAMENTO, May 14, 1931.

MR. PRESIDENT: I am directed to inform your honorable body that the Assembly on this day appointed as a Committee on Free Conference on Assembly Bill No. 298—An act to amend section 4266 and to repeal section 4264a of the Political Code, relating to the salaries of county officers of counties of the thirty-seventh class—the following Assemblymen: McGuinness, Badham and Miller, James A., to meet with a like committee from your honorable body.

ARTHUR A. OHNIMUS, Chief Clerk.

By C. W. BOOTH, Assistant Clerk.

COMMUNICATION.

The following communication was received, and ordered printed in the Journal:

By Senator Jones:

THE STATE BAR OF CALIFORNIA.
LOS ANGELES, May 13, 1931.

*Hon. Herbert C. Jones,
State Senate, Sacramento, California.*

DEAR SENATOR JONES: Pursuant to our understanding had yesterday, I am enclosing herewith copy of my letter of the second instant, to Mr. Honnold regarding the attitude of the State Bar as to the time when the educational standards shall go into effect pursuant to the authority contained in Assembly Bill No. 496.

Very truly yours,
(Signed)

LEONARD B. SLOSSON.

(Copy)

May 2, 1931.

*Hon. A. R. Honnold,
Assembly Chamber, Sacramento, California.*

DEAR MR. HONNOLD: This will acknowledge receipt of your letter of April 30th, re Assembly Bill No. 496.

It is my understanding that it is not the intention of the State Bar, in the event Assembly Bill No. 496 becomes a law, to promulgate a rule establishing educational standards that will be retroactive in effect. That is to say, the rule establishing such standards, when approved by the Supreme Court, will be its terms take effect at some date in the future, in order that no hardship may be worked upon those who have about completed their preparation for taking the examination for admission to the bar. For instance, in the case of the friend whom you mention, he will have almost completed his preparation for the bar examination by the time the law goes into effect. If the rule should be established to take effect at once after the law has gone into effect, it would work a hardship on him. For that reason, it is proposed that the rule shall not go into effect until some time in the future.

* * *
Very truly yours,

LEONARD B. SLOSSON.

RECESS.

On motion of Senator Breed, at eleven o'clock a.m., the President of the Senate declared recess until eleven o'clock and ten minutes a.m.

RECONVENED.

At eleven o'clock and ten minutes a.m., the Senate reconvened.

Lieutenant Governor Frank E. Merriam, President of the Senate, in the chair.

Minute Clerk Harold J. Powers at the desk.

CONSIDERATION OF DAILY FILE.

THIRD READING OF ASSEMBLY BILLS—(RESUMED).

Assembly Bill No. 828—An act to amend section 4 of an act entitled "An act to provide for the establishment and change of grade of public highways, streets, public ways and other public property and rights of way, in whole or in part, including property over which possession and right of use have been obtained under the provisions of section 14 of article I of the constitution of the State of California, whether the same are situated within the limits of a municipality or whether such public ways or property are in part within the limits of one or more municipalities, or extend from one municipality into another municipality, or from one or more municipalities into or through unincorporated territory, or in whole or in part from the boundary between adjoining municipalities or between a municipality and adjacent unincorporated territory, and providing for work in and upon the same together with any and all appurtenances and appurtenant work; and providing for assessing the whole or any portion of the costs and

expenses thereof upon private property and for the issuance and payment of improvement bonds to represent certain assessments for the costs thereof, and providing for the effect of and the enforcement of such bonds," approved April 21, 1911, as amended, so as to provide for certain preliminary investigation and statement of results in connection with plans and specifications; providing that proceedings thereunder shall be exempted from the operation of any special assessment investigation and limitation act if the same be passed at this session of the Legislature, where a demand for the employment of said act is not made by owners of 15 per cent of the area of the district to be assessed, and regulating the procedure in the event that such request is made.

Bill read third time.

MOTION TO REFER TO SPECIAL COMMITTEE OF ONE.

During third reading of the bill, Senator McKinley moved to refer Assembly Bill No. 828 to Senator Edwards, as a Special Committee of One, to amend as follows:

AMENDMENT NUMBER ONE.

On page 3, line 26, of the printed bill, after "proceedings", insert the following: "for (here describe the contemplated resolution as given in the card containing the notice) be taken pursuant to some".

AMENDMENT NUMBER TWO.

On page 3 of the printed bill, strike out lines 32 to 34, inclusive, and insert in lieu thereof the following: "of 1931."

Motion carried.

REPORT OF SPECIAL COMMITTEE OF ONE.

SENATE CHAMBER, SACRAMENTO, May 15, 1931.

MR. PRESIDENT: Your Special Committee of One, to which was referred Assembly Bill No. 828, with instructions to amend, respectfully reports the same back, amended as per instructions.

EDWARDS, Committee.

Report read, and on motion of Senator McKinley adopted.

Bill ordered to print.

Assembly Bill No. 470—An act to amend section 3.673 of the School Code and to repeal section 3.674 thereof, relating to vacation schools.

On motion of Senator Christian, Assembly Bill No. 470 was ordered re-referred to Committee on Education.

Assembly Bill No. 476—An act to provide for the salaries and expenses of the Building and Loan Commissioner, his attorney, deputies, examiners, accountants, appraisers and other assistants; to provide for the disposition of moneys in the Building and Loan Inspection Fund created by chapter 354 of the Statutes of 1911, as amended; and of moneys collected under the Building and Loan Association Act; and otherwise relating to the Building and Loan Commissioner, his assistants and employees, and to the regulation of building and loan associations.

Bill read third time.

MOTION TO REFER TO SPECIAL COMMITTEE OF ONE.

During third reading of the bill, Senator Duval moved to refer Assembly Bill No. 476 to Senator McCormack, as a Special Committee of One, to amend as follows:

AMENDMENT NUMBER ONE.

On page 1, line 9, of the printed bill, strike out the word "six", and insert in lieu thereof the word "ten".

AYES AND NOES DEMANDED.

A roll call was demanded by Senators Duval, Fellom and Inman, on Senator Duval's motion to refer Assembly Bill No. 476 to Senator McCormack, as a Special Committee of One, for amendment.

The roll was called, and Senator Duval's motion lost by the following vote:

AYES—Senators Cassidy, Clock, Duval, Fellom, Harper, Inman, Maloney, McCormack, McKinley, Pedrotti, Sharkey, and Treacy—12.

NOES—Senators Allen, Breed, Bush, Christian, Crittenden, Duval, Edwards, Evans, Hays, Ingels, Jones, Moran, Rich, Rochester, Schottky, Slater, Wagy, and Williams—18.

Assembly Bill No. 516—An act to add a new section to be numbered section 3 to and to amend the title and section 1 of chapter 552, Statutes of 1927, entitled "An act to prohibit the possession of machine rifles, machine guns and submachine guns capable of automatically and continuously discharging loaded ammunition of any caliber in which the ammunition is fed to such guns from or by means of clips, disks, drums, belts or other separable mechanical device, and providing a penalty for violation thereof," approved May 16, 1927, relating to prohibition of the sale or transportation of machine guns and the prohibition of the sale, transportation or possession of tear bombs.

Bill read third time.

MOTION TO REFER TO SPECIAL COMMITTEE OF ONE.

During third reading of the bill, Senator Pedrotti moved to refer Assembly Bill No. 516 to Senator Cassidy, as a Special Committee of One, to amend as follows:

AMENDMENT NUMBER ONE.

In line 10 of the title of the printed bill, strike out "prohibition of".

AMENDMENT NUMBER TWO.

On page 1, line 9, of the printed bill, strike out "to prohibit", and insert in lieu thereof the following: "regulating".

AMENDMENT NUMBER THREE.

On page 2 of the printed bill, after line 29, add the following:

"SEC. 4. A new section is hereby added to said act to be numbered section 4, and to read as follows:

Sec. 4. All applications for such permits shall be filed in writing signed by the applicant if an individual, or by a member or officer qualified to sign if the applicant is a firm or corporation, and shall state the name, business in which engaged, business address and a full description of the use to which said firearms are to be put.

SEC. 5. A new section is hereby added to said act to be numbered section 5, and to read as follows:

Sec. 5. Every person, firm or corporation to whom a permit is issued shall keep the same on his person or at the place where said firearms are kept. The permit shall be open to inspection by any peace officer or any other person designated by the authority issuing the permit. Applications and permits shall be uniform throughout the state on forms prescribed by the division of criminal identification and investigation.

SEC. 6. A new section is hereby added to said act to be numbered section 6, and to read as follows:

Sec. 6. Permits issued in accordance with this act may be revoked by the issuing authority at any time when it shall appear that the need for such firearms has

ceased or that the holder of the permit has used such firearms for purposes other than those allowed by the permit.

SEC. 7. A new section is hereby added to said act to be numbered section 7, and to read as follows:

Sec. 7. The superintendent of the division of criminal identification and investigation of the department of penology may also grant licenses in a form to be prescribed by him effective for not more than one year from the date of issuance, to permit the sale at the place specified in the license of such firearm subject to all of the following conditions, upon breach of any of which the license shall be revoked:

1. Such business shall be carried on only in the place designated in the license.

2. Such license or a certified copy thereof must be displayed on the premises in a place where it may easily be read.

3. No such firearm shall be delivered to any person not authorized to receive the same under the provisions of this act.

4. A complete record must be kept of sales made under the authority of the permit showing the name and address of the purchaser, the number and date of issue of the purchaser's permit, if any, and the signature of the purchaser or purchasing agent.

Motion carried.

REPORT OF SPECIAL COMMITTEE OF ONE.

SENATE CHAMBER, SACRAMENTO, May 15, 1931.

MR. PRESIDENT: Your Special Committee of One, to which was referred Senate Bill No. 516, with instructions to amend, respectfully reports the same back, amended as per instructions.

CASSIDY, Committee.

Report read, and on motion of Senator Pedrotti adopted.

Bill ordered to print.

MESSAGES FROM THE ASSEMBLY.

The following messages from the Assembly were received and read:

ASSEMBLY CHAMBER, SACRAMENTO, May 14, 1931.

MR. PRESIDENT: I am directed to inform your honorable body that the Assembly on this day respectfully refused to concur in Senate amendments to Assembly Bill No. 1485—An act to repeal chapter 660, of the Statutes of 1927, entitled "An act requiring certain reports to be made concerning children with impaired hearing," approved May 20, 1927; to add a new chapter to part II of division I of the School Code to be known as chapter III, to embrace sections 1,500 to 1,513, both inclusive, providing for the education of minors who are deaf or have impaired hearing—and requests that your honorable body recede therefrom.

ARTHUR A. OHNIMUS, Chief Clerk.

By C. W. BOOTH, Assistant Clerk.

The question being: Shall the Senate recede from Senate amendments to Assembly Bill No. 1485?

The roll was called, and the Senate refused to recede from Senate amendments to Assembly Bill No. 1485 by the following vote:

AYES—None.

NOES—Senators Allen, Breed, Cassidy, Clock, Deuel, Duval, Evans, Fellom, Harper, Hays, Jones, Maloney, McCormack, Moran, Nelson, Rochester, Schottky, Sharkey, Slater, Swing, Waggy, and Williams—22.

COMMITTEE ON FREE CONFERENCE APPOINTED.

The President announced the appointment of Senators Breed, Slater and Jones, as a Committee on Free Conference, to meet with a like committee from the Assembly for the consideration of Senate amendments to Assembly Bill No. 1485.

The Secretary was directed to notify the Assembly of the Senate's appointment of Committee on Free Conference.

Also:

ASSEMBLY CHAMBER, SACRAMENTO, May 14, 1931.

MR. PRESIDENT: I am directed to inform your honorable body that the Assembly on this day respectfully refused to concur in Senate amendments to Assembly Bill No. 653—An act to amend section 5 of an act of the Legislature of the State of

California entitled "An act to provide for the formation of districts within municipalities for the acquisition or construction of public improvements, works and public utilities; for the issuance, sale and payment of bonds of such districts to meet the cost of such improvements, and for the acquisition or construction of such improvements," approved April 20, 1915, as amended, relating to the amount of bonds that may be issued by such district, and the disposition of a surplus if one remains after the completion of the municipal improvement for which bonds were voted—and requests that your honorable body recede therefrom.

ARTHUR A. OHNIMUS, Chief Clerk.
By C. W. BOOTH, Assistant Clerk.

The question being: Shall the Senate recede from Senate amendments to Assembly Bill No. 653?

The roll was called, and the Senate refused to recede from Senate amendments to Assembly Bill No. 653 by the following vote:

AYES—None.

NOES—Senators Allen, Baker, Breed, Bush, Christian, Clock, Crittenden, Duval, Evans, Fellom, Hays, Inman, Jones, Maloney, McCormack, McKinley, Moran, Nelson, Pedrotti, Rochester, Slater, Swing, Treacy, and Wagye—24.

COMMITTEE ON FREE CONFERENCE APPOINTED.

The President announced the appointment of Senators Rochester, Pedrotti and Clock as a Committee on Free Conference, to meet with a like committee from the Assembly for the consideration of Senate amendments to Assembly Bill No. 653.

The Secretary was directed to notify the Assembly of the Senate's appointment of Committee on Free Conference.

Also:

ASSEMBLY CHAMBER, SACRAMENTO, May 14, 1931.

MR. PRESIDENT: I am directed to inform your honorable body that the Assembly on this day respectfully refused to concur in Senate amendments to Assembly Bill No. 982—An act to amend section 4260 of the Political Code, relating to compensation of county and township officers in counties of the thirty-first class—and requests that your honorable body recede therefrom.

ARTHUR A. OHNIMUS, Chief Clerk.
By C. W. BOOTH, Assistant Clerk.

The question being: Shall the Senate recede from Senate amendments to Assembly Bill No. 982?

The roll was called, and the Senate refused to recede from Senate amendments to Assembly Bill No. 982 by the following vote:

AYES—None.

NOES—Senators Allen, Baker, Breed, Bush, Cassidy, Christian, Clock, Crittenden, Deuel, Duval, Evans, Fellom, Hays, Ingels, Inman, Jones, Maloney, Mixer, Moran, Pedrotti, Rochester, Slater, Swing, and Wagye—24.

COMMITTEE ON FREE CONFERENCE APPOINTED.

The President announced the appointment of Senators Cassidy, Edwards and Clock as a Committee on Free Conference, to meet with a like committee from the Assembly for the consideration of Assembly Bill No. 982.

The Secretary was directed to notify the Assembly of the Senate appointment of Committee on Free Conference.

Also:

ASSEMBLY CHAMBER, SACRAMENTO, May 15, 1931.

MR. PRESIDENT: I am directed to inform your honorable body that the Assembly amended, and on this day passed as amended, Senate Bill No. 76—An act to add a new section to the Code of Civil Procedure, to be known as section 170b, relating to justices of the peace—and respectfully requests your honorable body to concur in said amendments.

ARTHUR A. OHNIMUS, Chief Clerk.
By A. W. ENGELKE, Assistant Clerk.

CONSIDERATION OF ASSEMBLY AMENDMENTS.

The Senate took up for consideration Assembly amendments to Senate Bill No. 76—An act to add a new section to the Code of Civil Procedure, to be known as section 170*b*, relating to justices of the peace.

ASSEMBLY AMENDMENTS TO SENATE BILL NUMBER SEVENTY-SIX.

AMENDMENT NUMBER ONE.

On page 1, line 7, of the printed bill, as amended April 27th, after the word "question", strike out the period, and insert in lieu thereof the following words: "in any county, or city and county, wherein any municipal court is established."

AMENDMENT NUMBER TWO.

On page 1, line 3, of the printed bill, strike out "No justice of the peace", and insert in lieu thereof the following: "No justices of the peace who have not been admitted to practice law in the State of California".

AMENDMENT NUMBER THREE.

On page 1, line 4, of the printed bill, after "jurisdiction", insert the following: "except a municipal court".

The question being: Shall the Senate concur in Assembly amendments to Senate Bill No. 76?

The roll was called, and the Senate refused to concur in Assembly amendments to Senate Bill No. 76 by the following vote:

AYES—None.

NOES—Senators Allen, Baker, Breed, Bush, Clock, Crittenden, Duval, Fellom, Ingels, Inman, Maloney, Mixer, Moran, Nelson, Pedrotti, Rich, Rochester, Schottky, Sharkey, Slater, Swing, Waggy, and Williams—23.

CONSIDERATION OF DAILY FILE.

THIRD READING OF ASSEMBLY BILLS—(RESUMED).

Assembly Bill No. 561—An act to amend sections 602 and 627 of the Penal Code, relating to trespass.

Bill read third time.

MOTION TO REFER TO SPECIAL COMMITTEE OF ONE.

During third reading of the bill, Senator Riley moved to refer Assembly Bill No. 561 to Senator Allen, as a Special Committee of One, to amend as follows:

AMENDMENT NUMBER ONE.

On page 3 of the printed bill, after line 46, add the following: "It shall be unlawful for any city, city and county, or county owning land in any other county to close as to fishing any lakes, streams, rivers, reservoirs or other waterways or bodies of water which have been stocked with fish by the State of California."

AYES AND NOES DEMANDED.

A roll call was demanded by Senators Inman, McKinley and Riley, on Senator Riley's motion to refer Assembly Bill No. 561 to Senator Allen, as a Special Committee of one, for amendment.

The roll was called.

CALL OF THE SENATE.

Pending the announcement of the vote, Senator McKinley moved a call of the Senate.

Motion carried.

The Secretary was directed to call the roll.

The roll was called, and the following answered to their names:

Senators Allen, Baker, Breed, Carter, Cassidy, Christian, Cleveland, Clock, Crittenden, Edwards, Evans, Fellom, Harper, Hays, Ingels, Inman, Jones, Maloney,

McCormack, McKinley, Mixter, Moran, Nelson, Pedrotti, Rich, Riley, Schottky, Sharkey, Slater, Swing, Treacy, Tubbs, and Williams—33.

The Secretary announced the absentees.

Time, eleven o'clock and fifteen minutes a.m.

The President directed the Sergeant-at-Arms to close the doors.

The Sergeant-at-Arms, having been furnished with the names of the absentees, was directed to bring them to the bar of the Senate.

RESOLUTION.

The following resolution was offered:

By Senator Swing:

Resolved, That the sum of \$3,175 be, and the same is hereby appropriated out of the fund for pay of officers, and other employees of the Senate, to the order of Joseph A. Beek, Secretary, for services of self and other officers and employees in arranging and preparing the bills, books and all other records of the Senate, in filing the same with the Secretary of State as provided by law, and for compiling, correspondence, mailing and otherwise attending to the business of the Senate, subsequent to adjournment of the forty-ninth session of the Legislature.

For the further purpose of indexing, correcting, comparing and proofreading the Journal of the Senate of the forty-ninth session of the Legislature, and making the information therein contained readily available for the use of members of the Legislature, State officers and the general public, as a permanent record of the business transacted during the said forty-ninth session.

And for the further purpose of compiling, preparing and having printed after final adjournment a Final Calendar of the legislative business of the forty-ninth session, said calendar to comprise the history of all bills introduced, their authors, the number that shall have become laws, those that shall have been read a second time, and any and all such other information as will provide a perfect history of the session's business and a guide for the information of subsequent sessions of the Legislature. When said final calendar is prepared, the Secretary is directed to forward one copy to each public library in the State, which may apply for same, and one copy to each member of the Senate; and, be it further

Resolved, That the State Controller is hereby authorized and directed to draw his warrant upon the unexpended balance of the fund provided for the pay of officers, and all other employees of the Senate in favor of Joseph A. Beek, Secretary of the Senate, in the sum of \$3,175, and the Treasurer is hereby directed to pay the same.

Resolution read.

The question being on the adoption of the resolution.

The roll was called, and the resolution adopted by the following vote:

AYES—Senators Allen, Baker, Breed, Carter, Cassidy, Christian, Cleveland, Clock, Crittenden, Denel, Duval, Fellom, Hays, Inman, Jones, Maloney, McCormack, McKinley, Mixter, Moran, Nelson, Pedrotti, Rich, Riley, Rochester, Schottky, Sharkey, Slater, Swing, Treacy, Tubbs, Waggy, and Williams—33.

NOES—None.

FURTHER PROCEEDINGS UNDER CALL OF THE SENATE DISPENSED WITH.

At eleven o'clock and eighteen minutes p.m., further proceedings under the call of the Senate were dispensed with, on motion of Senator McKinley.

The Secretary was directed to call the roll.

The roll was called, and Senator Riley's motion to refer Assembly Bill No. 561 to Senator Allen, as a Special Committee of One for amendment carried by the following vote:

AYES—Senators Allen, Breed, Bush, Cassidy, Clock, Denel, Edwards, Fellom, Harper, Hays, Ingels, Inman, McCormack, Moran, Nelson, Pedrotti, Rich, Riley, Schottky, Slater, Swing, Treacy, and Williams—23.

NOES—Senators Baker, Carter, Christian, Cleveland, Crittenden, Evans, Jones, Maloney, McKinley, Mixter, Rochester, Sharkey, and Tubbs—13.

REPORT OF SPECIAL COMMITTEE OF ONE.

SENATE CHAMBER, SACRAMENTO, May 15, 1931.

MR. PRESIDENT: Your Special Committee of One, to which was referred Assembly Bill No. 561, with instructions to amend, respectfully reports the same back, amended as per instructions.

ALLEN, Committee.

Report read, and on motion of Senator Riley adopted.

MOTION TO REFER TO SPECIAL COMMITTEE OF ONE.

During third reading of the bill, Senator Fellom moved to refer Assembly Bill No. 561 to Senator Treacy, as a Special Committee of One, to amend as follows:

AMENDMENT NUMBER ONE.

On page 2, line 52, of the printed bill, strike out all of the line after the second comma, and insert in lieu thereof "who, upon demand of such owner, agent, or person in lawful possession, fails, or refuses, to cease such trespassing, and to immediately leave and quit such lands;"

AYES AND NOES DEMANDED.

A roll call was demanded by Senators Inman, Riley and McKinley, on Senator Fellom's motion to refer Assembly Bill No. 561 to Senator Treacy, as a Special Committee of One for amendment.

The roll was called, and Senator Fellom's motion carried by the following vote:

AYES—Senators Allen, Baker, Bush, Clock, Deuel, Edwards, Fellom, Harper, Hays, Ingels, Inman, Jones, McCormack, Nelson, Pedrotti, Rich, Riley, Slater, Swing, Treacy, and Williams—21.

NOES—Senators Breed, Carter, Christian, Cleveland, Crittenden, Duval, Evans, Maloney, McKinley, Mixer, Rochester, Schottky, Sharkey, Tubbs, and Wagye—15.

REPORT OF SPECIAL COMMITTEE OF ONE.

SENATE CHAMBER, SACRAMENTO, May 15, 1931.

MR. PRESIDENT: Your Special Committee of One, to which was referred Senate Bill No. 561, with instructions to amend, respectfully reports the same back, amended as per instructions.

TREACY, Committee.

Report read, and on motion of Senator Fellom adopted. Bill ordered to print.

Assembly Bill No. 1892—An act relating to the salary of the judge of the superior court in and for the county of Marin.

Bill read third time.

MOTION TO REFER TO SPECIAL COMMITTEE OF ONE.

During third reading of the bill, Senator Inman moved to refer Assembly Bill No. 1892 to Senator Duval, as a Special Committee of One, to amend as follows:

AMENDMENT NUMBER ONE.

On page 1, line 4, of the printed bill, strike out the word "eight", and insert in lieu thereof the words "seven thousand five hundred".

DEMAND FOR PREVIOUS QUESTION.

Senator Carter demanded the previous question.

The question being put: Shall the main question be now put?

Demand sustained.

AYES AND NOES DEMANDED.

A roll call was demanded by Senators Inman, Sharkey and Maloney, on Senator Inman's motion to refer Assembly Bill No. 1892 to Senator Duval, as a Special Committee of One, for amendment.

The roll was called, and Senator Inman's motion carried by the following vote:

AYES—Senators Bush, Carter, Cleveland, Crittenden, Deuel, Duval, Edwards, Fellom, Harper, Hays, Inman, Jones, McKinley, Rich, Riley, and Rochester—16.

NOES—Senators Cassidy, Christian, Maloney, McCormack, Mixter, Moran, Pedrotti, Sharkey, Slater, Swing, Treacy, Tubbs, Waggy, and Williams—14.

REPORT OF SPECIAL COMMITTEE OF ONE.

SENATE CHAMBER, SACRAMENTO, May 15, 1931.

MR. PRESIDENT: Your Special Committee of One, to which was referred Assembly Bill No. 1892, with instructions to amend, respectfully reports the same back, amended as per instructions.

DUVAL. Committee.

Report read.

Senator Inman moved the adoption of the report.

The question being on the adoption of the report.

The roll was called.

CALL OF THE SENATE.

Pending the announcement of the vote, Senator Sharkey moved a call of the Senate.

Motion carried.

The Secretary was directed to call the roll.

The roll was called, and the following answered to their names:

Senators Bush, Carter, Cassidy, Christian, Cleveland, Clock, Crittenden, Deuel, Duval, Edwards, Fellom, Harper, Hays, Inman, Jones, Maloney, McCormack, McKinley, Mixter, Moran, Pedrotti, Rich, Riley, Rochester, Schottky, Slater, Swing, Treacy, Tubbs, Waggy, and Williams—31.

The Secretary announced the absentees.

Time, eleven o'clock and twenty minutes a.m.

The President directed the Sergeant-at-Arms to close the doors.

The Sergeant-at-Arms, having been furnished with the names of the absentees, was directed to bring them to the bar of the Senate.

PROCEEDINGS UNDER CALL OF THE SENATE.

CONSIDERATION OF DAILY FILE.

THIRD READING OF ASSEMBLY BILLS—(RESUMED).

Assembly Bill No. 1173—An act to amend section 631 of the Code of Civil Procedure, relating to waiver of trial by jury.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Assembly Bill No. 1173 passed by the following vote:

AYES—Senators Allen, Bush, Carter, Cassidy, Christian, Cleveland, Crittenden, Deuel, Duval, Edwards, Evans, Hays, Ingels, Jones, Maloney, McKinley, Mixter, Moran, Nelson, Pedrotti, Riley, Slater, Swing, Tubbs, Waggy, and Williams—26.

NOES—Senator Rochester.

Title read and approved.

Bill ordered transmitted to the Assembly.

RESOLUTIONS.

The following resolutions were offered:

By Committee on Contingent Expenses:

WHEREAS, The members of the Senate will desire to have shipped to their various places of residence their bill files, books of codes, stationery and other printed matter at the close of this session; therefore, be it

Resolved, That the Sergeant-at-Arms, Joseph F. Nolan, be authorized to procure such boxes, packing and other materials as are necessary for the purpose of shipping

the same, properly packed, to said members; and the State Controller is hereby authorized to draw his warrant on the Contingent Expense Fund of the Senate in favor of said Joseph F. Nolan, in a sum not to exceed eight hundred dollars (\$800) and the State Treasurer is hereby directed to pay the same; and it is further directed that said Joseph F. Nolan furnish to the Controller vouchers and receipts for all expenditures made by him.

INGELS, Chairman.
WILLIAMS.
MALONEY.

Resolution read.

Senator Ingels moved the adoption of the resolution.

The question being on the adoption of the resolution.

The roll was called, and the resolution adopted by the following vote :

AYES—Senators Allen, Baker, Bush, Carter, Cassidy, Christian, Cleveland, Clock, Crittenden, Duval, Edwards, Evans, Fellom, Harper, Hays, Ingels, Inman, Jones, Maloney, McCormack, McKinley, Mixer, Moran, Nelson, Pedrotti, Rich, Riley, Rochester, Schottky, Sharkey, Slater, Swing, Treacy, Tubbs, Wagdy, and Williams—36.

NOES—None.

Also :

Resolved, That the Controller be and he is hereby directed to draw his warrant on the Contingent Fund of the Senate in the sum of \$300 in favor of the Secretary of the Senate and the Treasurer is hereby directed to pay the same, the same being for postage for the Senate.

INGELS, Chairman.
WILLIAMS.
MALONEY.

Resolution read.

Senator Ingels moved the adoption of the resolution.

The question being on the adoption of the resolution.

The roll was called, and the resolution adopted by the following vote :

AYES—Senators Baker, Bush, Carter, Cassidy, Christian, Clock, Crittenden, Duval, Edwards, Evans, Fellom, Harper, Hays, Jones, Maloney, McCormack, McKinley, Mixer, Moran, Nelson, Pedrotti, Rich, Riley, Rochester, Sharkey, Slater, Swing, Treacy, Tubbs, Wagdy, and Williams—31.

NOES—None.

Also :

Resolved, That the Controller be and he is hereby authorized and directed to draw his warrant on the Contingent Fund of the Senate in a sum not to exceed nine hundred fifty dollars (\$950) in favor of Joseph A. Beck, Secretary of the Senate, and the Treasurer is hereby directed to pay the same, for postage, telephone service, telegraph service, supplies, rental of typewriters, illuminating resolutions and any incidental expenses in connection with completing the work of the forty-ninth session of the Senate of the State of California. Vouchers and receipts for all expenditures to be furnished to the Controller.

INGELS, Chairman.
WILLIAMS.
MALONEY.

Resolution read.

Senator Ingels moved the adoption of the resolution.

The question being on the adoption of the resolution.

The roll was called, and the resolution adopted by the following vote :

AYES—Senators Baker, Bush, Cassidy, Christian, Clock, Crittenden, Duval, Edwards, Evans, Fellom, Harper, Hays, Inman, Jones, Maloney, McCormack, McKinley, Mixer, Moran, Pedrotti, Rich, Riley, Rochester, Sharkey, Slater, Swing, Treacy, Tubbs, Wagdy, and Williams—30.

NOES—None.

Also :

Resolved, That the Controller be and he is hereby ordered and directed to draw his warrant upon the Contingent Fund of the Senate in the sum of \$639.68 in favor of the Secretary of the Senate to pay the items set forth below, and the Treasurer

is hereby ordered and directed to pay the same. The Secretary of the Senate is instructed to furnish to the Controller vouchers covering the items set forth below:

Supply Department	\$338 48
Pacific Telephone and Telegraph Co.	53 50
Western Union	13 15
George N. Hammond Typewriter Co.	76 00
Baneroft Whitney Company	42 00
Virginia Crossan	30 00
Senator Hotel	38 60
H. S. Crocker Company	47 95
Total	\$639 68

INGELS, Chairman.
WILLIAMS.
MALONEY.

Resolution read.

Senator Ingels moved the adoption of the resolution.

The question being on the adoption of the resolution.

The roll was called, and the resolution adopted by the following vote:

AYES—Senators Allen, Baker, Bush, Cassidy, Christian, Cloek, Crittenden, Deuel, Duval, Edwards, Evans, Fellom, Harper, Jones, Maloney, McCormack, McKinley, Mixer, Moran, Pedrotti, Rich, Riley, Rochester, Schottky, Sharkey, Slater, Swing, Treacy, Tubbs, Waggy, and Williams—31.

NOES—None.

MESSAGES FROM THE ASSEMBLY.

The following messages from the Assembly were received and read:

ASSEMBLY CHAMBER, SACRAMENTO, May 15, 1931.

MR. PRESIDENT: I am directed to inform your honorable body that the Assembly on this day respectfully refused to recede from its amendments to Senate Bill No. 548—An act to amend chapter 266, Statutes of 1923, entitled the "California Vehicle Act," approved May 30, 1923, as amended, by amending the title thereof, by repealing section 20, and by amending sections 7, 7½, 8½, 21, 29, 35, 36, 41, 43, 47, 64, 72, 77, 82, 83½, 85, 87, 89, 90, 91, 94, 95, 96, 100, 110, 111, 113, 115, 116, 118, 119, 122, 123, 124, 125, 126, 131, 135, 136, 138, 139, 142, 145, 146, 151, 159½, and by adding thereto new sections numbered 74, 457, 47½, 57½, 62½, 73½, 64½, 93½, 111½, 113½, 114½, 131½, 135½, 136½, 139½, 139½, 145½, 145½, relating to the regulation of traffic on streets and highways and to the use and operation of vehicles and the registration and identification of vehicles and the licensing of operators and chauffeurs, the service of civil process on nonresidents, the reporting of accidents and damage to vehicles, and to the powers and duties of the California Highway Patrol and to the erection of signs, signals or lights upon or adjacent to highways and to the enforcement of this act—and appointed Assemblymen Hornblower, Miller, James A., and Feeley, as a Committee on Free Conference to meet a like committee from the Senate.

ARTHUR A. OHNIMUS, Chief Clerk.
By C. W. BOOTH, Assistant Clerk.

COMMITTEE ON FREE CONFERENCE APPOINTED

The President announced the appointment of Senators Breed, Edwards and Nelson, as a Committee on Free Conference, to meet with a like committee from the Assembly for the consideration of Assembly amendments to Senate Bill No. 548.

The Secretary was directed to notify the Assembly of the Senate's appointment of Committee on Free Conference.

Also:

ASSEMBLY CHAMBER, SACRAMENTO, May 15, 1931.

MR. PRESIDENT: I am directed to inform your honorable body that the Assembly on this day appointed as a Committee on Free Conference on Assembly Bill No. 982—An act to amend section 4260 of the Political Code, relating to compensation of county and township officers in counties of the thirty-first class—the following Assemblymen: Scudder, Jost, and Seawell, to meet with a like committee from your honorable body.

ARTHUR A. OHNIMUS, Chief Clerk.
By C. W. BOOTH, Assistant Clerk.

Also:

ASSEMBLY CHAMBER, SACRAMENTO, May 15, 1931.

MR. PRESIDENT: I am directed to inform your honorable body that the Assembly on this day appointed as a Committee on Free Conference on Assembly Bill No. 1485—An act to repeal chapter 660, of the Statutes of 1927, entitled "An act requiring certain reports to be made concerning children with impaired hearing," approved May 20, 1927; to add a new chapter to part II of division I of the School Code to be known as chapter III, to embrace sections 1500 to 1513, both inclusive, providing for the education of minors who are deaf or have impaired hearing—the following Assemblymen: Roland, Crist, and Wright, to meet with a like committee from your honorable body.

ARTHUR A. OHNIMUS, Chief Clerk.
By C. W. BOOTH, Assistant Clerk.

CONSIDERATION OF DAILY FILE.

THIRD READING OF ASSEMBLY BILLS—(RESUMED).

Assembly Bill No. 131—An act to amend section 537 of the Penal Code, relating to defrauding proprietors of hotels, inns, restaurants, boarding houses, lodging houses, furnished apartment houses, or furnished bungalow courts.

Bill read third time.

MOTION TO REFER TO SPECIAL COMMITTEE OF ONE.

During third reading of the bill, Senator Pedrotti moved to refer Assembly Bill No. 131 to Senator Cassidy, as a Special Committee of One, to amend as follows:

AMENDMENT NUMBER ONE.

Strike out the title of the printed bill, and insert in lieu thereof the following: "An act to amend section 1861a of the Civil Code, relating to liens of keepers of furnished apartment houses and furnished bungalow courts."

AMENDMENT NUMBER TWO.

On page 1, of the printed bill, strike out lines 1 to 20, inclusive, and insert in lieu thereof the following:

"SECTION 1. Section 1861a of the Civil Code is hereby amended to read as follows:

1861a. Keepers of furnished apartment houses and furnished bungalow courts shall have a lien upon the baggage and other property of value belonging to their tenants or guests, which may be in such furnished apartment house, or furnished bungalow court, for the proper charges due from such tenants or guests, for their accommodation, rent, services, meals, and such extras as are furnished at their request, and for all moneys expended for them, at their request, and for any other charges for which the tenant became liable under the terms of the tenancy and by reason thereof, and for the costs of enforcing such lien, with the right to the possession of such baggage and other property of value until such charges are paid, and such moneys are repaid; and after default in the payment of any such charges or money, it shall be lawful for the keeper of a furnished apartment house or furnished bungalow court, to enter the apartment or bungalow of the defaulting guest, tenant or occupant, and take, seize or reduce to actual possession the baggage or other property of value belonging to the tenant or guest which may then be in such apartment or bungalow and unless such charges shall be paid and unless such moneys shall be repaid within sixty days from the time when such charges and moneys, respectively, become due, said keeper of a furnished apartment house, or furnished bungalow court, may sell said baggage and property, at public auction to the highest bidder, after giving notice of such sale by publication of a notice containing the name of the debtor, the amount due, a brief description of the property to be sold, and the time and place of such sale, once every week for four successive weeks, prior to the date of sale, in a newspaper of general circulation in the county in which said furnished apartment house or furnished bungalow court is situated, and also by mailing, at least fifteen days prior to the date of sale, a copy of such notice addressed to such tenant or guest at his post-office address, if known, and if not known, such notice shall be addressed to such tenant or guest at the place where such furnished apartment house or furnished bungalow court is situated; and, after satisfying such lien out of the proceeds of such sale, together with any reasonable costs that may have been incurred in enforcing said lien, the residue of said proceeds of sale, if any, shall, upon demand made within six months after such sale, be paid by said keeper of a furnished apartment house or furnished bungalow court to such tenant or guest; and if not demanded within six months from the date of such sale,

said residue, if any, shall be paid into the treasury of the county in which such sale took place; and if the same be not claimed by the owner thereof, or his legal representative, within one year thereafter, it shall be paid into the general fund of the county; and such sale shall be a perpetual bar to any action against said keeper of a furnished apartment house or furnished bungalow court for the recovery of such baggage or property, or of the value thereof, or for any damages, growing out of the failure of such tenant or guest to receive such baggage or property."

Motion carried.

REPORT OF SPECIAL COMMITTEE OF ONE.

SENATE CHAMBER, SACRAMENTO, May 15, 1931.

MR. PRESIDENT: Your Special Committee of One, to which was referred Assembly Bill No. 131, with instructions to amend, respectfully reports the same back, amended as per instructions.

CASSIDY, Committee.

Report read, and on motion of Senator Pedrotti, adopted.

Bill ordered to print.

Assembly Bill No. 1301—An act to amend section 718 of the Civil Code, relating to the leasing of municipal property.

On motion of Senator Nelson, Assembly Bill No. 1301 was ordered re-referred to Committee on Judiciary.

Assembly Bill No. 1538—An act to amend section 142 of the Code of Civil Procedure, relating to superior court.

Bill read third time.

MOTION TO REFER TO SPECIAL COMMITTEE OF ONE.

During third reading of the bill, Senator Duval moved to refer Assembly Bill No. 1538 to Senator McCormack, as a Special Committee of One, to amend as follows:

AMENDMENT NUMBER ONE.

In line 2 of the title of the printed bill, strike out "superior court", and insert in lieu thereof the following: "the place of holding court".

Motion carried.

REPORT OF SPECIAL COMMITTEE OF ONE.

SENATE CHAMBER, SACRAMENTO, May 15, 1931.

MR. PRESIDENT: Your Special Committee of One, to which was referred Senate Bill No. 1538, with instructions to amend, respectfully reports the same back, amended as per instructions.

MCCORMACK, Committee.

Report read, and on motion of Senator Duval, adopted.

Bill ordered to print.

MESSAGES FROM THE ASSEMBLY.

The following messages from the Assembly were received and read:

ASSEMBLY CHAMBER, SACRAMENTO, May 15, 1931.

MR. PRESIDENT: I am directed to inform your honorable body that the Assembly on this day respectfully refused to concur in Senate amendments to Assembly Bill No. 278—An act to amend section 103 of the Code of Civil Procedure, relating to justices of the peace, justices' courts and to salaries of certain justices of the peace—and requests that your honorable body recede therefrom.

ARTHUR A. OHNIMUS, Chief Clerk.
By C. W. BOOTH, Assistant Clerk.

The question being: Shall the Senate recede from Senate amendments to Assembly Bill No. 278?

The roll was called, and the Senate refused to recede from Senate amendments to Assembly Bill No. 278 by the following vote:

AYES—None.

NOES—Senators Allen, Baker, Bush, Cassidy, Christian, Clock, Crittenden, Duval, Edwards, Evans, Fellom, Harper, Hays, Inman, Jones, McCormack, McKinley, Mixter, Nelson, Pedrotti, Rich, Rochester, Schottky, Slater, Swing, and Wagy—26.

APPOINTMENT OF COMMITTEE ON FREE CONFERENCE.

The President announced the appointment of Senators Christian, Breed and McCormack as a Committee on Free Conference, to meet with a like committee from the Assembly to consider Senate amendments to Assembly Bill No. 278.

The Secretary was directed to notify the Assembly of the Senate's appointment of Committee on Free Conference.

Also:

ASSEMBLY CHAMBER, SACRAMENTO, May 15, 1931.

MR. PRESIDENT: I am directed to inform your honorable body that the Assembly on this day respectfully refused to concur in Senate amendments to Assembly Bill No. 1091—An act to amend section 4014 of the Political Code, relating to township officers—and requests that your honorable body recede therefrom.

ARTHUR A. OHNIMUS, Chief Clerk.
By C. W. BOOTH, Assistant Clerk.

The question being: Shall the Senate recede from Senate amendments to Assembly Bill No. 1091?

The roll was called, and the Senate refused to recede from Senate amendments to Assembly Bill No. 1091 by the following vote:

AYES—None.

NOES—Senators Allen, Baker, Bush, Cassidy, Christian, Clock, Crittenden, Duval, Edwards, Evans, Fellom, Harper, Hays, Inman, Jones, McCormack, McKinley, Mixter, Nelson, Pedrotti, Riley, Rochester, Schottky, Slater, Swing, Wagy, and Williams—27.

APPOINTMENT OF COMMITTEE ON FREE CONFERENCE.

The President announced the appointment of Senators Christian, Breed and McCormack, as a Committee on Free Conference, to meet with a like committee from the Assembly to consider Senate amendments to Assembly Bill No. 1091.

The Secretary was directed to notify the Assembly of the Senate's appointment of Committee on Free Conference.

Also:

ASSEMBLY CHAMBER, SACRAMENTO, May 15, 1931.

MR. PRESIDENT: I am directed to inform your honorable body that the Assembly on this day respectfully refused to concur in Senate amendments to Assembly Bill No. 1092—An act to amend section 103c of the Code of Civil Procedure, providing for justice's clerks and deputy clerks—and requests that your honorable body recede therefrom.

ARTHUR A. OHNIMUS, Chief Clerk.
By C. W. BOOTH, Assistant Clerk.

The question being: Shall the Senate recede from Senate Amendments to Assembly Bill No. 1092?

The roll was called, and the Senate refused to recede from Senate amendments to Assembly Bill No. 1092 by the following vote:

AYES—None.

NOES—Senators Allen, Baker, Bush, Cassidy, Christian, Clock, Crittenden, Duval, Edwards, Fellom, Harper, Hays, Jones, Maloney, McCormack, McKinley, Mixter, Nelson, Pedrotti, Riley, Rochester, Schottky, Sharkey, Slater, Treacy, Wagy, and Williams—28.

APPOINTMENT OF COMMITTEE ON FREE CONFERENCE.

The President announced the appointment of Senators Christian, Breed and McCormack, as a Committee on Free Conference, to meet with a like committee from the Assembly to consider Senate amendments to Assembly Bill No. 1092.

The Secretary was directed to notify the Assembly of the Senate's appointment of Committee on Free Conference.

Also:

ASSEMBLY CHAMBER, SACRAMENTO, May 15, 1931.

MR. PRESIDENT: I am directed to inform your honorable body that the Assembly on this day respectfully refused to concur in Senate amendments to Assembly Bill No. 1093—An act amending section 103 of the Code of Civil Procedure, relating to justices' courts in townships and cities—and requests that your honorable body recede therefrom.

ARTHUR A. OHNIMUS, Chief Clerk.
By C. W. BOOTH, Assistant Clerk.

The question being: Shall the Senate recede from Senate amendments to Assembly Bill No. 1093?

The roll was called, and the Senate refused to recede from Senate amendments to Assembly Bill No. 1093 by the following vote:

AYES—None.

NOES—Senators Allen, Bush, Cassidy, Christian, Cleveland, Clock, Crittenden, Duval, Edwards, Evans, Fellom, Harper, Hays, Jones, Maloney, McCormack, McKinley, Mixter, Moran, Nelson, Rich, Riley, Rochester, Schottky, Sharkey, Slater, Wagy, and Williams—29.

APPOINTMENT OF COMMITTEE ON FREE CONFERENCE.

The President announced the appointment of Senators Christian, Breed and McCormack, as a Committee on Free Conference, to meet with a like committee from the Assembly to consider Senate amendments to Assembly Bill No. 1093.

The Secretary was directed to notify the Assembly of the Senate's appointment of Committee on Free Conference.

FURTHER PROCEEDINGS UNDER CALL OF THE SENATE DISPENSED WITH.

At eleven o'clock and thirty minutes a.m., further proceedings under the call of the Senate were dispensed with, on motion of Senator Sharkey.

The Secretary was directed to call the roll.

The roll was called, and the report of Special Committee of One, to which was referred Assembly Bill No. 1892, refused adoption by the following vote:

AYES—Senators Bush, Cleveland, Duval, Edwards, Evans, Harper, Hays, Inman, Jones, McKinley, Rich, Riley, and Rochester—14.

NOES—Senators Allen, Carter, Cassidy, Christian, Clock, Crittenden, Fellom, Ingels, Maloney, McCormack, Mixter, Moran, Pedrotti, Schottky, Sharkey, Slater, Swing, Treacy, Tubbs, Wagy, and Williams—21.

The question being on the passage of the bill.

The roll was called, and Assembly Bill No. 1892 passed by the following vote:

AYES—Senators Allen, Baker, Breed, Bush, Carter, Cassidy, Christian, Clock, Crittenden, Fellom, Ingels, Maloney, McCormack, McKinley, Mixter, Nelson, Pedrotti, Riley, Schottky, Sharkey, Slater, Swing, Treacy, Wagy, and Williams—25.

NOES—Senators Cleveland, Duval, Edwards, Harper, Hays, Inman, Jones, Rich, and Rochester—10.

Title read and approved.

Bill ordered transmitted to the Assembly.

MESSAGE FROM THE ASSEMBLY.

The following message from the Assembly was received and read:

ASSEMBLY CHAMBER, SACRAMENTO, May 15, 1931.

MR. PRESIDENT: I am directed to inform your honorable body that the Assembly on this day respectfully refused to recede from its amendments to Senate Bill No. 895—An act authorizing the Governor of the State of California to select and engage the services of an educational research foundation or other organization engaged or organized to engage in the work of making critical surveys in the field of education to make a survey of the present system, plan of organization, and conduct of public education of higher than high school grade in the State of California and to report in writing the results of its survey with its recommendations, providing for the compensation of such foundation or other organization, making an appropriation therefor and for the payment of expenses incidental to carrying out the provisions of this act, and authorizing the Governor to accept gifts of money, property or services in furtherance of the work to be carried out as in this act provided—and appointed Assemblymen Williamson, Craig and Roland, as a Committee on Free Conference, to meet a like committee from the Senate.

ARTHUR A. OHNIMUS, Chief Clerk.
By C. W. BOOTH, Assistant Clerk.

APPOINTMENT OF COMMITTEE ON FREE CONFERENCE.

The President announced the appointment of Senators Slater, Wagy and Bush, as a Committee on Free Conference, to meet with a like committee from the Assembly to consider Assembly amendments to Senate Bill No. 895.

The Secretary was directed to notify the Assembly of the Senate appointment of Committee on Free Conference.

REPORT OF COMMITTEE ON FREE CONFERENCE.

The following report of Committee on Free Conference was received and read:

SENATE CHAMBER, SACRAMENTO, May 15, 1931.

MR. PRESIDENT: Your Committee on Free Conference concerning Assembly Bill No. 1485—An act to repeal chapter 660 of the Statutes of 1927, entitled "An act requiring certain reports to be made concerning children with impaired hearing," approved May 20, 1927; to add a new chapter to part II of division I of the School Code to be known as chapter III, to embrace sections 1500 to 1512, both inclusive, providing for the education of minors who are deaf or have impaired hearing—reports that it has met a like committee of the Assembly, consisting of Assemblymen Roland, Crist and Wright, and reports that the Committee on Free Conference has agreed to recommend the following: That the Senate concur in the Assembly amendments, and that the bill be further amended as follows:

AMENDMENT NUMBER ONE.

In line 6 of the title of the printed bill, strike out the number "1513", and insert in lieu thereof the number: "1514".

AMENDMENT NUMBER TWO.

On page 3, line 49, of the printed bill after said line 49, insert the following: "1514. Nothing in this act shall be construed as limiting the power of a parent or guardian or person standing in loco parentis to determine what treatment or correction of physical defect or defects shall be provided for a child or the agency or agencies to be employed for such purpose."

BREED,
JONES,
SLATER.

Senate Committee on Free Conference.

CRIST,
ROLAND,
WRIGHT.

Assembly Committee on Free Conference.

The question being on the adoption of the report of Committee on Free Conference and the amendments.

The roll was called, and the report of Committee on Free Conference and the amendments adopted by the following vote:

AYES—Senators Allen, Bush, Cassidy, Christian, Cleveland, Clock, Crittenden, Deuel, Edwards, Evans, Fellom, Harper, Hays, Ingels, Inman, Jones, Maloney, McCormack, McKinley, Mixter, Moran, Nelson, Rich, Riley, Rochester, Schottky, Sharkey, Slater, Treacy, Waggy, and Williams—31.

NOES—None.

CONSIDERATION OF DAILY FILE.

THIRD READING OF ASSEMBLY BILLS—(RESUMED).

Assembly Bill No. 582—An act to amend section 737*g* of the Political Code, relating to the salaries of judges of the superior court in and for the county of Contra Costa.

Bill read third time.

The question being on the passage of the bill.

The roll was called.

CALL OF THE SENATE.

Pending the announcement of the vote, Senator Sharkey moved a call of the Senate.

Motion carried.

The Secretary was directed to call the roll.

The roll was called, and the following answered to their names:

Senators Allen, Baker, Breed, Carter, Cassidy, Christian, Cleveland, Clock, Crittenden, Deuel, Duval, Edwards, Evans, Harper, Hays, Ingels, Inman, Jones, Maloney, McCormack, McKinley, Mixter, Moran, Nelson, Pedrotti, Rich, Riley, Rochester, Schottky, Sharkey, Swing, and Williams—32.

The Secretary announced the absentees.

Time, eleven o'clock and thirty-four minutes a.m.

The President directed the Sergeant-at-Arms to close the doors.

The Sergeant-at-Arms, having been furnished with the names of the absentees, was directed to bring them to the bar of the Senate.

PROCEEDINGS UNDER CALL OF THE SENATE.

Assembly Bill No. 508—An act to define motor carrier transportation agent; to provide for the regulation, supervision and licensing thereof, and to provide for the enforcement of said act and penalties for the violation thereof.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Assembly Bill No. 508 passed by the following vote:

AYES—Senators Allen, Baker, Breed, Carter, Christian, Cleveland, Clock, Crittenden, Deuel, Duval, Edwards, Evans, Harper, Ingels, Jones, Maloney, McCormack, Mixter, Pedrotti, Rich, Riley, Rochester, Schottky, Sharkey, Swing, and Williams—26.

NOES—None.

Title read and approved.

Bill ordered transmitted to the Assembly.

Assembly Bill No. 1501—An act to amend an act entitled "An act to regulate the practice of pharmacy in the State of California and to provide a penalty for the violation thereof; and for the appointment of a board to be known as the California State Board of Pharmacy."

approved March 20, 1905, as amended, by adding thereto a new section numbered 3½, relating to the registration of licentiate in pharmacy.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Assembly Bill No. 1501 passed by the following vote:

AYES—Senators Allen, Baker, Breed, Bush, Carter, Christian, Cleveland, Clock, Crittenden, Deuel, Duval, Edwards, Evans, Fellom, Harper, Hays, Ingels, Inman, Jones, Maloney, McCormack, Mixer, Moran, Nelson, Pedrotti, Rich, Riley, Rochester, Schottky, Slater, Swing, Waggy, and Williams—33.

NOES—None.

Title read and approved.

Bill ordered transmitted to the Assembly.

POINT OF ORDER.

Senator Inman raised the point of order that: The call of the Senate should be taken off as the members were present and therefore the call of the Senate had accomplished its purpose.

DECISION ON POINT OF ORDER.

The President announced his decision and declared the point of order not well taken.

FURTHER PROCEEDINGS UNDER CALL OF THE SENATE DISPENSED WITH.

At eleven o'clock and thirty-six minutes a.m., further proceedings under the call of the Senate were dispensed with, on motion of Senator Sharkey.

The Secretary was directed to call the roll.

The roll was called, and Assembly Bill No. 582 passed by the following vote:

AYES—Senators Allen, Baker, Breed, Bush, Carter, Cassidy, Christian, Clock, Crittenden, Fellom, Ingels, Maloney, McCormack, Mixer, Moran, Pedrotti, Schottky, Sharkey, Slater, Swing, Treacy, Waggy, and Williams—23.

NOES—Senators Cleveland, Deuel, Duval, Edwards, Evans, Harper, Hays, Inman, Jones, McKinley, Nelson, Rich, Riley, and Rochester—14.

Title read and approved.

Bill ordered transmitted to the Assembly.

Assembly Bill No. 1932—An act to amend the title and sections 1 and 3, and to repeal sections 2 and 4 of an act entitled "An act providing for the sanitation, healthfulness and cleanliness and safety of swimming pools, public bathhouses, swimming and bathing places; regulating the granting and revocation of permits therefor from the State Board of Health; providing for the inspection of such places; declaring places and things in violation of this act to be nuisances dangerous to health and providing for the abatement of the same; making violations of this act misdemeanors; and providing for the punishment of the same," approved April 6, 1917, relating to supervision over and regulation of public swimming pools, bathhouses, and swimming and bathing places.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Assembly Bill No. 1932 passed by the following vote:

AYES—Senators Allen, Baker, Breed, Bush, Carter, Cassidy, Christian, Cleveland, Clock, Crittenden, Duval, Edwards, Evans, Fellom, Harper, Hays, Ingels,

Maloney, McCormack, McKinley, Mixter, Nelson, Pedrotti, Rich, Riley, Rochester, Schottky, Slater, Swing, Treacy, Waggy, and Williams—32.
NOES—None.

Title read and approved.

Bill ordered transmitted to the Assembly.

Assembly Bill No. 678—An act to amend an act entitled “An act to provide for the formation, organization and government of storm-water districts, for the purpose of protecting the land therein from damage from storm water and from the waters of any innavigable stream, watercourse, canyon or wash, for the construction of the necessary works of protection by said district, and for the levying of taxes and assessments to pay for the cost of constructing, repairing and maintaining such improvements,” approved March 13, 1909, as amended, by amending section 25 and section 26 thereof to provide that where any new or additional improvements have been constructed other than those which have been constructed under the first proceedings had for that purpose, that all moneys required for the maintenance and repair of such improvements shall be chargeable to the land which originally bore the cost of such improvements, and also, to provide that any damages caused the district or any part thereof by reason of such additional improvements shall be charged against the land which originally bore the cost of such improvements.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Assembly Bill No. 678 passed by the following vote:

AYES—Senators Baker, Bush, Carter, Cassidy, Christian, Cleveland, Clock, Deuel, Duval, Edwards, Fellom, Harper, Hays, Ingels, Jones, Maloney, McCormack, McKinley, Mixter, Moran, Nelson, Pedrotti, Rich, Schottky, Slater, Swing, Treacy, Waggy, and Williams—29.

NOES—None.

Title read and approved.

Bill ordered transmitted to the Assembly.

Assembly Bill No. 781—An act to authorize counties to dispose of material removed from stream beds which belong to the State, when making improvements thereof.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Assembly Bill No. 781 passed by the following vote:

AYES—Senators Baker, Breed, Bush, Cassidy, Christian, Cleveland, Clock, Deuel, Duval, Edwards, Evans, Fellom, Harper, Hays, Ingels, Maloney, McCormack, McKinley, Mixter, Moran, Nelson, Pedrotti, Rich, Riley, Rochester, Schottky, Sharkey, Slater, Swing, Treacy, Waggy, and Williams—32.

NOES—None.

Title read and approved.

Bill ordered transmitted to the Assembly.

Assembly Bill No. 1067—An act to repeal an act entitled “An act declaring the existence of inflammable vegetable matter constituting a fire menace to be a public nuisance; providing for its abatement, and

prescribing the manner of collecting the expense thereof," approved June 3, 1921.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Assembly Bill No. 1067 passed by the following vote:

AYES—Senators Baker, Breed, Bush, Cassidy, Christian, Cleveland, Clock, Crittenden, Deuel, Duval, Evans, Fellom, Harper, Hays, Jones, Maloney, McCormack, McKinley, Mixer, Moran, Nelson, Pedrotti, Rich, Riley, Rochester, Schottky, Sharkey, Slater, Swing, Treacy, Wagy, and Williams—32.

NOES—None.

Title read and approved.

Bill ordered transmitted to the Assembly.

Assembly Bill No. 1947—An act to amend section 367*d* of the Penal Code, relating to the operation of automobiles, motoreycles or other motor vehicles.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Assembly Bill No. 1947 passed by the following vote:

AYES—Senators Bush, Cassidy, Christian, Cleveland, Crittenden, Deuel, Duval, Edwards, Evans, Fellom, Harper, Hays, Ingels, Jones, Maloney, McCormack, Mixer, Nelson, Rich, Riley, Schottky, Sharkey, Slater, Swing, Treacy, Wagy, and Williams—27.

NOES—Senator Rochester—1.

Title read and approved.

Bill ordered transmitted to the Assembly.

Assembly Bill No. 148—An act to amend sections 1 and 2 of chapter 197, Statutes of 1901, entitled "An act relating to estrays, providing for taking them up and giving a lien on them for all damages, costs, and expenses incurred by reason of taking them up, and repealing all other acts and parts of acts now in force relating to estrays," approved March 23, 1901, as amended, relating to taking up estrays and to the description of the property where estrays are retained.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Assembly Bill No. 148 passed by the following vote:

AYES—Senators Allen, Bush, Christian, Cleveland, Clock, Crittenden, Deuel, Duval, Edwards, Fellom, Harper, Hays, Ingels, Jones, Maloney, McCormack, McKinley, Mixer, Moran, Rich, Riley, Schottky, Sharkey, Slater, Swing, Treacy, and Wagy—27.

NOES—None.

Title read and approved.

Bill ordered transmitted to the Assembly.

RECESS.

On motion of Senator Breed, at eleven o'clock and forty minutes a.m., the President of the Senate declared recess until eleven o'clock and fifty minutes a.m.

RECONVENED.

At eleven o'clock and fifty minutes a.m., the Senate reconvened.
Lieutenant Governor Frank P. Merriam, President of the Senate, in the chair.

Secretary Joseph A. Beek at the desk.

MESSAGES FROM THE ASSEMBLY.

The following messages from the Assembly were received and read:

ASSEMBLY CHAMBER, SACRAMENTO, May 15, 1931.

MR. PRESIDENT: I am directed to inform your honorable body that the Assembly on this day respectfully refused to recede from its amendments to Senate Bill No. 847—An act to repeal chapter II, embracing sections 4.760 to 4.864, both inclusive, of part IV of division IV of the School Code and to add thereto a new chapter to be known as chapter II, embracing sections 4.760 to 4.833, both inclusive, relating to the apportionment of State and county elementary school funds—and appointed Assemblymen Wright, Crist and Jespersen, as a Committee on Free Conference, to meet a like committee from the Senate.

ARTHUR A. OHNIMUS, Chief Clerk.
By C. W. BOOTH, Assistant Clerk.

APPOINTMENT OF COMMITTEE ON FREE CONFERENCE.

The President announced the appointment of Senators Jones, Slater and Bush, as a Committee on Free Conference, to meet with a like committee from the Assembly for the consideration of Assembly amendments to Senate Bill No. 847.

The Secretary was directed to notify the Assembly of the Senate's appointment of Committee on Free Conference.

Also:

ASSEMBLY CHAMBER, SACRAMENTO, May 15, 1931.

MR. PRESIDENT: I am directed to inform your honorable body that the Assembly on this day respectfully refused to recede from its amendments to Senate Bill No. 706—An act authorizing the establishment, maintenance and operation of memorial districts for the acquisition of sites for, and the acquisition, construction, operation, maintenance, and management of, halls, buildings and meeting places for veterans and organizations of veterans; and authorizing the leasing, conveying, or making available, of public lands in certain instances to memorial districts for such purposes—and appointed Assemblymen Clowdsley, Quigley and Bowers, as a Committee on Free Conference, to meet a like committee from the Senate.

ARTHUR A. OHNIMUS, Chief Clerk.
By C. W. BOOTH, Assistant Clerk.

APPOINTMENT OF COMMITTEE ON FREE CONFERENCE.

The President announced the appointment of Senators Cleveland, Christian and Hays, as a Committee on Free Conference, to meet with a like committee from the Assembly for the consideration of Assembly amendments to Senate Bill No. 706.

The Secretary was directed to notify the Assembly of the Senate's appointment of Committee on Free Conference.

Also:

ASSEMBLY CHAMBER, SACRAMENTO, May 15, 1931.

MR. PRESIDENT: I am directed to inform your honorable body that the Assembly on this day respectfully refused to recede from its amendments to Senate Joint Resolution No. 14—Relative to memorializing and petitioning Congress to enact legislation to eliminate the restrictions which now attach to the taxation of national banking associations, and creating a committee to further such purpose—and appointed Assemblymen Sewell, Parkman and Morrison, as a Committee on Free Conference, to meet a like committee from the Senate.

ARTHUR A. OHNIMUS, Chief Clerk.
By C. W. BOOTH, Assistant Clerk.

APPOINTMENT OF COMMITTEE ON FREE CONFERENCE.

The President announced the appointment of Senators Breed, Duval and Edwards, as a Committee on Free Conference, to meet with a like committee from the Assembly for the consideration of Assembly amendments to Senate Joint Resolution No. 14.

The Secretary was directed to notify the Assembly of the Senate's appointment of Committee on Free Conference.

CONSIDERATION OF DAILY FILE.

THIRD READING OF ASSEMBLY BILLS—(RESUMED).

Assembly Bill No. 1733—An act to amend section 3 of the "California Nautical School Act," relating to members of the Board of Governors of the California Nautical School.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Assembly Bill No. 1733 passed by the following vote:

AYES—Senators Allen, Baker, Breed, Cassidy, Christian, Clock, Crittenden, Deuel, Duval, Edwards, Evans, Fellom, Harper, Ingels, Inman, Jones, Maloney, McCormack, McKinley, Mixer, Moran, Nelson, Pedrotti, Riley, Rochester, Schottky, Slater, Treacy, Waggy, and Williams—30.

NOES—None.

Title read and approved.

Bill ordered transmitted to the Assembly.

Assembly Bill No. 1451—An act to amend section 2 of the "Building and Loan Commission Act," relating to the tenure of office of the Building and Loan Commissioner.

On motion of Senator Crittenden, Assembly Bill No. 1451 was ordered re-referred to Committee on Governmental Efficiency.

Assembly Bill No. 1742—An act to amend section 2 of the "State Civil Service Act," relating to the State Civil Service Commission.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Assembly Bill No. 1742 passed by the following vote:

AYES—Senators Allen, Baker, Breed, Cassidy, Christian, Clock, Crittenden, Deuel, Duval, Edwards, Evans, Fellom, Harper, Ingels, Inman, Maloney, McCormack, McKinley, Mixer, Moran, Nelson, Pedrotti, Riley, Rochester, Schottky, Slater, Swing, Treacy, Waggy, and Williams—30.

NOES—None.

Title read and approved.

Bill ordered transmitted to the Assembly.

Assembly Bill No. 1088—An act to amend section 3692 of the Political Code, relating to the powers and duties of the State Board of Equalization.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Assembly Bill No. 1088 passed by the following vote:

AYES—Senators Allen, Cassidy, Christian, Cleveland, Crittenden, Deuel, Duval, Edwards, Evans, Fellom, Harper, Ingels, Inman, Maloney, McCormack, McKinley,

Mixer, Moran, Nelson, Pedrotti, Riley, Schottky, Slater, Swing, Treacy, and Williams—26.

NOES—None.

Title read and approved.

Bill ordered transmitted to the Assembly.

Assembly Bill No. 1521—An act to amend section 372 of the Political Code, relating to the Department of Public Health.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Assembly Bill No. 1521 passed by the following vote:

AYES—Senators Baker, Cassidy, Christian, Cleveland, Clock, Crittenden, Deuel, Edwards, Evans, Fellom, Harper, Inman, Maloney, McKinley, Mixer, Moran, Nelson, Pedrotti, Riley, Rochester, Schottky, Slater, Swing, Treacy, Waggy, and Williams—25.

NOES—None.

Title read and approved.

Bill ordered transmitted to the Assembly.

Assembly Bill No. 1522—An act to amend section 5 of "An act to regulate the practice of pharmacy in the State of California, and to provide a penalty for the violation thereof; and for the appointment of a board to be known as the California State Board of Pharmacy," approved March 20, 1905, as amended, relating to the tenure of office of the members of the State Board of Pharmacy.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Assembly Bill No. 1522 passed by the following vote:

AYES—Senators Allen, Baker, Carter, Cassidy, Christian, Clock, Deuel, Edwards, Evans, Fellom, Harper, Hays, Ingels, Jones, Maloney, McKinley, Mixer, Moran, Nelson, Pedrotti, Riley, Schottky, Sharkey, Slater, Treacy, Waggy, and Williams—27.

NOES—None.

Title read and approved.

Bill ordered transmitted to the Assembly.

Assembly Bill No. 1523—An act to amend section 1 of "An act to insure the better education of practitioners of veterinary medicine, and to regulate the practice of veterinary medicine in the State of California, to provide for the creation of a board of five members who shall act under and in accordance with the provisions of this act; to provide for their appointment and define their powers, duties and compensation, to define offenses committed by acts done contrary to the provisions of this act, and providing penalties for the violation thereof; providing for the revocation or suspension, in certain cases, of licenses issued hereunder, and to repeal an act entitled 'An act to regulate the practice of veterinary medicine and surgery in the State of California,' approved March 23, 1893, and all other acts or parts of acts in conflict herewith," approved May 5, 1927, relating to the tenure of office of the members of the Board of Examiners in Veterinary Medicine.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Assembly Bill No. 1523 passed by the following vote:

AYES—Senators Allen, Christian, Cleveland, Crittenden, Deuel, Duval, Edwards, Evans, Fellom, Harper, Ingels, Inman, Maloney, McKinley, Mixter, Moran, Nelson, Pedrotti, Riley, Schottky, Slater, Swing, and Waggy—23.

NOES—None.

Title read and approved.

Bill ordered transmitted to the Assembly.

Assembly Bill No. 1731—An act to amend section 1 of an act entitled "An act relating to the Board of Trustees of the California Institution for Women and the appointment and terms of office of the members of said board," approved May 24, 1929, relating to trustees of such institution.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Assembly Bill No. 1731 passed by the following vote:

AYES—Senators Allen, Baker, Cassidy, Clock, Crittenden, Deuel, Edwards, Evans, Fellom, Harper, Ingels, Inman, Maloney, McKinley, Mixter, Moran, Nelson, Pedrotti, Riley, Rochester, Schottky, Slater, Swing, Treacy, Waggy, and Williams—26.

NOES—None.

Title read and approved.

Bill ordered transmitted to the Assembly.

Assembly Bill No. 1517—An act to amend section 4 of the "Act Concerning Cosmetology," relating to the tenure of office of the members of the Board of Cosmetology.

On motion of Senator Crittenden, Assembly Bill No. 1517 was ordered re-referred to Committee on Governmental Efficiency.

Assembly Bill No. 1518—An act to amend section 2 of "An act to insure the better education of dental surgeons and to regulate the practice of dentistry in the State of California, providing penalties for the violation hereof," approved May 21, 1915, as amended, relating to the tenure of office of the members of the Board of Dental Examiners.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Assembly Bill No. 1518 passed by the following vote:

AYES—Senators Allen, Baker, Christian, Clock, Crittenden, Deuel, Duval, Edwards, Evans, Fellom, Harper, Ingels, Maloney, McKinley, Mixter, Moran, Nelson, Pedrotti, Rich, Riley, Rochester, Schottky, Slater, Swing, Treacy, Waggy, and Williams—27.

NOES—None.

Title read and approved.

Bill ordered transmitted to the Assembly.

Assembly Bill No. 1519—An act to amend section 1 of "An act regulating the business of embalmers and funeral directors and the transportation of and traffic in dead human bodies, creating a State board therefor, providing penalties for violations thereof, and repealing the act entitled 'An act to establish a State Board of Embalmers, defining the duties thereof, providing for the better protection of life and health,

preventing the spread of contagious disease, regulating the practice of embalming in connection with the care and disposition of the dead and providing penalties for the violation thereof,' approved April 16, 1915, as amended,' approved April 20, 1929, as amended, relating to the tenure of office of the members of the State Board of Embalmers and Funeral Directors.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Assembly Bill No. 1519 passed by the following vote:

AYES—Senators Allen, Baker, Cassidy, Christian, Cleveland, Clock, Crittenden, Deuel, Duval, Edwards, Evans, Fellom, Harper, Ingels, Maloney, McKinley, Mixer, Moran, Nelson, Pedrotti, Rich, Riley, Rochester, Schottky, Slater, Swing, Treacy, Wagy, and Williams—29.

NOES—None.

Title read and approved.

Bill ordered transmitted to the Assembly.

Assembly Bill No. 1520—An act to amend section 1 of the State Medical Practice Act, relating to the tenure of office of the members of the Board of Medical Examiners.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Assembly Bill No. 1520 passed by the following vote:

AYES—Senators Allen, Cassidy, Christian, Cleveland, Clock, Crittenden, Deuel, Duval, Edwards, Evans, Fellom, Harper, Ingels, Jones, Maloney, McKinley, Mixer, Moran, Nelson, Pedrotti, Rich, Riley, Rochester, Slater, Swing, Treacy, and Wagy—27.

NOES—None.

Title read and approved.

Bill ordered transmitted to the Assembly.

Assembly Bill No. 1205—An act to amend section 694*h* of the Political Code, relating to the State Board of Agriculture.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Assembly Bill No. 1205 passed by the following vote:

AYES—Senators Allen, Baker, Carter, Cassidy, Christian, Cleveland, Clock, Crittenden, Deuel, Duval, Edwards, Evans, Fellom, Harper, Hays, Ingels, Inman, Jones, Maloney, McKinley, Moran, Nelson, Pedrotti, Riley, Rochester, Slater, Swing, Treacy, Wagy, and Williams—30.

NOES—None.

Title read and approved.

Bill ordered transmitted to the Assembly.

Assembly Bill No. 1448—An act to amend section 364*c* of the Political Code, relating to the members of the Industrial Welfare Commission.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Assembly Bill No. 1448 passed by the following vote:

AYES—Senators Allen, Bush, Carter, Christian, Cleveland, Clock, Crittenden, Deuel, Duval, Edwards, Evans, Fellom, Harper, Jones, Maloney, McCormack,

McKinley, Mixer, Moran, Nelson, Pedrotti, Riley, Rochester, Schottky, Slater, and Wagye—26.

NOES—None.

Title read and approved.

Bill ordered transmitted to the Assembly.

Assembly Bill No. 1449—An act to amend section 364*b* of the Political Code, relating to the Industrial Accident Commission.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Assembly Bill No. 1449 passed by the following vote:

AYES—Senators Allen, Bush, Carter, Cassidy, Christian, Cleveland, Crittenden, Deuel, Duval, Edwards, Evans, Fellom, Harper, Maloney, McCormack, McKinley, Mixer, Moran, Nelson, Pedrotti, Rich, Riley, Rochester, Schottky, Slater, Wagye, and Williams—27.

NOES—None.

Title read and approved.

Bill ordered transmitted to the Assembly.

Assembly Bill No. 1513—An act to amend section 1 of "An act to create a State Board of Accountancy and prescribe its duties and powers; to provide for the examination of and issuance of certificates to qualified applicants, with the designation of certified public accountant; and to provide for the grade of penalty for violations of the provisions hereof," approved March 23, 1901, as amended, relating to tenure of office of board members.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Assembly Bill No. 1513 passed by the following vote:

AYES—Senators Allen, Baker, Bush, Carter, Christian, Cleveland, Clock, Crittenden, Deuel, Edwards, Evans, Fellom, Harper, Jones, Maloney, McCormack, McKinley, Mixer, Moran, Nelson, Pedrotti, Rich, Riley, Rochester, Schottky, Slater, Treacy, Wagye, and Williams—29.

NOES—None.

Title read and approved.

Bill ordered transmitted to the Assembly.

Assembly Bill No. 1514—An act to amend section 1 of "An act to regulate the practice of architecture," approved March 23, 1901, relating to tenure of office of board members.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Assembly Bill No. 1514 passed by the following vote:

AYES—Senators Allen, Baker, Bush, Carter, Cassidy, Christian, Clock, Crittenden, Deuel, Edwards, Evans, Fellom, Harper, Maloney, McCormack, McKinley, Mixer, Moran, Nelson, Pedrotti, Riley, Rochester, Slater, Treacy, Wagye, and Williams—26.

NOES—None.

Title read and approved.

Bill ordered transmitted to the Assembly.

Assembly Bill No. 1516—An act to amend section 2 of "An act regulating the practice of civil engineering," relating to the tenure of office of the members of the Board of Registration of Civil Engineers.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Assembly Bill No. 1516 passed by the following vote:

AYES—Senators Allen, Carter, Cassidy, Christian, Cleveland, Clock, Crittenden, Duval, Edwards, Evans, Fellen, Harper, Jones, Maloney, McCormack, McKinley, Mixer, Nelson, Rochester, Slater, Treney, Wagy, and Williams—23.

NOES—None.

Title read and approved.

Bill ordered transmitted to the Assembly.

Assembly Bill No. 1905—An act to add a new section to the Political Code, to be numbered 2521a, relating to Board of State Harbor Commissioners, and repealing section 12 of chapter 183, Statutes of 1907.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Assembly Bill No. 1905 passed by the following vote:

AYES—Senators Allen, Baker, Bash, Carter, Cassidy, Christian, Cleveland, Clock, Crittenden, Duval, Edwards, Evans, Fellen, Harper, Maloney, McKinley, Mixer, Moran, Pedraza, Rich, Riley, Schotky, Slater, Treney, and Williams—25.

NOES—None.

Title read and approved.

Bill ordered transmitted to the Assembly.

Assembly Bill No. 512—An act to amend section 2 of an act entitled "An act creating a State Bureau of Criminal Identification and Investigation, providing for its organization and defining its powers and duties and making an appropriation to carry out the provisions hereof, and repealing an act entitled 'An act to create a State Bureau of Criminal Identification, and providing for the appointment of a director of said bureau, defining his duties and qualifications and powers; providing for the appointment of a clerk of said bureau and fixing his qualifications; fixing compensation of said director and clerk, providing for the manner of paying the same and providing for the expense of conducting the office,' approved March 20, 1905, as amended," relating to the board of managers of the State Bureau of Criminal Identification and Investigation.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Assembly Bill No. 512 passed by the following vote:

AYES—Senators Allen, Baker, Bash, Carter, Cassidy, Christian, Cleveland, Clock, Crittenden, Duval, Edwards, Evans, Fellen, Harper, Maloney, McCormack, McKinley, Mixer, Moran, Nelson, Pedraza, Schotky, Slater, Treney, Wagy, and Williams—27.

NOES—None.

Title read and approved.

Bill ordered transmitted to the Assembly.

Assembly Bill No. 878—An act to amend sections 2.1370 and 2.1371 of the School Code, relating to the State Board of Education.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Assembly Bill No. 878 passed by the following vote:

AYES—Senators Allen, Baker, Carter, Cassidy, Cleveland, Clock, Crittenden, Deuel, Duval, Edwards, Evans, Fellom, Harper, Inman, Jones, Maloney, McKinley, Moran, Pedrotti, Rochester, Slater, Treacy, Wagy, and Williams—24.

NOES—None.

Title read and approved.

Bill ordered transmitted to the Assembly.

Assembly Bill No. 1745—An act to amend section 4240 of the Political Code, relating to salaries of officers and employees of counties of the eleventh class.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Assembly Bill No. 1745 passed by the following vote:

AYES—Senators Allen, Baker, Bush, Carter, Cassidy, Christian, Clock, Crittenden, Duval, Edwards, Evans, Fellom, Hays, Ingels, Jones, Maloney, McCormack, McKinley, Mixer, Moran, Nelson, Pedrotti, Riley, Rochester, Slater, Treacy, Wagy, and Williams—28.

NOES—None.

Title read and approved.

Bill ordered transmitted to the Assembly.

Assembly Bill No. 1774—An act to add a new section to be numbered 9a12 to the act entitled "An act to provide for the establishment and maintenance of county free libraries in the State of California, and repealing 'An act entitled "An act to provide county library systems," approved April 12, 1909, and all acts and parts of acts in conflict with this act,' " approved February 25, 1911, as amended, relating to libraries in counties of the twelfth class.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Assembly Bill No. 1774 passed by the following vote:

AYES—Senators Allen, Baker, Bush, Carter, Christian, Clock, Crittenden, Edwards, Evans, Fellom, Harper, Hays, Ingels, Inman, Jones, Maloney, McCormack, McKinley, Mixer, Moran, Rich, Riley, Slater, Treacy, Wagy, and Williams—26.

NOES—None.

Title read and approved.

Bill ordered transmitted to the Assembly.

Assembly Bill No. 1755—An act to amend section 16x12 of the "Weights and Measures Act." relating to sealers of weights and measures in counties of the twelfth class.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Assembly Bill No. 1755 passed by the following vote:

AYES—Senators Allen, Baker, Breed, Bush, Carter, Cassidy, Christian, Clock, Crittenden, Deuel, Duval, Edwards, Evans, Fellom, Harper, Hays, Ingels, Inman, Maloney, McCormack, McKinley, Mixer, Moran, Nelson, Pedrotti, Riley, Rochester, Slater, Swing, Treacy, Wag, and Williams—32.

NOES—None.

Title read and approved.

Bill ordered transmitted to the Assembly.

Assembly Bill No. 1811—An act to amend section 19x12 of the "Juvenile Court Law," relating to probation officers in counties of the twelfth class.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Assembly Bill No. 1811 passed by the following vote:

AYES—Senators Allen, Baker, Breed, Bush, Carter, Cassidy, Christian, Clock, Crittenden, Deuel, Duval, Edwards, Evans, Fellom, Harper, Hays, Ingels, Inman, Maloney, McCormack, McKinley, Mixer, Moran, Nelson, Pedrotti, Rich, Riley, Rochester, Slater, Swing, Treacy, Wag, and Williams—33.

NOES—None.

Title read and approved.

Bill ordered transmitted to the Assembly.

Assembly Bill No. 1822—An act to amend section 2322x12 of the Political Code, relating to the office of agricultural commissioner in counties of the twelfth class.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Assembly Bill No. 1822 passed by the following vote:

AYES—Senators Allen, Baker, Breed, Bush, Carter, Clock, Crittenden, Deuel, Duval, Edwards, Evans, Fellom, Harper, Hays, Ingels, Inman, Maloney, McCormack, McKinley, Mixer, Moran, Nelson, Pedrotti, Rich, Rochester, Slater, Swing, Treacy, Wag, and Williams—30.

NOES—None.

Title read and approved.

Bill ordered transmitted to the Assembly.

Assembly Bill No. 1851—An act providing for the sale or trade of property used by the California Polytechnic School and providing for the purchase of property for the use of said school.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Assembly Bill No. 1851 passed by the following vote:

AYES—Senators Allen, Baker, Breed, Bush, Carter, Cassidy, Christian, Clock, Crittenden, Deuel, Duval, Edwards, Evans, Fellom, Harper, Hays, Ingels, Inman, Jones, Maloney, McCormack, McKinley, Mixer, Moran, Nelson, Pedrotti, Rich, Rochester, Sharkey, Slater, Swing, Treacy, Wag, and Williams—34.

NOES—None.

Title read and approved.

Bill ordered transmitted to the Assembly.

Assembly Bill No. 1335—An act to add a new section to the School Code to be numbered 2,990, relating to the powers and duties of governing boards of school districts.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Assembly Bill No. 1335 passed by the following vote:

AYES—Senators Allen, Baker, Bush, Carter, Cassidy, Christian, Cleveland, Clock, Crittenden, Deuel, Duval, Edwards, Evans, Fellom, Harper, Hays, Ingels, Inman, Maloney, McCormack, McKinley, Mixer, Moran, Nelson, Pedrotti, Rich, Schottky, Sharkey, Slater, Treacy, Wagy, and Williams—32.

NOES—None.

Title read and approved.

Bill ordered transmitted to the Assembly.

Assembly Bill No. 1117—An act authorizing the Director of Institutions, with the approval of the Director of Finance, to grant to the State Highway Commission a right of way over certain lands belonging to the State of California for State highway purposes.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Assembly Bill No. 1117 passed by the following vote:

AYES—Senators Allen, Baker, Breed, Bush, Carter, Cassidy, Christian, Cleveland, Clock, Deuel, Duval, Edwards, Evans, Fellom, Harper, Hays, Ingels, Inman, Jones, Maloney, McCormack, McKinley, Moran, Nelson, Pedrotti, Rich, Rochester, Schottky, Sharkey, Slater, Swing, Treacy, Wagy, and Williams—34.

NOES—None.

Title read and approved.

Bill ordered transmitted to the Assembly.

Assembly Bill No. 1494—An act authorizing the Director of Finance to deed certain property of the State to the city of Santa Barbara for street and highway purposes.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Assembly Bill No. 1494 passed by the following vote:

AYES—Senators Allen, Baker, Breed, Bush, Carter, Cassidy, Christian, Cleveland, Clock, Crittenden, Deuel, Duval, Edwards, Evans, Fellom, Harper, Hays, Ingels, Inman, Jones, Maloney, McCormack, McKinley, Moran, Nelson, Pedrotti, Rich, Riley, Rochester, Sharkey, Slater, Swing, Treacy, Wagy, and Williams—35.

NOES—None.

Title read and approved.

Bill ordered transmitted to the Assembly.

Assembly Bill No. 1461—An act to amend section 3898b of the Political Code, relating to and providing educational opportunities for children of veterans, defining the powers and duties of the Veterans Welfare Board in relation thereto and making an appropriation therefor.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Assembly Bill No. 1461 passed by the following vote:

AYES—Senators Allen, Baker, Breed, Bush, Carter, Cassidy, Christian, Cleveland, Cloek, Crittenden, Donel, Duval, Edwards, Evans, Fellom, Harper, Hays, Ingels, Inman, Jones, Maloney, McCormack, McKinley, Moran, Nelson, Pedrotti, Rich, Rochester, Schotky, Sharkey, Slater, Swing, Treacy, Wagy, and Williams—35.

NOES—None.

Title read and approved.

Bill ordered transmitted to the Assembly.

Assembly Bill No. 418—An act to amend sections 27 and 34 of the "Warehouse Receipts Act," approved March 19, 1909, as amended, relating to warehouse receipts.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Assembly Bill No. 418 passed by the following vote:

AYES—Senators Allen, Baker, Breed, Bush, Carter, Cassidy, Christian, Cleveland, Cloek, Crittenden, Donel, Duval, Edwards, Evans, Fellom, Harper, Hays, Ingels, Inman, Jones, Moran, Nelson, Rich, Riley, Rochester, Sharkey, Slater, Treacy, and Wagy—29.

NOES—Senator McCormack—1.

Title read and approved.

Bill ordered transmitted to the Assembly.

Assembly Bill No. 801—An act to amend sections 7, 8 and 9 of chapter 221, Statutes of 1929, entitled "An act to regulate the erection, construction, alteration, maintenance and use of mausoleums, columbariums and all buildings whatsoever called, erected, or used for, the permanent interment of the remains of 15 or more deceased persons, in all parts of the State of California; provide for the inspection of the same, and to provide penalties for the violation thereof; and repealing all acts and parts of acts in conflict therewith," approved May 4, 1929.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Assembly Bill No. 801 passed by the following vote:

AYES—Senators Allen, Baker, Breed, Bush, Carter, Cassidy, Christian, Cleveland, Cloek, Crittenden, Donel, Duval, Edwards, Evans, Fellom, Hays, Ingels, Inman, Jones, Maloney, McCormack, McKinley, Mixer, Moran, Nelson, Rich, Riley, Schotky, Sharkey, Slater, Treacy, Wagy, and Williams—33.

NOES—Senator Harper—1.

Title read and approved.

Bill ordered transmitted to the Assembly.

Assembly Bill No. 1058—An act to amend sections 630 and 631 of the Probate Code so as to permit the surviving heirs to collect wages due deceased persons, without the necessity of administration.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Assembly Bill No. 1058 passed by the following vote:

AYES—Senators Christian, Cleveland, Crittenden, Deuel, Edwards, Fellom, Ingels, Inman, Jones, Maloney, McKinley, Moran, Riley, Rochester, Schottky, Sharkey, Slater, Swing, Treacy, Tubbs, and Williams—21.

NOES—Senators Allen, Baker, Breed, Bush, Carter, Cassidy, Clock, Duval, Evans, Harper, Hays, McCormack, Mixer, Nelson, and Wagy—15.

Title read and approved.

Bill ordered transmitted to the Assembly.

Assembly Bill No. 992—An act to amend section 1186 of the Code of Civil Procedure, relating to liens of mechanics and materialmen.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Assembly Bill No. 992 passed by the following vote:

AYES—Senators Allen, Baker, Breed, Bush, Carter, Christian, Cleveland, Clock, Deuel, Edwards, Evans, Fellom, Harper, Hays, Ingels, Jones, Maloney, McKinley, Mixer, Nelson, Riley, Rochester, Schottky, Sharkey, Slater, Swing, Treacy, Tubbs, Wagy, and Williams—30.

NOES—None.

Title read and approved.

Bill ordered transmitted to the Assembly.

Assembly Bill No. 518—An act to amend section 683 of the Civil Code, relating to the mode of creating a joint tenancy.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Assembly Bill No. 518 passed by the following vote:

AYES—Senators Allen, Baker, Bush, Carter, Christian, Cleveland, Clock, Crittenden, Deuel, Edwards, Evans, Fellom, Harper, Hays, Ingels, Inman, Jones, Maloney, McCormack, McKinley, Mixer, Nelson, Rich, Riley, Rochester, Schottky, Sharkey, Slater, Swing, Treacy, Tubbs, Wagy, and Williams—32.

NOES—None.

Title read and approved.

Bill ordered transmitted to the Assembly.

Assembly Bill No. 1943—An act granting certain tidelands and submerged lands of the State of California to the city of San Diego upon certain trusts and conditions.

On motion of Senator Harper, Assembly Bill No. 1943 was ordered re-referred to Committee on Commerce and Navigation.

Assembly Bill No. 1314—An act amending section 7 of an act entitled "An act providing for the formation, government and operation of harbor districts for the improvement or development of harbors, the calling and conducting of elections in such districts, the issuance and disposal of the bonds thereof, and the assessment and levy of taxes for the payment of such bonds, principal and interest, and for the ordinary expenses of such districts.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Assembly Bill No. 1314 passed by the following vote:

AYES—Senators Allen, Baker, Breed, Bush, Christian, Cleveland, Clock, Crittenden, Deuel, Edwards, Evans, Fellom, Harper, Hays, Ingels, Inman, Jones, Maloney, McCormack, McKinley, Mixter, Moran, Nelson, Rochester, Schottky, Sharkey, Slater, Swing, Treacy, Tubbs, Wagy, and Williams—32.

NOES—None.

Title read and approved.

Bill ordered transmitted to the Assembly.

Assembly Bill No. 516—An act to add a new section to be numbered section 3 to and to amend the title and section 1 of chapter 552, Statutes of 1927, entitled "An act to prohibit the possession of machine rifles, machine guns and submachine guns capable of automatically and continuously discharging loaded ammunition of any caliber in which the ammunition is fed to such guns from or by means of clips, disks, drums, belts or other separable mechanical device, and providing a penalty for violation thereof," approved May 16, 1927, relating to prohibition of the sale or transportation of machine guns and the prohibition of the sale, transportation or possession of tear bombs.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Assembly Bill No. 516 passed by the following vote:

AYES—Senators Allen, Baker, Breed, Bush, Carter, Cassidy, Christian, Cleveland, Clock, Crittenden, Deuel, Edwards, Evans, Fellom, Harper, Hays, Ingels, Inman, Jones, Maloney, McCormack, McKinley, Mixter, Moran, Nelson, Rich, Riley, Rochester, Schottky, Sharkey, Slater, Swing, Treacy, Wagy, and Williams—35.

NOES—None.

Title read and approved.

Bill ordered transmitted to the Assembly.

Assembly Bill No. 888—An act making an appropriation to provide an airplane for the use of the Governor of the State of California.

Bill read third time.

The question being on the passage of the bill.

The roll was called.

CALL OF THE SENATE.

Pending the announcement of the vote, Senator Swing moved a call of the Senate.

Motion carried.

The Secretary was directed to call the roll.

The roll was called, and the following answered to their names:

Senators Allen, Baker, Bush, Carter, Cassidy, Christian, Cleveland, Clock, Crittenden, Deuel, Duval, Edwards, Evans, Fellom, Harper, Hays, Ingels, Inman, Jones, Maloney, McCormack, McKinley, Mixter, Moran, Nelson, Rich, Riley, Rochester, Schottky, Sharkey, Slater, Swing, Treacy, Tubbs, Wagy, and Williams—36.

The Secretary announced the absentees.

Time, twelve o'clock and five minutes p.m.

The President directed the Sergeant-at-Arms to close the doors.

The Sergeant-at-Arms, having been furnished with the names of the absentees, was directed to bring them to the bar of the Senate.

PROCEEDINGS UNDER CALL OF THE SENATE.

Assembly Bill No. 795—An act to repeal an act entitled "An act fixing the minimum rate of compensation for labor on public works," approved March 9, 1897.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Assembly Bill No. 795 passed by the following vote:

AYES—Senators Baker, Bush, Carter, Cassidy, Christian, Cleveland, Clock, Crittenden, Edwards, Evans, Fellom, Harper, Hays, Ingels, Inman, Jones, Maloney, McCormack, McKinley, Mixter, Nelson, Rich, Riley, Rochester, Schottky, Sharkey, Slater, Swing, Tubbs, Wagye, and Williams—31.

NOES—None.

Title read and approved.

Bill ordered transmitted to the Assembly.

Assembly Bill No. 1060—An act to amend section 3 of chapter 202, Statutes of 1919, entitled "An act to regulate the payment of wages or compensation for labor or service in private employments, establishing regular pay days, providing penalties for the violation of its provisions, authorizing the Commissioner of the Bureau of Labor Statistics to enforce this act, defining the duties of district attorneys relative to its enforcement, providing for the collection of certain penalties by civil action at the direction of said commissioner and for the disposition of penalties so collected; repealing an act entitled "An act providing for the time of payment of wages," approved May 1, 1911, as amended April 28, 1915, and repealing an act entitled 'An act to regulate the payment of wages or compensation of employees in private employments; to provide for regular pay days in such employments; providing a penalty for the violation thereof; and authorizing the Commissioner of the Bureau of Labor Statistics to enforce the provisions of this act,' approved June 8, 1915," approved May 6, 1919, as amended, relating to the scope of the said act and providing that the terms thereof can not be contravened by a private agreement.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Assembly Bill No. 1060 passed by the following vote:

AYES—Senators Allen, Baker, Bush, Cassidy, Cleveland, Clock, Duval, Edwards, Evans, Fellom, Harper, Hays, Ingels, Inman, Jones, Maloney, McKinley, Mixter, Moran, Rich, Sharkey, Slater, Swing, Tubbs, Wagye, and Williams—27.

NOES—None.

Title read and approved.

Bill ordered transmitted to the Assembly.

Assembly Bill No. 1379—An act to amend sections 5, 6, 7 and 8 of an act entitled "An act to license canners, curers, preservers and packers of fish and handlers of crustaceans and mollusks, and providing a revenue therefrom for the conservation, propagation and restoration of fish in the State of California, and providing for a record of fish caught or received, and providing penalties for the violation of the provisions thereof, and repealing all acts or parts of acts in conflict therewith," approved May 28, 1917.

Bill read third time.

MOTION TO REFER TO SPECIAL COMMITTEE OF ONE.

During third reading of the bill, Senator Slater moved to refer Assembly Bill No. 1379 to Senator Riley, as a Special Committee of One, to amend as follows:

AMENDMENT NUMBER ONE.

On page 2, line 13, of the printed bill, as amended, strike out the word "into", and insert in lieu thereof the words: "to the division of fish and game for deposit in".

Motion carried.

REPORT OF SPECIAL COMMITTEE OF ONE.

SENATE CHAMBER, SACRAMENTO, May 15, 1931.

MR. PRESIDENT: Your Special Committee of One to which was referred Assembly Bill No. 1379, with instructions to amend, respectfully reports the same back, amended as per instructions.

RILEY, Committee.

Report read, and on motion of Senator Slater adopted.

Bill ordered to print.

Assembly Bill No. 737—An act to add a new section to the Penal Code to be numbered 628m, relating to the protection of white sea bass.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Assembly Bill No. 737 passed by the following vote:

AYES—Senators Allen, Baker, Breed, Bush, Carter, Cassidy, Christian, Cleveland, Clock, Crittenden, Deuel, Duval, Edwards, Fellom, Harper, Hays, Inman, Jones, Maloney, McCormack, McKinley, Mixer, Moran, Nelson, Rich, Riley, Rochester, Schottky, Sharkey, Slater, Swing, Treacy, Tubbs, Waggy, and Williams—35.

NOES—None.

Title read and approved.

Bill ordered transmitted to the Assembly.

Assembly Bill No. 414—An act to amend section 626 of the Penal Code, relating to the protection of game.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Assembly Bill No. 414 passed by the following vote:

AYES—Senators Allen, Breed, Carter, Cassidy, Christian, Clock, Crittenden, Deuel, Duval, Edwards, Evans, Harper, Ingels, Jones, Maloney, McCormack, Mixer, Moran, Nelson, Rich, Riley, Schottky, Sharkey, Slater, Swing, and Tubbs—26.

NOES—Senators Rochester, and Waggy—2.

Title read and approved.

Bill ordered transmitted to the Assembly.

Assembly Bill No. 295—An act to amend section 45 of an act entitled "An act to divide the State of California into fish and game districts and to repeal an act entitled 'An act to divide the State of California into fish and game districts, and to repeal an act entitled 'An act to divide the State of California into six fish and game districts,' approved March 21, 1911, and all acts or parts of acts inconsistent herewith,' approved May 15, 1915," approved May 28, 1917, as amended, relating to fish and game districts.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Assembly Bill No. 295 passed by the following vote:

AYES—Senators Allen, Baker, Breed, Bush, Cassidy, Christian, Clock, Crittenden, Deuel, Edwards, Evans, Fellom, Ingels, Jones, Maloney, McKinley, Nelson, Riley, Schottky, Sharkey, Slater, Swing, Tubbs, Waggy, and Williams—26.

NOES—None.

Title read and approved.

Bill ordered transmitted to the Assembly.

Assembly Bill No. 370—An act to amend section 636 of the Penal Code, relating to the protection of fish and game.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Assembly Bill No. 370 passed by the following vote:

AYES—Senators Allen, Baker, Bush, Christian, Cleveland, Clock, Crittenden, Deuel, Edwards, Evans, Fellom, Ingels, Inman, Jones, Maloney, McCormack, McKinley, Moran, Nelson, Rich, Riley, Rochester, Schottky, Sharkey, Slater, Tubbs, and Waggy—27.

NOES—None.

Title read and approved.

Bill ordered transmitted to the Assembly.

Assembly Bill No. 1903—An act to amend section 969a of the Penal Code, relating to pleading prior convictions in indictments or informations.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Assembly Bill No. 1903 passed by the following vote:

AYES—Senators Allen, Bush, Cassidy, Cleveland, Clock, Crittenden, Deuel, Edwards, Evans, Fellom, Inman, Jones, Maloney, McCormack, McKinley, Moran, Nelson, Rich, Riley, Rochester, Schottky, Slater, Tubbs, Waggy, and Williams—25.

NOES—None.

Title read and approved.

Bill ordered transmitted to the Assembly.

Assembly Bill No. 905—An act to amend section 1213 of the Penal Code, relating to execution of a judgment other than of death.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Assembly Bill No. 905 passed by the following vote:

AYES—Senators Allen, Baker, Bush, Cassidy, Cleveland, Clock, Crittenden, Deuel, Edwards, Evans, Fellom, Ingels, Maloney, McCormack, Moran, Nelson, Rich, Riley, Rochester, Schottky, Slater, Tubbs, Waggy, and Williams—24.

NOES—None.

Title read and approved.

Bill ordered transmitted to the Assembly.

Assembly Bill No. 273—An act to add section 11a to, and to amend section 33 of, an act entitled "An act to provide for and regulate municipal elections in cities of the fifth and sixth class," approved May 27, 1919, as amended, relating to roster and tally lists.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Assembly Bill No. 273 passed by the following vote:

AYES—Senators Allen, Baker, Bush, Cleveland, Clock, Crittenden, Deuel, Duval, Edwards, Evans, Fellom, Hays, Ingels, Maloney, McCormack, Moran, Nelson, Rich, Riley, Rochester, Schottky, Sharkey, Slater, Tubbs, and Wagy—25.

NOES—None.

Title read and approved.

Bill ordered transmitted to the Assembly.

Assembly Bill No. 1378—An act to amend section 628*e* of the Penal Code, relating to the protection of fish and game.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Assembly Bill No. 1378 passed by the following vote:

AYES—Senators Allen, Baker, Bush, Cassidy, Cleveland, Clock, Crittenden, Edwards, Evans, Fellom, Hays, Ingels, Maloney, McCormack, Nelson, Rich, Riley, Rochester, Schottky, Slater, Tubbs, Wagy, and Williams—23.

NOES—None.

Title read and approved.

Bill ordered transmitted to the Assembly.

Assembly Bill No. 371—An act to amend section 628*b* of the Penal Code, relating to protection of fish.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Assembly Bill No. 371 passed by the following vote:

AYES—Senators Allen, Baker, Bush, Cassidy, Cleveland, Crittenden, Edwards, Evans, Fellom, Harper, Hays, Ingels, Maloney, McCormack, McKinley, Nelson, Rich, Riley, Rochester, Slater, Treacy, Wagy, and Williams—23.

NOES—None.

Title read and approved.

Bill ordered transmitted to the Assembly.

Assembly Bill No. 785—An act to add a new article to chapter 3 of title I to part III of the Political Code, to be numbered article II*a*, embracing sections 360 to 360*i*, both inclusive, relating to a Department of Motor Vehicles and a California Highway Patrol and repealing sections 363*k*, 363*l* and 363*m* of the Political Code, and repealing section 30 of the California Vehicle Act, relating to the California Highway Patrol.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Assembly Bill No. 785 passed by the following vote:

AYES—Senators Allen, Baker, Bush, Carter, Cleveland, Clock, Crittenden, Edwards, Evans, Fellom, Harper, Ingels, Inman, Maloney, McKinley, Moran, Nelson, Rich, Sharkey, Treacy, Tubbs, Wagy, and Williams—23.

NOES—Senator Hays—1.

Title read and approved.

Bill ordered transmitted to the Assembly.

Assembly Bill No. 711—An act to provide for the disposition of the unpaid portion of the salary of a legislator who dies during his term.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Assembly Bill No. 711 passed by the following vote:

AYES—Senators Allen, Baker, Bush, Carter, Clock, Crittenden, Deuel, Duval, Edwards, Evans, Fellom, Harper, Hays, Inman, Maloney, McCormack, McKinley, Nelson, Rich, Schottky, Sharkey, Treacy, Tubbs, Wagy, and Williams—25.

NOES—None.

Title read and approved.

Bill ordered transmitted to the Assembly.

Assembly Bill No. 138—An act to amend section 27 of the State Civil Service Act and to add a new section thereto to be numbered 26a, relating to preference to disabled veterans.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Assembly Bill No. 138 passed by the following vote:

AYES—Senators Allen, Baker, Breed, Bush, Carter, Cassidy, Clock, Crittenden, Deuel, Duval, Edwards, Evans, Harper, Hays, Inman, Maloney, McCormack, McKinley, Moran, Schottky, Sharkey, Slater, Treacy, Tubbs, and Williams—25.

NOES—None.

Title read and approved.

Bill ordered transmitted to the Assembly.

Assembly Bill No. 1120—An act to amend section 2 of an act entitled “An act creating a commission to prepare and submit a report on juvenile delinquency, embodying a plan for the prevention of juvenile delinquency and for the care and training of predelinquent, delinquent, psychopathic and maladjusted children, and providing for the payment of the expenses of the commission,” approved May 6, 1927, and amendment thereto.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Assembly Bill No. 1120 passed by the following vote:

AYES—Senators Allen, Baker, Breed, Carter, Cassidy, Clock, Crittenden, Duval, Edwards, Evans, Harper, Hays, Inman, Jones, Maloney, McCormack, McKinley, Moran, Nelson, Rich, Rochester, Sharkey, Slater, and Williams—24.

NOES—None.

Title read and approved.

Bill ordered transmitted to the Assembly.

Assembly Bill No. 1661—An act to amend section 1 of an act entitled “An act to provide a stenographer and typist for judges of the superior courts and provide for their salaries and the payment thereof.”

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Assembly Bill No. 1661 passed by the following vote:

AYES—Senators Allen, Breed, Carter, Cassidy, Christian, Cleveland, Crittenden, Deuel, Edwards, Harper, Ingels, Inman, Maloney, McCormack, McKinley, Mixer,

Moran, Nelson, Rich, Riley, Rochester, Schottky, Sharkey, Slater, Swing, and Williams—25.

NOES—Senator Hays—1.

Title read and approved.

Bill ordered transmitted to the Assembly.

FURTHER PROCEEDINGS UNDER CALL OF THE SENATE DISPENSED WITH.

At twelve o'clock and ten minutes p.m., further proceedings under the call of the Senate were dispensed with, on motion of Senator Swing.

The Secretary was directed to call the roll.

The roll was called, and Assembly Bill No. 888 refused passage by the following vote:

AYES—Senators Allen, Breed, Carter, Clock, Crittenden, Evans, Fellom, Harper, Maloney, McCormack, Pedrotti, Riley, Sharkey, Swing, Treacy, and Tubbs—16.

NOES—Senators Baker, Bush, Cassidy, Christian, Cleveland, Deuel, Duval, Edwards, Hays, Ingels, Inman, Jones, McKinley, Mixter, Moran, Nelson, Rich, Rochester, Schottky, Slater, Wagy, and Williams—22.

Assembly Bill No. 1744—An act to amend sections 1, 2, 3, 5, 7, 8, 10, 12, 14 and 15 and to repeal section 11 and to add a new section numbered 3a to chapter 140, Statutes of 1929, entitled "An act regulating the business of embalmers and funeral directors and the transportation of and traffic in dead human bodies, creating a State board therefor, providing penalties for violations thereof, and repealing the act entitled 'An act to establish a State Board of Embalmers, defining the duties thereof, providing for the better protection of life and health, preventing the spread of contagious disease, regulating the practice of embalming in connection with the care and disposition of the dead and providing penalties for the violation thereof.' " approved April 16, 1915, as amended, approved April 20, 1929, relating to and regulating the business of funeral directors and embalmers.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Assembly Bill No. 1744 passed by the following vote:

AYES—Senators Allen, Breed, Carter, Cassidy, Christian, Cleveland, Clock, Crittenden, Deuel, Duval, Edwards, Evans, Harper, Hays, Ingels, Inman, Maloney, McCormack, McKinley, Mixter, Moran, Pedrotti, Rich, Riley, Schottky, Sharkey, Slater, Swing, Tubbs, and Williams—30.

NOES—None.

Title read and approved.

Bill ordered transmitted to the Assembly.

Assembly Bill No. 497—An act to amend section 924 of the Political Code, relating to the auditing of accounts of officers.

Bill read third time

The question being on the passage of the bill.

The roll was called, and Assembly Bill No. 497 passed by the following vote:

AYES—Senators Allen, Baker, Breed, Carter, Cassidy, Cleveland, Clock, Crittenden, Deuel, Duval, Edwards, Evans, Harper, Ingels, Inman, Maloney, McCormack, McKinley, Mixter, Moran, Pedrotti, Rich, Riley, Schottky, Sharkey, Slater, Swing, Tubbs, and Williams—29.

NOES—None.

Title read and approved.

Bill ordered transmitted to the Assembly.

Assembly Bill No. 561—An act to amend sections 602 and 627 of the Penal Code, relating to trespass.

Bill read third time.

MOTION TO REFER TO SPECIAL COMMITTEE OF ONE.

During third reading of the bill, Senator Allen moved to refer Assembly Bill No. 561 to Senator Riley, as a Special Committee of One, to amend as follows.

AMENDMENT NUMBER ONE.

On page 3, line 16, of the printed bill, after the period, add the following: "The provisions of this subsection shall not apply to streams which have been or may hereafter be stocked with fish by the State of California, or any department or agency thereof".

AYES AND NOES DEMANDED.

A roll call was demanded by Senators Riley, Allen and McKinley, on Senator Allen's motion to refer Assembly Bill No. 561 to Senator Riley, as a Special Committee of One, for amendment.

The roll was called, and Senator Allen's motion lost by the following vote:

AYES—Senators Allen, Bush, Cassidy, Crittenden, Harper, Hays, Inman, Moran, Nelson, Riley, Slater, Swing, Treacy, and Williams—14.

NOES—Senators Baker, Breed, Carter, Christian, Cleveland, Clock, Deuel, Evans, Ingels, Maloney, McKinley, Mixer, Pedrotti, Rich, Rochester, Schottky, Sharkey, Tubbs, and Wagy—19.

The question being on the passage of the bill.

The roll was called.

CALL OF THE SENATE.

Pending the announcement of the vote, Senator McKinley moved a call of the Senate.

Motion carried.

The Secretary was directed to call the roll.

The roll was called, and the following answered to their names:

Senators Allen, Baker, Breed, Bush, Carter, Cassidy, Christian, Cleveland, Clock, Crittenden, Deuel, Duval, Evans, Harper, Hays, Ingels, Inman, Jones, Maloney, McCormack, McKinley, Mixer, Moran, Nelson, Pedrotti, Rich, Riley, Rochester, Schottky, Sharkey, Slater, Swing, Treacy, Tubbs, Wagy, and Williams—26.

The Secretary announced the absentees.

Time, twelve o'clock and fifteen minutes p.m.

The President directed the Sergeant-at-Arms to close the doors.

The Sergeant-at-Arms, having been furnished with the names of the absentees, was directed to bring them to the bar of the Senate.

MESSAGES FROM THE ASSEMBLY.

The following messages from the Assembly were received and read:

ASSEMBLY CHAMBER, SACRAMENTO, May 15, 1931.

MR. PRESIDENT: I am directed to inform your honorable body that the Assembly on this day respectfully refused to concur in Senate amendments to Assembly Bill No. 397—An act to add two new sections to be numbered 587 and 1515 to the Probate Code, relating to dedication of real property for street or highway purposes by executors, administrators and guardians—and requests that your honorable body recede therefrom.

ARTHUR A. OHNIMUS, Chief Clerk.
By C. W. BOOTH, Assistant Clerk.

The question being: Shall the Senate recede from Senate amendments to Assembly Bill No. 397?

The roll was called and the Senate refused to recede from Senate amendments to Assembly Bill No. 397 by the following vote:

AYES—None.

NOES—Senators Baker, Breen, Bush, Carter, Christian, Cleveland, Clock, Crittenden, Deuel, Duval, Evans, Harper, Hays, Ingels, Inman, Jones, McCormack, McKauley, Mixer, Moran, Nelson, Pedrotti, Rich, Riley, Schottky, Sharkey, Slater, Swing, Wagg, and Williams—30.

COMMITTEE ON FREE CONFERENCE APPOINTED.

The President announced the appointment of Senators Carter, Hays and Allen, as a Committee on Free Conference, to meet with a like committee from the Assembly for the consideration of Senate amendments to Assembly Bill No. 397.

The Secretary was directed to notify the Assembly of the Senate's appointment of Committee on Free Conference.

Also:

ASSEMBLY CHAMBER, SACRAMENTO, May 15, 1931.

MR. PRESIDENT: I am directed to inform your honorable body that the Assembly on this day passed Senate Bill No. 177—An act to add a new section, to be numbered section 11b, to an act entitled "An act regulating private employment agencies, providing for a license for the operation thereof and a fee therefor, providing forms of receipts and registers to be used and kept, prohibiting any charge for registering or filing application for help or employment, prohibiting the dividing of fees, providing for the refunding of fees and expenses in the event of failure to procure employment, and granting the Commissioner of the Bureau of Labor Statistics the power to prescribe rules and regulations to carry out the purpose and intent of this act," approved June 3, 1913, as amended, requiring licensed employment agencies to print or publish the maximum fees which they charge for positions on all their advertising matter, including introduction cards, bulletins, blotters, throw-aways, newspaper and other advertising.

ARTHUR A. OHNIMUS, Chief Clerk.
By A. W. ENGELKE, Assistant Clerk.

Senate Bill No. 177 ordered to enrollment.

Also:

ASSEMBLY CHAMBER, SACRAMENTO, May 15, 1931.

MR. PRESIDENT: I am directed to inform your honorable body that the Assembly on this day passed Senate Bill No. 301—An act to amend section 737ee of the Political Code, relating to salary of superior court judge;

Also: Senate Bill No. 171—An act to add a new section to the Penal Code to be numbered 636b, relating to the protection of fish;

Also: Senate Bill No. 951—An act to provide for reimbursement of persons suffering loss by reason of the acts of tule elk during the closed season;

Also: Senate Bill No. 948—An act amending section 1 of an act entitled "An act to authorize and empower boards of supervisors to levy a tax for advertising, exploiting, promoting and aiding measures designed to preserve, aid or develop the agricultural, horticultural, viticultural and water resources and advantages of their several counties," approved April 17, 1929, relating to investigation of matters affecting the economic welfare of counties and their inhabitants;

Also: Senate Bill No. 836—An act to amend section 2.1220 of the School Code, relating to reports by school superintendents to the Superintendent of Public Instruction and to county boards of supervisors;

Also: Senate Bill No. 839—An act to amend section 2.1427 of the School Code, relating to the duties of the Superintendent of Public Instruction.

ARTHUR A. OHNIMUS, Chief Clerk.
By A. W. ENGELKE, Assistant Clerk.

Senate Bills Nos. 301, 171, 951, 948, 836 and 839 ordered to enrollment.

Also:

ASSEMBLY CHAMBER, SACRAMENTO, May 14, 1931.

MR. PRESIDENT: I am directed to inform your honorable body that the Assembly on this day passed Senate Bill No. 531—An act appropriating money to pay the claim of W. P. Britton against the State of California;

Also: Senate Bill No. 571—An act providing for investigation of and report upon certain matters relating to crime, criminals and penal laws, including particularly the cost of crime to the State, defining the powers and duties of the State

Director of Finance and other public officers in relation thereto, and making an appropriation therefor;

Also: Senate Bill No. 822—An act to make an appropriation to pay the claim of Simon J. Lufin against the State of California;

Also: Senate Bill No. 677—An act making an appropriation to pay the claim of B. F. Schlessinger against the State of California;

Also: Senate Bill No. 913—An act to amend section 737**bb** of the Political Code, relating to the salary of the judge of the superior court in and for the county of Napa.

ARTHUR A. OHNIMUS, Chief Clerk.

By A. W. ENGELKE, Assistant Clerk.

Senate Bills Nos. 531, 571, 822, 677 and 913 ordered to enrollment.

Also:

ASSEMBLY CHAMBER, SACRAMENTO, May 14, 1931.

MR. PRESIDENT: I am directed to inform your honorable body that the Assembly on this day passed Senate Bill No. 124—An act to amend sections 737**g** and 737**c** of the Political Code, relating to the salaries of judges of the superior courts;

Also: Senate Bill No. 285—An act making an appropriation to pay the claim of John H. Holland against the State of California;

Also: Senate Bill No. 738—An act creating a Tax Research Bureau in the office of the State Board of Equalization, under the joint supervision of the Governor, Director of Finance and members of said board, for investigation of matters relating to revenue, taxation and public finance and making an appropriation therefor;

Also: Senate Bill No. 351—An act making an appropriation to pay the claim of Robert W. Blanton against the State of California;

Also: Senate Bill No. 270—An act to amend chapter 808, Statutes of 1927, entitled "American River Flood Control District Act," as amended, by amending section 2 thereof, relating to the objects and purposes of the act and to the powers of the district, and section 17, relating to the levy and collection of assessments, and by adding a new section thereto to be numbered 18**b** making an appropriation in the sum of \$20,000 to defray the expenses of the district and providing that said appropriation shall be returned to the State, and relating to the manner of repayment and containing a provision declaring this act to be an emergency measure, stating the facts constituting such emergency, and providing this act shall take effect immediately upon its passage.

ARTHUR A. OHNIMUS, Chief Clerk.

By A. W. ENGELKE, Assistant Clerk.

Senate Bills Nos. 124, 285, 738, 351 and 270 ordered to enrollment.

Also:

ASSEMBLY CHAMBER, SACRAMENTO, May 14, 1931.

MR. PRESIDENT: I am directed to inform your honorable body that the Assembly on this day passed Senate Bill No. 938—An act making an appropriation from the Contingent Fund of the State Board of Pharmacy to be used by the Regents of the University of California for the use and benefit of the College of Pharmacy of the University of California;

Also: Senate Bill No. 276—An act to add a new article to chapter III of title I of part III of the Political Code, to be numbered article II**n**, embracing sections 377 to 377**n**, inclusive, relating to a Department of Professional and Vocational Standards;

Also: Senate Bill No. 323—An act to amend section 607 of the Penal Code, relating to the destroying or injuring of reclamation or irrigation ditches.

ARTHUR A. OHNIMUS, Chief Clerk.

By FRED J. DESCH, Assistant Clerk.

Senate Bills Nos. 938, 276 and 323 ordered to enrollment.

Also:

ASSEMBLY CHAMBER, SACRAMENTO, May 14, 1931.

MR. PRESIDENT: I am directed to inform your honorable body that the Assembly on this day passed Senate Bill No. 349—An act to repeal section 452 of the School Code and to repeal section 1 of chapter 433, Statutes of 1929, entitled "An act relating to the formation, suspension and support of junior college districts and the powers of governing boards thereof," approved May 23, 1929, and to add a new section to the School Code to be numbered 452, all relating to the State Junior College Fund, and making an appropriation therefor;

Also: Senate Bill No. 433—An act to make an appropriation to pay the claim of W. E. Martin against the State of California;

Also: Senate Bill No. 434—An act making an appropriation to pay the claim of Luis F. Wolter against the State of California;

Also: Senate Bill No. 461—An act to provide for certain investigations relating to conservation of water and to make an appropriation therefor;

Also: Senate Bill No. 484—An act relating to the maintenance of professorships of nursing education at the University of California at Berkeley and Los Angeles, defining the powers and duties of the State Director of Finance in relation thereto, and making an appropriation therefor.

ARTHUR A. OHNIMUS, Chief Clerk.
By A. W. ENGELKE, Assistant Clerk.

Senate Bills Nos. 349, 433, 434, 461 and 484 ordered to enrollment.

Also:

ASSEMBLY CHAMBER, SACRAMENTO, May 14, 1931.

MR. PRESIDENT: I am directed to inform your honorable body that the Assembly on this day passed Senate Bill No. 15—An act to amend sections 737c and 737m of the Political Code, relating to salary of the judge of the superior court in and for the counties of Mono and Inyo;

Also: Senate Bill No. 54—An act to amend section 11 of chapter 247, Statutes of 1913, entitled "An act to provide for the acquisition, installation, construction, reconstruction, extension, repair and maintenance by municipalities of water works, electric power works, gas works, lighting works, and other public works and utilities; for the assessment of the cost and expenses thereof upon the property benefited; and for the issuance of improvement bonds to represent such assessments, and to repeal an act entitled 'An act to provide for the lighting of public streets, lanes, alleys, courts and places in municipalities, and for the assessment of the costs and expenses thereof upon the property benefited thereby,' approved March 21, 1905," approved June 6, 1913, relating to redemption of property sold;

Also: Senate Bill No. 145—An act to amend section 3627a of the Political Code, relating to the taxation of securities and solvent credits;

Also: Senate Bill No. 156—An act to validate the organization and existence of school districts, high school districts and junior college districts of every kind and class.

ARTHUR A. OHNIMUS, Chief Clerk.
By FRED J. DESCH, Assistant Clerk.

Senate Bills Nos. 15, 54, 145 and 156 ordered to enrollment.

Also:

ASSEMBLY CHAMBER, SACRAMENTO, May 14, 1931.

MR. PRESIDENT: I am directed to inform your honorable body that the Assembly on this day passed Senate Bill No. 616—An act to amend section 270 of the Penal Code, relative to omitting to provide child with necessities;

Also: Senate Bill No. 639—An act to amend section 464 of the Penal Code, relating to burglary with acetylene torch, electric arc or explosive;

Also: Senate Bill No. 220—An act to amend section 2 of chapter 767, Statutes of 1927, entitled "An act to regulate the hunting of deer and to provide for the tagging of the carcass of any deer killed, and to provide for the transportation of lawfully killed deer from an open district into a closed district, and to provide revenue therefrom for fish and game preservation, propagation and protection, and providing a penalty for violation," approved May 26, 1927, relating to deer tag licenses;

Also: Senate Bill No. 449—An act to repeal article III, embracing sections 3380 and 3381, of chapter VI of part III of the School Code, relating to agreements of affiliation by junior colleges and junior college departments of high school districts and teachers colleges with the University of California;

Also: Senate Bill No. 441—An act to repeal chapter II, embracing sections 4410 to 4434, both inclusive, of part III of division IV of the School Code, relating to taxes for school districts.

ARTHUR A. OHNIMUS, Chief Clerk.
By FRED J. DESCH, Assistant Clerk.

Senate Bills Nos. 616, 639, 220, 440 and 441 ordered to enrollment.

Also:

ASSEMBLY CHAMBER, SACRAMENTO, May 14, 1931.

MR. PRESIDENT: I am directed to inform your honorable body that the Assembly on this day passed Senate Bill No. 833—An act to amend the title of chapter II of part II of division IV of the School Code; to amend sections 4161, 4170, 4172 and 4173 thereof; to repeal chapters III, IV and V, embracing sections 4180 to 4242, both inclusive, of part II, of division IV of the School Code; to repeal chapter VI, embracing sections 4250 to 4271, both inclusive, of part II of division II of the School Code; to repeal article V, embracing sections 4630 to 4639, both inclusive, of chapter VII of part III of division IV of the School Code; to repeal section 4474 thereof and to add to chapter II of part II of division IV of the School Code four

new articles to be known as article III, article IV, article V and article VI, respectively, embracing sections 4.180 to 4.210, both inclusive; to add a new chapter to part II of division IV of the School Code to be known as chapter III, embracing sections 4.220 to 4.261, both inclusive, and to add a new chapter to part II of division IV of the School Code to be known as chapter IV, embracing sections 4.270 to 4.278, both inclusive; to add two new sections to the School Code to be numbered 5.550 and 5.635; and to repeal chapter 583 of the Statutes of 1929, entitled "An act providing for the certifying to boards of supervisors and county auditors the total cost of educating junior college pupils residing in counties and not in any junior college district, approved May 31, 1929, all relating to county school funds and the use thereof;

Also: Senate Bill No. 85—An act to amend section 2 of chapter 620, Statutes of 1915, entitled "An act authorizing any city, city and county, county, town, municipality or other political subdivision to acquire certain liens or property offered for sale for the nonpayment of certain assessments," approved June 4, 1915, relating to the disposal of such lien or property;

Also: Senate Bill No. 922—An act to amend section 1 of an act entitled "An act to provide for the payment by the State or counties, or school districts, or other special districts, or cities, or cities and counties, of the premium or charge on official bonds when given by surety companies," approved March 25, 1903, as amended.

ARTHUR A. OHNIMUS, Chief Clerk.
By FRED J. DESCH, Assistant Clerk.

Senate Bills Nos. 833, 85 and 922 ordered to enrollment.

Also:

ASSEMBLY CHAMBER, SACRAMENTO, May 15, 1931.

MR. PRESIDENT: I am directed to inform your honorable body that the Assembly on this day passed Senate Bill No. 842—An act to add a new article to chapter VI of part III of division III of the School Code to be known as article VII, embracing sections 3.415 and 3.416, relating to the attendance of students upon junior colleges;

Also: Senate Bill No. 949—An act to amend section 37 of an act entitled "An act providing for the incorporation of public utility districts in unincorporated territory, authorizing such districts to incur bonded indebtedness for the purpose of the construction of works and the acquisition of property, and to levy and collect taxes to pay the principal and interest on bonds and for carrying on their operations, and providing for the powers, management and government of such districts, and imposing certain duties and functions in connection with such districts upon certain county officers," approved May 31, 1921, relating to books of account of public utility districts;

Also: Senate Bill No. 903—An act to add a new section to the Civil Code to be known as section 453g, relative to the registration of life insurance policies issued by assessment companies;

Also: Senate Bill No. 901—An act to amend section 45j of the California Vehicle Act, relating to chattel mortgages on motor vehicles or any other vehicle defined by said act, providing for the filing of a certified copy thereof with the Division of Motor Vehicles, registration of the holder as legal owner and the same being constructive notice of said mortgage and contents, excepting chattel mortgages from the provisions of sections 2957, 2959 and 2965 of the Civil Code.

ARTHUR A. OHNIMUS, Chief Clerk.
By A. W. ENGELKE, Assistant Clerk.

Senate Bills Nos. 842, 949, 903 and 901 ordered to enrollment.

Also:

ASSEMBLY CHAMBER, SACRAMENTO, May 15, 1931.

MR. PRESIDENT: I am directed to inform your honorable body that the Assembly on this day passed Senate Bill No. 428—An act to amend section 2207i of the Political Code, relating to the Industrial Home for the Adult Blind;

Also: Senate Bill No. 693—An act to add a new section to the Code of Civil Procedure, to be numbered 66b, relating to the number of judges of the superior court in the county of Merced;

Also: Senate Bill No. 694—An act making an appropriation to pay the claim of Fanny Lem against the State of California;

Also: Senate Bill No. 695—An act making an appropriation to pay the claim of Grace Takata against the State of California;

Also: Senate Bill No. 696—An act making an appropriation to pay the claim of Shizue Morey against the State of California.

ARTHUR A. OHNIMUS, Chief Clerk.
By A. W. ENGELKE, Assistant Clerk.

Senate Bills Nos. 428, 693, 694, 695 and 696 ordered to enrollment.

Also:

ASSEMBLY CHAMBER, SACRAMENTO, May 15, 1931.

MR. PRESIDENT: I am directed to inform your honorable body that the Assembly on this day passed Senate Bill No. 614—An act to amend section 680 of the Penal Code, providing that no person can be convicted of a public offense but upon verdict or judgment:

Also: Senate Bill No. 107—An act providing for the erection and maintenance of a monument to the memory of Chief Solano, to be erected in Solano County, and making an appropriation therefor;

Also: Senate Bill No. 427—An act making an appropriation for the support of the forty-second district agricultural association;

Also: Senate Bill No. 41—An act making an appropriation to pay the claim of Joseph E. Painter against the State of California;

Also: Senate Bill No. 163—An act to amend section 737j and section 737hh of the Political Code, fixing the salaries of judges of the superior courts of San Bernardino and Sacramento counties.

ARTHUR A. OHNIMUS, Chief Clerk.
By A. W. ENGELKE, Assistant Clerk.

Senate Bills Nos. 614, 107, 427, 41 and 163 ordered to enrollment.

Also:

ASSEMBLY CHAMBER, SACRAMENTO, May 15, 1931.

MR. PRESIDENT: I am directed to inform your honorable body that the Assembly on this day passed Senate Bill No. 191—An act creating the California District Securities Commission, providing for its appointment, and defining its duties and powers, relating to bonds of irrigation districts, providing under what circumstances such bonds shall be legal investments for funds of banks, insurance companies and trust companies, trust funds, State school funds and any money or funds which may now or hereafter be invested in bonds of cities, cities and counties, counties, school districts or municipalities, and providing under what circumstances the use of bonds of irrigation districts as security for the performance of any act may be authorized, providing that certain districts may be declared insolvent, and providing for the administration of insolvent districts, making an appropriation to carry out the purposes of the act, and repealing an act entitled "An act relating to bonds of irrigation districts, providing under what circumstances such bonds shall be legal investments for funds of banks, insurance companies and trust companies, trust funds, State school funds and any money or funds which may now or hereafter be invested in bonds of cities, cities and counties, counties, school districts or municipalities, and providing under what circumstances the use of bonds of irrigation districts as security for the performance of any act may be authorized," approved June 13, 1913, and as amended:

Also: Senate Bill No. 259—An act to amend the title and sections 2, 3, 4, and 6 of an act entitled "An act creating a commission to codify, consolidate, revise or compile the Statutes of California and to report thereon to the Legislature at the forty-ninth session thereof," approved June 10, 1929, further defining the powers and duties of the California Code Commission and making an appropriation therefor;

Also: Senate Bill No. 396—An act to repeal chapter 17, Statutes of 1929, entitled "An act making an appropriation to meet the deficiency in the appropriation for contingent expenses of the Senate of the seventy-ninth and eightieth fiscal years."

ARTHUR A. OHNIMUS, Chief Clerk.
By A. W. ENGELKE, Assistant Clerk.

Senate Bills Nos. 191, 259 and 396 ordered to enrollment.

REPORT OF COMMITTEE ON FREE CONFERENCE.

The following report of Committee on Free Conference was received and read:

SENATE CHAMBER, SACRAMENTO, May 15, 1931.

MR. PRESIDENT: Your Committee on Free Conference concerning Senate Bill No. 548—An act to amend chapter 266, Statutes of 1923, entitled the "California Vehicle Act," approved May 30, 1923, as amended, by amending the title thereof, by repealing section 20, and by amending sections 7, 7½, 8½, 21, 29, 35, 36, 41, 43, 47, 64, 72, 77, 82, 83½, 85, 87, 89, 90, 91, 94, 95, 96, 100, 110, 111, 113, 115, 116, 118, 119, 122, 123, 124, 125, 126, 131, 135, 136, 138, 139, 142, 145, 146, 151, 159½, and by adding thereto new sections numbered 7½, 45½, 47½, 57½, 62½, 73½, 64½, 93½, 111½, 113½, 114½, 131½, 135½, 136½, 139½, 139½, 145½, 145½, relating to the regulation of traffic on streets and highways and to the use and operation of vehicles and the registration and identification of vehicles and the licensing of operators and chauffeurs, the service of civil process on nonresidents, the reporting of accidents and damage to vehicles, and to the powers and duties of the California Highway Patrol and to the

erection of signs, signals or lights upon or adjacent to highways and to the enforcement of this act—reports that it has met a like committee of the Assembly, consisting of Assemblymen Hornblower, Feeley and Miller, James A., and reports that the Committee on Free Conference has agreed to recommend the following: That the Senate concur in the Assembly amendments, and that the bill be further amended as follows:

AMENDMENT NUMBER ONE.

In line 5 of the title of the printed bill, as amended in the Assembly May 13, 1931, strike out the figures "77", and "82".

AMENDMENT NUMBER TWO.

On page 12 of said printed bill, strike out all of lines 37 to 49, both inclusive, and strike out all of page 12, and on page 14 strike out all of lines 1 to 47, both inclusive.

AMENDMENT NUMBER THREE.

On page 14 of said printed bill, strike out all of lines 48 to 52, both inclusive, and on page 15 strike out all of lines 1 to 20, both inclusive.

AMENDMENT NUMBER FOUR.

On page 38 of said printed bill, after line 24, insert the following:

"Sec. 62. Section 159½ of said act is hereby amended to read as follows:

Sec. 159½. Ten per cent of the motor vehicle fund, in addition to any other funds appropriated for the support of the division of motor vehicles is hereby appropriated for the maintenance of the division of motor vehicles to be expended by the division in carrying out the provisions of this act."

AMENDMENT NUMBER FIVE.

On page 38, line 33, of said printed bill, strike out the numeral "62", and insert in lieu thereof the numeral "63".

AMENDMENT NUMBER SIX.

On page 4, line 13, of said printed bill, after the word "act", strike out the period, and insert the following: "and of any and all other acts respecting the use or operation of vehicles upon public highways."

BREED,
EDWARDS,
NELSON.

HORNBLOWER,
FEELEY,
MILLER, JAMES A.,

Senate Committee on Free Conference.

Assembly Committee on Free Conference.

The question being on the adoption of the report of Committee on Free Conference and amendments.

The roll was called, and the report of Committee on Free Conference and amendments adopted by the following vote:

AYES—Senators Allen, Baker, Breed, Bush, Carter, Cassidy, Christian, Cleveland, Clock, Crittenden, Deuel, Edwards, Evans, Harper, Hays, Jones, Maloney, McCormack, McKinley, Mixer, Nelson, Pedrotti, Rich, Riley, Schottky, Sharkey, Slater, Swing, Tubbs, Waggy, and Williams—31.

NOES—None.

MESSAGES FROM THE ASSEMBLY.

The following messages from the Assembly were received and read:

ASSEMBLY CHAMBER, SACRAMENTO, May 15, 1931.

MR. PRESIDENT: I am directed to inform your honorable body that the Assembly on this day appointed as a Committee on Free Conference on Assembly Bill No. 1093—An act amending section 103 of the Code of Civil Procedure, relating to justices' courts in townships and cities—the following Assemblymen: Hoffman, Roland and Fisher, Charles W., to meet with a like committee from your honorable body.

ARTHUR A. OHNIMUS, Chief Clerk.
By C. W. BOOTH, Assistant Clerk.

Also:

ASSEMBLY CHAMBER, SACRAMENTO, May 15, 1931.

MR. PRESIDENT: I am directed to inform your honorable body that the Assembly on this day appointed as a Committee on Free Conference on Assembly Bill No. 1092—An act to amend section 103c of the Code of Civil Procedure, providing for

justice's clerks and deputy clerks—the following Assemblymen: Hoffman, Roland and Fisher, Charles W., to meet with a like committee from your honorable body.

ARTHUR A. OHNIMUS, Chief Clerk.
By C. W. BOOTH, Assistant Clerk.

Also:

ASSEMBLY CHAMBER, SACRAMENTO, May 15, 1931.

MR. PRESIDENT: I am directed to inform your honorable body that the Assembly on this day appointed as a Committee on Free Conference on Assembly Bill No. 278—An act to amend section 103 of the Code of Civil Procedure, relating to justices of the peace, justices' courts and to salaries of certain justices of the peace—the following Assemblymen: Hoffman, Roland and Fisher, Charles W., to meet with a like committee from your honorable body.

ARTHUR A. OHNIMUS, Chief Clerk.
By C. W. BOOTH, Assistant Clerk.

Also:

ASSEMBLY CHAMBER, SACRAMENTO, May 15, 1931.

MR. PRESIDENT: I am directed to inform your honorable body that the Assembly on this day appointed as a Committee on Free Conference on Assembly Bill No. 1091—An act to amend section 4014 of the Political Code, relating to township officers—the following Assemblymen: Hoffman, Roland and Fisher, Charles W., to meet with a like committee from your honorable body.

ARTHUR A. OHNIMUS, Chief Clerk.
By C. W. BOOTH, Assistant Clerk.

Also:

ASSEMBLY CHAMBER, SACRAMENTO, May 14, 1931.

MR. PRESIDENT: I am directed to inform your honorable body that the Assembly on this day concurred in Senate amendments to Assembly Bill No. 990—An act to amend section 4264 and to repeal section 4264a of the Political Code, relating to the salaries and fees of county and township officers in counties of the thirty-fifth class.

ARTHUR A. OHNIMUS, Chief Clerk.
By FRED J. DESCH, Assistant Clerk.

REPORTS OF COMMITTEES ON FREE CONFERENCE.

The following reports of Committees on Free Conference were received and read:

SENATE CHAMBER, SACRAMENTO, May 15, 1931.

MR. PRESIDENT: Your Committee on Free Conference concerning Senate Bill No. S95—An act authorizing the Governor of the State of California to select and engage the services of an educational research foundation or other organization engaged or organized to engage in the work of making critical surveys in the field of education to make a survey of the present system, plan of organization, and conduct of public education of higher than high school grade in the State of California and to report in writing the results of its survey with its recommendations, providing for the compensation of such foundation or other organization, making an appropriation therefor and for the payment of expenses incidental to carrying out the provisions of this act, and authorizing the Governor to accept gifts of money, property or services in furtherance of the work to be carried out as in this act provided—reports that it has met a like committee of the Assembly, consisting of Assemblymen Williamson, Craig and Roland, and reports that the Committee on Free Conference has agreed to recommend the following: That the Senate concur in Assembly amendment No. 1, and that the Assembly recede from Assembly amendment No. 2.

SLATER,
WAGY,
BUSII.

Senate Committee on Free Conference.

ROLAND,
CRAIG,
WILLIAMSON.

Assembly Committee on Free Conference.

The question being on the adoption of the report of Committee on Free Conference, and amendments.

The roll was called, and the report of Committee on Free Conference and amendments adopted by the following vote:

AYES—Senators Allen, Baker, Breed, Bush, Carter, Cassidy, Christian, Clock, Crittenden, Duval, Evans, Harper, Hays, Jones, Maloney, McCormack, Mixter,

Moran, Rich, Riley, Schottky, Sharkey, Slater, Swing, Treacy, Tubbs, Wagy, and Williams—28.

NOES—None.

SENATE CHAMBER, SACRAMENTO, May 15, 1931.

MR. PRESIDENT: Your Committee on Free Conference concerning Assembly Bill No. 1092—An act to amend section 103c of the Code of Civil Procedure, providing for justice's clerks and deputy clerks—reports that it has met a like committee of the Assembly, consisting of Assemblymen Hoffman, Roland, and Fisher, Charles W., and reports that the Committee on Free Conference has agreed to recommend the following: That the Assembly concur in the Senate amendments, and that the bill be further amended as follows:

AMENDMENT NUMBER ONE.

On page 3, line 27, of the printed bill, after the words "hereby fixed at", strike out the words "two thousand one hundred", and insert in lieu thereof the words "one thousand eight hundred".

MCCORMACK,
BREED,
CHRISTIAN,

Senate Committee on Free Conference.

HOFFMAN,
FISHER, CHARLES W.,
ROLAND,

Assembly Committee on Free Conference.

The question being on the adoption of the report of the Committee on Free Conference and the amendment.

The roll was called, and the report of the Committee on Free Conference and the amendment adopted by the following vote:

AYES—Senators Baker, Breed, Bush, Carter, Cassidy, Cleveland, Clock, Crittenden, Deuel, Edwards, Evans, Harper, Hays, Ingels, Jones, Maloney, McCormack, Mixer, Moran, Nelson, Rich, Rochester, Sharkey, Slater, Swing, Wagy, and Williams—27.

NOES—None.

SENATE CHAMBER, SACRAMENTO, May 15, 1931.

MR. PRESIDENT: Your Committee on Free Conference concerning Assembly Bill No. 1093—An act amending section 103 of the Code of Civil Procedure, relating to justices' courts in townships and cities—reports that it has met a like committee of the Assembly, consisting of Assemblymen Hoffman, Roland and Fisher, Charles W., and reports that the Committee on Free Conference has agreed to recommend the following: That the Assembly concur in the Senate amendments, and that the bill be further amended as follows:

AMENDMENT NUMBER ONE.

On page 3, line 9, of the printed bill, preceding the word "shall", strike out the comma, and insert in lieu thereof a semicolon, followed by the words "*provided, however,* that no justice of the peace receiving a salary of six thousand dollars, or more."

AMENDMENT NUMBER TWO.

On page 3, line 2, of the printed bill, following the end of the line, insert the following: "six hundred".

AMENDMENT NUMBER THREE.

On page 4, line 20, of the printed bill, following the word "thousand", insert the words "six hundred".

AMENDMENT NUMBER FOUR.

On page 4, line 31, of the printed bill, following the word "thousand", insert the words "six hundred".

MCCORMACK,
BREED,
CHRISTIAN,

Senate Committee on Free Conference.

HOFFMAN,
FISHER, CHARLES W.,
ROLAND,

Assembly Committee on Free Conference.

The question being on the adoption of the report of Committee on Free Conference and amendments.

The roll was called, and the report of Committee on Free Conference and amendments adopted by the following vote:

AYES—Senators Allen, Baker, Breed, Carter, Christian, Cleveland, Clock, Crittenden, Duval, Evans, Harper, Hays, Madoney, McCormack, McKinley, Mixter, Moran, Pedrotti, Rich, Rochester, Schottky, Sharkey, Slater, Swing, Tubbs, Wagy, and Williams—27.

NOES—None.

SENATE CHAMBER, SACRAMENTO, MAY 15, 1931.

MR. PRESIDENT: Your Committee on Free Conference concerning Assembly Bill No. 653—An act to amend sections 5 and 11 of an act entitled "An act to provide for the formation of districts within municipalities for the acquisition or construction of public improvements, works and public utilities; for the issuance, sale and payment of bonds of such districts to meet the cost of such improvements, and for the acquisition or construction of such improvements," approved April 20, 1915, as amended, relating to the amount of bonds that may be issued by such district, and the disposition of a surplus if one remains after the completion of the municipal improvement for which bonds were voted—reports that it has met a like committee of the Assembly, consisting of Assemblymen Lyons, Sewell and Bonelli, and reports that the Committee on Free Conference has agreed to recommend the following: That the Assembly concur in the Senate amendments, and that the bill be further amended as follows:

AMENDMENT NUMBER ONE.

Strike out lines 1 and 2 of the title of the printed bill, and insert in lieu thereof the following:

"An act to amend sections 5 and 11 of an act entitled "An act to provide for the for-".

ROCHESTER,
CLOCK,
PEDROTTI.

Senate Committee on Free Conference.

LYONS,
SLAVELL,
BONELLI.

Assembly Committee on Free Conference.

The question being on the adoption of the report of Committee on Free Conference and amendments.

The roll was called, and the report and amendments adopted by the following vote:

AYES—Senators Allen, Baker, Breed, Carter, Cassidy, Christian, Cleveland, Clock, Crittenden, Duval, Edwards, Evans, Harper, Hays, Ingels, Jones, McCormack, McKinley, Mixter, Moran, Pedrotti, Rich, Riley, Rochester, Schottky, Sharkey, Slater, Swing, Tubbs, Wagy, and Williams—32.

NOES—None.

COMMUNICATION.

The following communication was received and ordered printed in the Journal:

By Senator Swing:

STATE OF CALIFORNIA, DEPARTMENT OF FINANCE,
SACRAMENTO, MAY 15, 1931.

Hon. Ralph L. Swing, Chairman,

Finance Committee of the Senate,
Sacramento, California.

MY DEAR SENATOR SWING: I am transmitting to you herewith copy of a letter of today's date received from His Excellency, Governor Rolph, in which he suggests that since this is the closing day of the State Legislature, I should advise the Legislature concerning the expressions of the State Treasurer, made in public, with regard to the financial condition of the State of California. Accordingly, I am attaching a copy of my reply to the Governor, setting forth briefly an analysis of the above referred to statement, and my estimate of the actual condition of the State's finances.

Trusting that this may be useful to you in your closing deliberations affecting the finances of the State of California, and for your consideration during the interim between this and the succeeding session of the Legislature, I am

Very sincerely yours,

ROLLAND A. VANDEGRIFT,
Director of Finance.

[Copy]

STATE OF CALIFORNIA, GOVERNOR'S OFFICE.

SACRAMENTO, May 15, 1931.

*Hon. Rolland A. Vandegrieff,**Director of Finance,**State Capitol, Sacramento, California.*

DEAR MR. VANDEGRIEFF: My attention has been called to an article appearing in the morning press regarding State finances, and I transmit the article to you for reply to me.

I attach clipping from the Sacramento Union, dated Vallejo, May 14th, under the caption "Johnson Sees \$10,000,000 State Deficit."

[Sacramento Union]

Johnson Sees \$10,000,000 State Deficit.

VALLEJO, May 14—(AP).

Charles G. Johnson, State Treasurer, predicted here today there would be a deficit of between \$5,000,000 and \$10,000,000 in State finances at the end of the fiscal year. He spoke before a luncheon club.

"Our State government is now in the hands of inexperienced men," Johnson said. "Of course, we must be patient."

State government this year, Johnson said, will cost \$11,000,000 more than last year. He called the present Legislature the "most disorganized" the State has ever known.

"When it adjourns it will have accomplished less than any of the Legislatures in my 20 years of experience at the Capitol," the Treasurer asserted.

Today is the closing day of the State Legislature and I think they should be advised by you of the comments of the State Treasurer expressed to the public, in order that if any further financial consideration is needed by the State Legislature to the State's finances it should be acted upon today.

Will you please give this matter your immediate attention?

Very sincerely yours,

JAMES ROLPH, JR.,

Governor of California.

[Copy]

May 15, 1931.

*Hon. James Rolph, Jr.,**Governor of the State of California,**Sacramento, California.*

MY DEAR GOVERNOR: In reply to your letter of May 15th regarding the statement attributed to Treasurer Charles G. Johnson that the State will have a deficit of between five and ten million dollars at the end of the fiscal year, I wish to transmit to you the following information:

Either the Treasurer has been misquoted or he demonstrates a complete lack of information concerning the financial condition of the State of California. This fiscal year will end June 30, 1931. At that date we have conservatively estimated that there will be more than \$30,000,000 surplus in the treasury. The estimate of the Department of Finance is concurred in by the State Controller. This means that the Department of Finance, which has as one function the estimating of revenues of the State, and also, through the Division of Budgets and Accounts, functions the budget and checks expenditures, as well as the Controller, who, in turn, under the law, is responsible for seeing that the expenditures are made according to appropriations, both agree that this large surplus will be present.

It is inconceivable that the Treasurer, who has no access to detailed information other than that of his office, could safely make such a statement, unless we might presume there is an error in quoting him, and that in place of the fiscal year he meant to say at the end of the next biennium. Such may be the case, for the present fiscal year referred to in the newspaper item is covered by the budget prepared by the prior administration, and the responsibility for it rests on that administration. Should there be a deficit, which is utterly impossible, the responsibility would not rest on your administration.

Moreover, further along in the item, the Treasurer is quoted as saying, "Our State government is now in the hands of inexperienced men." This would infer that he refers to the present administration, although it is difficult to say how it can refer to Your Excellency, with your long public administrative service, as being inexperienced, or for that matter, many other administrators serving at the present time.

Presuming, however, that reference is made to the coming biennium rather than to the present fiscal year, the following facts clearly demonstrate that the statement that a deficit of between five and ten million dollars will result is far-fetched, to state it mildly.

The general fund surplus, as of June 30, 1931, before enactment of any appropriations by the present Legislature, was conservatively estimated at more than \$30,000,000. The Budget bill, as passed by the Legislature, reduced this surplus to approximately \$21,250,000. Special appropriation bills and deficiency bills already passed and signed by you total \$1,250,000. This reduced the general fund surplus to \$20,000,000. In addition, there are special appropriation bills, which have passed at least one house, now before the Legislature, totaling approximately \$6,000,000. If all of these bills are enacted into law, the general fund surplus (estimated as of June 30, 1933) will be approximately \$14,000,000. It is obvious from these figures that the State is not facing a deficit for the ensuing biennium. Should the present business depression be more severe and of greater duration than was estimated in the Budget, the effect upon revenues at the utmost could not produce a further reduction in the surplus of more than \$5,000,000. The best information at the present time indicates an early improvement in business conditions. The statement that the State is faced with a deficit of \$10,000,000 is utterly without foundation.

As Director of Finance, I would be remiss if I did not point out to you, at this time, that the special appropriation bills which have passed both houses or are awaiting final passage, are in excess of \$6,000,000, and if all of these bills become law, it will reduce the estimated general fund surplus, as of June 30, 1933, at least \$1,500,000 below the \$15,000,000 which I consider the minimum amount which must be maintained as a surplus to adequately carry on the business of the State of California. In this time of financial depression, it is even more essential that we should make sure that at least \$15,000,000 is maintained as a continuous surplus. It is apparent, therefore, that all of these special appropriation bills can not be approved.

In your Budget recommendations to the Legislature, you provided for a reduction of the general fund surplus of approximately \$9,000,000. This largely carried out your promise, made to the people, that you would reduce the general fund surplus to carry on the ordinary functions of government, in this period when revenues are decreasing; you likewise, in your inaugural address, promised the people a reduction in the per capita cost of government. You will not be able to reduce the cost of State government, nor preserve the safety of the finances of the State, unless appropriation bills in sufficient amount are disapproved so as to maintain the general fund surplus at not less than \$15,000,000.

It should be further pointed out that the Budget submitted by you called for an increase of only \$10,186,121.10 over expenditures for the prior biennium, which is 3.9 per cent increase as compared with an average increase of 21 per cent in expenditures for previous bienniums during the effective date of the executive Budget. This Budget cut into the surplus only \$9,000,000 and would have left approximately \$21,250,000 in the surplus at the end of the biennium. Therefore, if the surplus is entirely wiped out and a deficit does result, the responsibility lies largely with the Legislature.

The Treasurer is quoted as paying his compliments to this Legislature by calling it the most disorganized the State has ever known, and further states that when it adjourns it will have accomplished less than any of the Legislatures in the last 20 years.

As Director of Finance, I would like to state to you that I believe all agree that the Finance Committees of this Legislature gave more consideration to the Budget and to appropriation bills than any Legislature since the adoption of the executive Budget. The members are well aware of the fact that we are having a financial depression, but this Legislature appears to be more willing to place its trust and its faith in the Department of Finance and the State Controller, who have access to the general records of the State and direct information affecting its finances, than in the less comprehensive information available to the State Treasurer.

The State Treasurer is responsible, on the revenue side, for so loaning the funds of the State of California that the largest interest earning will be available to help prevent any falling off in the general fund surplus. It is expected that he will do his part in seeing that the largest revenue is secured from this source. There is no doubt that the other responsible departments of the administration will do their utmost to secure all of the legitimate revenue it is possible to secure, and likewise to economize to the fullest extent to see that expenditures are held to the minimum and that the taxpayers secure the largest possible return for the money expended.

The present Budget, with the smallest percentage of increase in years, makes possible the arresting of the upward curve of per capita cost of the State government in California, for the first time since the World War. This, in itself, should be sufficient manifestation that this administration is well aware of the economic depression and the necessity to economize and has met it squarely.

Respectfully yours,

ROLLAND A. VANDEGRIFT,
Director of Finance.

MESSAGE FROM THE ASSEMBLY.

The following message from the Assembly was received and read:

ASSEMBLY CHAMBER, SACRAMENTO, May 15, 1931.

MR. PRESIDENT: I am directed to inform your honorable body that the Assembly amended, and on this day passed as amended, Senate Bill No. 235—An act to amend section 6260 of the Penal Code, relating to the protection of fish and game—and respectfully requests your honorable body to concur in said amendments.

ARTHUR A. OHNIMUS, Chief Clerk.
By FRED J. DESCH, Assistant Clerk.

CONSIDERATION OF ASSEMBLY AMENDMENTS.

The Senate took up for consideration Assembly amendments to Senate Bill No. 235—An act to amend section 6260 of the Penal Code, relating to the protection of fish and game.

ASSEMBLY AMENDMENTS TO SENATE BILL NUMBER TWO HUNDRED THIRTY-FIVE.

AMENDMENT NUMBER ONE.

On page 1, line 7, of the printed bill, between "6260", and "Every", insert the following: "1."

AMENDMENT NUMBER TWO.

On page 1, line 8, of the printed bill, after "at", insert the following: "or harpoons".

The question being: Shall the Senate concur in Assembly amendments to Senate Bill No. 235?

The roll was called, and the Senate refused to concur in Assembly amendments to Senate Bill No. 235 by the following vote:

AYES--None.

NOES--Senators Allen, Baker, Breed, Bush, Carter, Cassidy, Christian, Cleveland, Clock, Crittenden, Deuel, Duval, Edwards, Evans, Harper, Hays, Ingels, Jones, Maloney, McCormack, McKinley, Mixer, Moran, Pedrotti, Rich, Riley, Sharkey, Slater, Swing, Tubbs, and Waggy--31.

MESSAGE FROM THE ASSEMBLY

The following message from the Assembly was received and read:

ASSEMBLY CHAMBER, SACRAMENTO, May 15, 1931.

MR. PRESIDENT: I am directed to inform your honorable body that the Assembly on this day passed, as a case of urgency, and under the provisions of Assembly Rule 43, Assembly Bill No. 1959—An act to add sections 718c and 718d to the Civil Code, relating to leasing of municipal property.

ARTHUR A. OHNIMUS, Chief Clerk.
By A. W. ENGELKE, Assistant Clerk.

CONSIDERATION OF ASSEMBLY BILL NUMBER ONE THOUSAND NINE HUNDRED FIFTY-NINE.

Senator Harper asked for, and was granted, unanimous consent for the consideration of Assembly Bill No. 1959, without reference to committee.

Assembly Bill No. 1959—An act to add sections 718c, 718d and 718e to the Civil Code, relating to leasing of municipal property.

Bill read first time, without reference to committee.

RESOLUTION.

The following resolution was offered:

By Senator Harper:

Resolved, That Assembly Bill No. 1959 presents a case of urgency, as that term is used in section 15 of article IV of the constitution, and the provision of that section requiring that the bill shall be read on three several days in each house is

herely dispensed with, and it is ordered that said bill be read the first, second, and third times, and placed upon its passage.

Resolution read.

The question being on the adoption of the resolution.

The roll was called, and the resolution adopted by the following vote:

AYES—Senators Allen, Baker, Breed, Bush, Carter, Cassidy, Christian, Cleveland, Crittenden, Deuel, Dwyer, Edwards, Evans, Harper, Hays, Ingels, Inman, Jones, Maloney, McCormack, Minter, Peddotti, Rich, Riley, Rochester, Schottky, Sharkey, Slater, Swing, Tubbs, Wagye, and Williams—52

NOES—Senators McKinley, and Moran—2.

Whereupon, the President declared the provisions of section 15 of article IV of the constitution suspended for the purpose of considering, at this time, Assembly Bill No. 1959.

SECOND READING OF ASSEMBLY BILL NUMBER ONE THOUSAND

NINE HUNDRED FIFTY-NINE.

Assembly Bill No. 1959—An act to add sections 718c, 718d and 718e to the Civil Code, relating to leasing of municipal property.

Bill read second time, and ordered on file for third reading.

Bill read third time.

MOTION TO REFER TO SPECIAL COMMITTEE OF ONE.

During third reading of the bill, Senator Edwards moved to refer Assembly Bill No. 1959 to Senator Harper, as a Special Committee of One, to amend as follows:

AMENDMENT NUMBER ONE.

In line 1 of the title of the printed bill, strike out the word "and", and insert in lieu thereof a comma.

AMENDMENT NUMBER TWO.

In line 1 of the title of the printed bill, after "718d", insert the following: "and 718c".

AMENDMENT NUMBER THREE.

In the last line of the printed bill, after the period following the word "located", insert a new paragraph reading as follows:

"SEC. 3. A new section to be numbered 718e is hereby added to the Civil Code to read as follows:

718e. Uplands abutting on tidelands granted to a municipal corporation by the state may be leased with such tidelands for the same time and under the same conditions. Whenever in the judgment of the governing body of a municipal corporation to which has been granted tidelands by the State of California the use of such tidelands and uplands abutting thereon for industrial uses shall be inimical to the best interest of such city, said governing body may lease such lands for park, recreational, residential or educational purposes, under such conditions as are not inconsistent with the trust imposed upon the tidelands by the constitution of the State of California."

Motion carried.

REPORT OF SPECIAL COMMITTEE OF ONE.

SENATE CHAMBER, SACRAMENTO, May 15, 1931.

MR. PRESIDENT: Your Special Committee of One, to which was referred Assembly Bill No. 1959, with instructions to amend, respectfully reports the same back, amended as per instructions.

HARPER, Committee.

Report read, and on motion of Senator Edwards adopted.

Bill ordered to print.

Assembly Bill No. 542 --An act to amend section 2924 of the Civil Code, relating to making certain transfers a mortgage and defining the manner in which a power of sale contained in a mortgage or deed of

trust may be exercised, and to add a new section thereto to be numbered 2924*b*, relating to sales under mortgages, deeds of trust and other transfers of interest in property.

Bill read third time.

MOTION TO REFER TO SPECIAL COMMITTEE OF ONE.

During third reading of the bill, Senator Nelson moved to refer Assembly Bill No. 542 to Senator Breed, as a Special Committee of One, to amend as follows:

AMENDMENT NUMBER ONE.

On page 2, line 44, of the printed bill, after the word "property", add a comma and the words "or any part thereof".

AMENDMENT NUMBER TWO.

On page 2, line 52, of the printed bill, after the word "thereof", insert the following: "subordinate or subsequent to the lien created in or by said mortgage or transfer in trust".

Motion carried.

REPORT OF SPECIAL COMMITTEE OF ONE.

SENATE CHAMBER, SACRAMENTO, May 15, 1931.

MR. PRESIDENT: Your Special Committee of One, to which was referred Assembly Bill No. 542, with instructions to amend, respectfully reports the same back, amended as per instructions.

BREED, Committee.

Report read, and on motion of Senator Nelson adopted.

Bill ordered to print.

REPORT OF COMMITTEE ON FREE CONFERENCE.

The following report of Committee on Free Conference was received and read:

SENATE CHAMBER, SACRAMENTO, May 15, 1931.

MR. PRESIDENT: Your Committee on Free Conference concerning Senate Bill No. 847—An act to repeal chapter II, embracing sections 4.760 to 4.864, both inclusive, of part IV of division IV of the School Code and to add thereto a new chapter to be known as chapter II, embracing sections 4.760 to 4.833, both inclusive, relating to the apportionment of State and county elementary school funds—reports that it has met a like committee of the Assembly, consisting of Assemblymen Wright, Crist and Jespersen, and reports that the Committee on Free Conference has agreed to recommend the following: That the Senate concur in the Assembly amendments, and that the bill be further amended as follows:

AMENDMENT NUMBER ONE.

On page 2, line 33, of the printed bill, as amended in Assembly May 13, 1931, beginning in said line 3, strike out the comma and the following: "union or joint union elementary school district".

AMENDMENT NUMBER TWO.

On page 2, line 39, of the printed bill, as amended in Assembly May 13, 1931, following said line 39, insert the following:

"4.773. One teacher unit shall be allowed to the county elementary school supervision fund of each county for each three hundred or major fraction of three hundred units of average daily attendance in the aggregate in all of the elementary school districts of the county having less than three hundred units therein during the preceding school year."

BUSH,
SLATER,
JONES,

Senate Committee on Free Conference.

CRIST,
JESPERSEN,
WRIGHT,

Assembly Committee on Free Conference.

The question being on the adoption of the report of Committee on Free Conference and the amendments.

The roll was called, and the report of Committee on Free Conference and the amendments adopted by the following vote:

AYES. Senators Allen, Baker, Breed, Bush, Carter, Cassidy, Christian, Clock, Crittenden, Deuel, Edwards, Evans, Harper, Hays, Ingels, Inman, Maloney, McCormack, Minter, Moran, Nelson, Pedrotti, Rich, Riley, Rochester, Schottky, Sharkey, Slater, Swing, Treacy, Tubbs, Wagy, and Williams—33.

NOES. None.

REPORTS OF STANDING COMMITTEES—(RESUMED).

The following report of standing committee was received and read:

ON FEDERAL RELATIONS.

SENATE CHAMBER, SACRAMENTO, May 15, 1931.

MR. PRESIDENT: Your Committee on Federal Relations, to which was referred Assembly Joint Resolution No. 24—Relative to acceptance of Greek flag presented to the State of California—has had the same under consideration, and respectfully reports the same back, and recommends that it be adopted.

Committee membership—5; committee vote: Ayes—5.

(Signed out)

SCHOTTKY, Chairman.
HARPER.
McCORMACK.
RILEY.
WAGY.

Assembly Joint Resolution No. 24 ordered on file.

MESSAGES FROM THE ASSEMBLY.

The following messages from the Assembly were received and read:

ASSEMBLY CHAMBER, SACRAMENTO, May 15, 1931.

MR. PRESIDENT: I am directed to inform your honorable body that the Assembly on this day appointed as a Committee on Free Conference on Assembly Bill No. 653—An act to amend section 5 of an act of the Legislature of the State of California entitled "An act to provide for the formation of districts within municipalities for the acquisition or construction of public improvements, works and public utilities; for the issuance, sale and payment of bonds of such districts to meet the cost of such improvements, and for the acquisition or construction of such improvements," approved April 20, 1915, as amended, relating to the amount of bonds that may be issued by such district, and the disposition of a surplus if one remains after the completion of the municipal improvement for which bonds were voted—the following Assemblymen: Lyons, Sewell and Bonelli, to meet with a like committee from your honorable body.

ARTHUR A. OHNIMUS, Chief Clerk.
By C. W. BOOTH, Assistant Clerk.

Also:

ASSEMBLY CHAMBER, SACRAMENTO, May 15, 1931.

MR. PRESIDENT: I am directed to inform your honorable body that the Assembly on May 13, 1931, refused adoption of Senate Constitutional Amendment No. 13—A resolution to propose to the people of the State of California an amendment to the constitution of said State by amending section 15 of article XIII thereof, relating to the taxation of motor transportation companies operating under franchise.

ARTHUR A. OHNIMUS, Chief Clerk.
By FRED J. DESCH, Assistant Clerk.

Also:

ASSEMBLY CHAMBER, SACRAMENTO, May 15, 1931.

MR. PRESIDENT: I am directed to inform your honorable body that the Assembly on this day refused passage to Senate Bill No. 931—An act to amend chapter 399 of the Statutes of 1911 by amending section 1 thereof and by adding thereto a new section, to be numbered 3, all relating to certain defenses in actions at common law against employers.

ARTHUR A. OHNIMUS, Chief Clerk.
By A. W. ENGELKE, Assistant Clerk.

Also:

ASSEMBLY CHAMBER, SACRAMENTO, May 15, 1931.

MR. PRESIDENT: I am directed to inform your honorable body that the Assembly on this day refused passage to Senate Bill No. 665—An act to amend sections 4.365

and 4366 of article VII, chapter I, part III, of division IV of the School Code of the State of California, relating to district budgets.

ARTHUR A. OHNIMUS, Chief Clerk.
By A. W. ENGELKE, Assistant Clerk.

Also:

ASSEMBLY CHAMBER, SACRAMENTO, May 15, 1931.

MR. PRESIDENT: I am directed to inform your honorable body that the Assembly on this day passed Assembly Concurrent Resolution No. 45—Relative to reports of the department encampment of the Grand Army of the Republic.

ARTHUR A. OHNIMUS, Chief Clerk.
By A. W. ENGELKE, Assistant Clerk.

Assembly Concurrent Resolution No. 45 ordered on file.

Also:

ASSEMBLY CHAMBER, SACRAMENTO, May 14, 1931.

MR. PRESIDENT: I am directed to inform your honorable body that the Assembly on this day passed, as a case of urgency and under the provisions of Assembly Rule No. 43, Assembly Bill No. 1958—An act making an appropriation for contingent expenses of the Assembly for the eighty-third and eighty-fourth fiscal years, and declaring same an urgency measure.

ARTHUR A. OHNIMUS, Chief Clerk.
By A. W. ENGELKE, Assistant Clerk.

CONSIDERATION OF ASSEMBLY BILL NUMBER ONE THOUSAND NINE HUNDRED FIFTY-EIGHT.

Senator Swing asked for, and was granted, unanimous consent for the consideration of Assembly Bill No. 1958, without reference to committee, for purpose of passage.

Assembly Bill No. 1958—An act making an appropriation to meet the deficiency in the appropriation for contingent expenses of the Assembly for the eighty-third and eighty-fourth fiscal years, and declaring same an urgency measure.

Bill read first time, without reference to committee.

RESOLUTION.

The following resolution was offered:

By Senator Swing:

Resolved, That Assembly Bill No. 1958 presents a case of urgency, as that term is used in section 15 of article IV of the constitution, and the provision of that section requiring that the bill shall be read on three several days in each house is hereby dispensed with, and it is ordered that said bill be read the first, second, and third times, and placed upon its passage.

Resolution read.

The question being on the adoption of the resolution.

The roll was called, and the resolution adopted by the following vote:

AYES—Senators Allen, Breed, Bush, Carter, Cassidy, Christian, Clock, Crittenden, Deuel, Edwards, Evans, Harper, Hays, Ingels, Inman, Maloney, McCormack, Mixer, Moran, Nelson, Pedrotti, Rich, Riley, Rochester, Sharkey, Slater, Swing, Treacy, Tubbs, Wagy, and Williams—31.

NOES—None.

Whereupon, the President declared the provisions of section 15 of article IV of the constitution suspended for the purpose of considering, at this time, Assembly Bill No. 1958.

SECOND READING OF ASSEMBLY BILL NUMBER ONE THOUSAND NINE HUNDRED FIFTY-EIGHT.

Assembly Bill No. 1958—An act making an appropriation to meet the deficiency in the appropriation for contingent expenses of the Assembly

for the eighty-third and eighty-fourth fiscal years, and declaring same an urgency measure.

Bill read second time, and ordered on file for third reading.

URGENCY CLAUSE.

SEC. 2. Inasmuch as this act provides an appropriation for the usual current expenses of the State, it is hereby declared an urgency measure and shall, under the provisions of article IV, section 1 of the constitution, take effect immediately.

Urgency clause read.

The question being on the adoption of the urgency clause.

The roll was called, and the urgency clause adopted by the following vote:

AYES—Senators Allen, Baker, Breed, Bush, Carter, Cassidy, Christian, Cleveland, Crittenden, Denel, Duval, Edwards, Evans, Harper, Hays, Ingels, Jones, Maloney, McCormack, McKinley, Mixer, Moran, Nelson, Pedrotti, Rich, Riley, Rochester, Schottky, Sharkey, Slater, Swing, Treacy, Tubbs, Wagy, and Williams—35.

NOES None.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Assembly Bill No. 1958 passed by the following vote:

AYES—Senators Allen, Baker, Breed, Bush, Carter, Cassidy, Christian, Cleveland, Clock, Crittenden, Denel, Duval, Edwards, Evans, Harper, Hays, Ingels, Jones, Maloney, McCormack, Mixer, Moran, Nelson, Pedrotti, Rich, Riley, Rochester, Schottky, Sharkey, Slater, Swing, Treacy, Tubbs, Wagy, and Williams—35.

NOES None.

Title read and approved.

Bill ordered transmitted to the Assembly.

MESSAGE FROM THE ASSEMBLY.

The following message from the Assembly was received and read:

ASSEMBLY CHAMBER, SACRAMENTO, May 14, 1931.

MR. PRESIDENT: I am directed to inform your honorable body that the Assembly amended, and on this day passed as amended, Senate Bill No. 683—An act to establish a retirement system to provide for the retirement of employees of the State of California, and make an appropriation therefor—and respectfully requests your honorable body to concur in said amendment.

ARTHUR A. OHNIMUS, Chief Clerk.

By A. W. ENGELKE, Assistant Clerk.

CONSIDERATION OF ASSEMBLY AMENDMENT.

The Senate took up for consideration Assembly amendment to Senate Bill No. 683—An act to establish a retirement system to provide for the retirement of employees of the State of California, and make an appropriation therefor.

ASSEMBLY AMENDMENT TO SENATE BILL NUMBER SIX HUNDRED EIGHTY-THREE.

AMENDMENT NUMBER ONE.

On page 5 of the printed bill, strike out lines 7 and 8, and insert in lieu thereof the following: "January 15, 1933, (2) two members January 15, 1934, (3) two members January 15, 1935. Except in the case of".

The question being: Shall the Senate concur in Assembly amendment to Senate Bill No. 683?

The roll was called, and Assembly amendment to Senate Bill No. 683 concurred in by the following vote:

AYES—Senators Allen, Baker, Bush, Carter, Cassidy, Christian, Clock, Crittenden, Denel, Edwards, Evans, Harper, Hays, Ingels, Jones, Maloney, McCormack,

McKinley, Mixer, Moran, Nelson, Pedrotti, Rich, Riley, Rochester, Sharkey, Slater, Swing, Treacy, Tubbs, Waggy, and Williams—32. *

NOES—None.

Senate Bill No. 683 ordered to print, and enrollment.

REPORT OF COMMITTEE ON FREE CONFERENCE.

The following report of Committee on Free Conference was received and read:

SENATE CHAMBER, SACRAMENTO, May 14, 1931.

MR. PRESIDENT: Your Committee on Free Conference concerning Senate Joint Resolution No. 14—Relative to memorializing and petitioning Congress to enact legislation to eliminate the restrictions which now attach to the taxation of national banking associations, and creating a committee to further such purpose—reports that it has met a like committee of the Assembly, consisting of Assemblymen Sewell, Parkman and Morrison, and reports that the Committee on Free Conference has agreed to recommend the following: That the Senate concur in the Assembly amendments.

REED,
DUVAL,
EDWARDS,

Senate Committee on Free Conference.

SEWELL,
PARKMAN,
MORRISON.

Assembly Committee on Free Conference.

The question being on the adoption of the report of Committee on Free Conference and the amendments.

The roll was called, and the report of Committee on Free Conference and the amendments adopted by the following vote:

AYES—Senators Allen, Baker, Breed, Bush, Carter, Cassidy, Christian, Cleveland, Clock, Deuel, Edwards, Evans, Hays, Ingels, Jones, McCormack, McKinley, Mixer, Moran, Pedrotti, Riley, Schottky, Sharkey, Slater, Swing, Tubbs, Waggy, and Williams—28.

NOES—Senator Rochester—1.

Senate Joint Resolution No. 14 ordered to print, and enrollment.

MESSAGE FROM THE ASSEMBLY.

The following message from the Assembly was received and read:

ASSEMBLY CHAMBER, SACRAMENTO, May 15, 1931.

MR. PRESIDENT: I am directed to inform your honorable body that the Assembly amended, and on this day passed as amended, Senate Bill No. 504—An act to amend section 394 of the Code of Civil Procedure, relating to the place of trial of actions or proceedings to which a county, city and county, city, or public or municipal corporation, is a party, and providing for the attendance of witnesses, payment of costs, and the assignment of judges in certain cases—and respectfully requests your honorable body to concur in said amendments.

ARTHUR A. OIINIMUS, Chief Clerk.
By A. W. ENGELKE, Assistant Clerk.

CONSIDERATION OF ASSEMBLY AMENDMENTS.

The Senate took up for consideration Assembly amendments to Senate Bill No. 504—An act to amend section 394 of the Code of Civil Procedure, relating to the place of trial of actions or proceedings to which a county, city and county, city, or public or municipal corporation, is a party, and providing for the attendance of witnesses, payment of costs, and the assignment of judges in certain cases.

ASSEMBLY AMENDMENTS TO SENATE BILL NUMBER FIVE HUNDRED FOUR.

AMENDMENT NUMBER ONE.

On page 3, line 48, of the printed bill, after the words "party and", insert the following: "material".

AMENDMENT NUMBER TWO.

On page 3, line 49, of the printed bill, after "witnesses", insert the following: "found by the court to be material and".

The question being: Shall the Senate concur in Assembly amendments to Senate Bill No. 504?

The roll was called, and Assembly amendments to Senate Bill No. 504 concurred in by the following vote:

AYES—Senators Allen, Baker, Breed, Bush, Carter, Cassidy, Christian, Cleveland, Clock, Crittenden, Deuel, Edwards, Evans, Harper, Hays, Jones, Maloney, McCormack, Mixter, Nelson, Pedrotti, Rich, Riley, Schottky, Sharkey, Slater, Treacy, Tubbs, Wagdy, and Williams—30.

NOES—Senator Rochester—1.

Senate Bill No. 504 ordered to print, and enrollment.

MESSAGE FROM THE ASSEMBLY.

The following message from the Assembly was received and read:

ASSEMBLY CHAMBER, SACRAMENTO, May 14, 1931.

MR. PRESIDENT: I am directed to inform your honorable body that the Assembly amended, and on May 13, 1931, passed as amended, Senate Bill No. 674—An act making appropriation to pay the claim of the Electro Metals Company against the State of California—and respectfully requests your honorable body to concur in said amendments.

ARTHUR A. OHNIMUS, Chief Clerk.
By FRED J. DESCH, Assistant Clerk.

CONSIDERATION OF ASSEMBLY AMENDMENT.

The Senate took up for consideration Assembly amendment to Senate Bill No. 674—An act making an appropriation to pay the claim of the Electro Metals Company against the State of California.

ASSEMBLY AMENDMENT TO SENATE BILL NUMBER SIX HUNDRED SEVENTY-FOUR.

AMENDMENT NUMBER ONE.

On page 1, lines 14 and 15, of the printed bill, as amended, strike out the words "not otherwise appropriated".

The question being: Shall the Senate concur in Assembly amendment to Senate Bill No. 674?

The roll was called, and Assembly amendment to Senate Bill No. 674 concurred in by the following vote:

AYES—Senators Baker, Breed, Bush, Carter, Cassidy, Cleveland, Clock, Crittenden, Edwards, Evans, Harper, Hays, Ingels, Maloney, McCormack, Mixter, Moran, Nelson, Pedrotti, Rich, Riley, Rochester, Schottky, Sharkey, Slater, Swing, Tubbs, Wagdy, and Williams—29.

NOES—None.

Senate Bill No. 674 ordered to print, and enrollment.

MESSAGE FROM THE ASSEMBLY.

The following message from the Assembly was received and read:

ASSEMBLY CHAMBER, SACRAMENTO, May 14, 1931.

MR. PRESIDENT: I am directed to inform your honorable body that the Assembly amended, and on this day passed as amended, Senate Bill No. 475—An act providing for the organization, operation, maintenance, government and dissolution of resort districts and the inclusion of lands therein and exclusion of lands therefrom, and for the acquisition of lands or rights therein and the acquisition, construction, operation and maintenance of public improvements and works to carry into effect the provisions of this act; for the issuance, sale and payment of bonds of such districts to meet the cost of such improvements and works and for the acquisition or construction of such lands or rights therein or improvements and works; and conferring upon the State Engineer certain additional duties and powers in connection with

carrying out the purposes of this act—and respectfully requests your honorable body to concur in said amendment.

ARTHUR A. OHNIMUS, Chief Clerk.
By A. W. ENGELKE, Assistant Clerk.

CONSIDERATION OF ASSEMBLY AMENDMENT.

The Senate took up for consideration Assembly amendment to Senate Bill No. 475—An act providing for the organization, operation, maintenance, government and dissolution of resort districts and the inclusion of lands therein and exclusion of lands therefrom, and for the acquisition of lands or rights therein and the acquisition, construction, operation and maintenance of public improvements and works to carry into effect the provisions of this act; for the issuance, sale and payment of bonds of such districts to meet the cost of such improvements and works and for the acquisition or construction of such lands or rights therein or improvements and works; and conferring upon the State Engineer certain additional duties and powers in connection with carrying out the purposes of this act.

ASSEMBLY AMENDMENT TO SENATE BILL NUMBER FOUR HUNDRED SEVENTY-FIVE.

AMENDMENT NUMBER ONE.

On page 27 of the printed bill, at the end of line 38, strike out the words "of the office".

The question being: Shall the Senate concur in Assembly amendment to Senate Bill No. 475?

The roll was called, and Assembly amendment to Senate Bill No. 475 concurred in by the following vote:

AYES—Senators Baker, Bush, Carter, Cassidy, Cleveland, Clock, Duval, Edwards, Evans, Harper, Hays, Ingels, Jones, Maloney, McCormack, Mixter, Moran, Nelson, Pedrotti, Rich, Riley, Rochester, Schottky, Sharkey, Slater, Swing, Treacy, Waggy, and Williams—29.

NOES—None.

Senate Bill No. 475 ordered to print, and enrollment.

MESSAGE FROM THE ASSEMBLY.

The following message from the Assembly was received and read:

ASSEMBLY CHAMBER, SACRAMENTO, May 14, 1931.

MR. PRESIDENT: I am directed to inform your honorable body that the Assembly amended, and on this day passed as amended, Senate Bill No. 80—An act to amend section 1382 of the Penal Code, relating to dismissal of an action for want of prosecution—and respectfully requests your honorable body to concur in said amendments.

ARTHUR A. OHNIMUS, Chief Clerk.
By FRED J. DESCH, Assistant Clerk.

CONSIDERATION OF ASSEMBLY AMENDMENTS.

The Senate took up for consideration Assembly amendments to Senate Bill No. 80—An act to amend section 1382 of the Penal Code, relating to dismissal of an action for want of prosecution.

ASSEMBLY AMENDMENTS TO SENATE BILL NUMBER EIGHTY.

AMENDMENT NUMBER ONE.

On page 1, line 6, of the printed bill, as amended April 15, 1931, after the figure "1", strike out all of lines 6 and 7, and insert in lieu thereof the following:

"If an indictment is found against a person, or when a person has been held to answer for a public offense and an information is not filed".

AMENDMENT NUMBER TWO.

On page 1 of the printed bill, as amended May 14, 1931, strike out line 8 thereof, and insert in lieu thereof the following: "When a person".

The question being: Shall the Senate concur in Assembly amendments to Senate Bill No. 80?

The roll was called, and Assembly amendments to Senate Bill No. 80 concurred in by the following vote:

AYES—Senators Allen, Baker, Breed, Bush, Carter, Cassidy, Christian, Cleveland, Clock, Crittenden, Deuel, Edwards, Evans, Harper, Hays, Ingels, Jones, Maloney, McCormack, Mixer, Moran, Pedrotti, Rich, Rochester, Schottky, Sharkey, Slater, Swing, Treacy, Tubbs, Wagy, and Williams—32.

NOES—None.

Senate Bill No. 80 ordered to print, and enrollment.

FURTHER PROCEEDINGS UNDER CALL OF THE SENATE DISPENSED WITH.

At twelve o'clock and forty minutes p.m., further proceedings under call of the Senate were dispensed with, on motion of Senator McKinley.

The Secretary was directed to call the roll.

The roll was called, and Assembly Bill No. 561 refused passage by the following vote:

AYES—Senators Baker, Breed, Carter, Christian, Duval, Evans, Maloney, McKinley, Mixer, Pedrotti, Rochester, Schottky, Sharkey, Swing, Treacy, Tubbs, and Wagy—17.

NOES—Senators Allen, Bush, Cassidy, Cleveland, Clock, Crittenden, Deuel, Edwards, Harper, Hays, Ingels, Inman, Jones, McCormack, Moran, Nelson, Rich, Riley, Slater, and Williams—20.

REPORTS OF STANDING COMMITTEES.

The following reports of standing committee were received and read:

ON ENGROSSMENT, ENROLLMENT AND PRINTING.

SENATE CHAMBER, SACRAMENTO, May 15, 1931.

MR. PRESIDENT: Your Committee on Engrossment, Enrollment and Printing has examined Senate Constitutional Amendment No. 9—A resolution to propose to the people of the State of California an amendment to the constitution of said State by amending section 8½ of article XI of the constitution of said State, relating to city charters and to the mode of elections held thereunder;

Also: Senate Bill No. 9—An act declaring the bridge across the Yuba River at the city of Marysville and the bridge across the Feather River between the city of Marysville and the city of Yuba City to be State highways and parts of the State highway system;

Also: Senate Bill No. 122—An act to add a new section to be numbered 426b to the Code of Civil Procedure, relating to the pleadings in divorce actions based on extreme cruelty and adultery;

Also: Senate Bill No. 128—An act to pay the claim of the Frederick W. Snook Company against the State of California;

Also: Senate Bill No. 131—An act to amend sections 651b and 651d of the Civil Code, relating to colleges and seminaries of learning;

Also: Senate Bill No. 140—An act to amend section 4.102 of the School Code, relating to an appropriation for vocational rehabilitation;

And reports that the same have been correctly enrolled, and presented to the Governor on the fifteenth day of May, at two o'clock p.m.

RILEY, Chairman.

Also:

MR. PRESIDENT: Your Committee on Engrossment, Enrollment and Printing has examined Senate Bill No. 201—An act to amend section 30a of the California Irrigation District Act, relating to reports submitted to the California Bond Certification Commission;

Also: Senate Bill No. 503—An act to amend an act entitled "An act to provide for the organization, incorporation, and government of municipal corporations, approved March 13, 1883, as amended, by amending sections 806 and 882 thereof, relating to the jurisdiction of courts, in municipal corporations of fifth and sixth classes;

Also: Senate Bill No. 516—An act to amend section 356 of the Political Code, relating to exchange of employees between State departments;

Also: Senate Bill No. 552—An act to amend section 11 of chapter 176, Laws of 1913, as amended by chapter 762, Laws of 1927, relating to fees collected by the Industrial Accident Commission;

Also: Senate Bill No 573--An act making appropriation of money to be used by the Attorney General in the payment of expenses in the proceeding brought by the Attorney General in the Court of Claims of the United States in behalf of the Indians of the State of California, in accordance with an act of the Legislature of 1927, Statutes of 1927, chapter 643;
And reports that the same have been correctly enrolled, and presented to the Governor on the fifteenth day of May, at two o'clock p.m.

RILEY, Chairman.

Also:

MR. PRESIDENT: Your Committee on Engrossment, Enrollment and Printing has examined Senate Bill No. 654--An act to amend section 3265g of the Civil Code, relating to stopping payment of checks;

Also: Senate Bill No. 709--An act to amend section 4239 of the Political Code, relating to compensation of county and township officers in counties of the tenth class;

Also: Senate Bill No. 742--An act to amend chapter 586, Statutes of 1913, known as the "Water Commission Act," approved June 16, 1913, as amended, by amending sections 37, 37a, 37c and 37f thereof and by adding thereto two new sections to be numbered 37g and 37h, all relating to the distribution of water in accordance with the rights thereto as determined by court decree or written agreement;
And reports that the same have been correctly enrolled, and presented to the Governor on the fifteenth day of May, at two o'clock p.m.

RILEY, Chairman.

Also:

MR. PRESIDENT: Your Committee on Engrossment, Enrollment and Printing has examined Senate Bill No. 186--An act to amend section 12 of chapter 268, Statutes of 1903, entitled "An act to provide for the laying out, opening, extending, widening, or straightening, in whole or in part, of public highways and roads, streets, squares, lanes, alleys, courts, and places, within municipalities, or within unincorporated territory and one or more municipalities, or lying within two or more municipalities: for the condemnation of property necessary or convenient for such purposes or of any interest therein, and for the establishment of assessment districts and the assessment of property therein to pay the expenses of such improvement, and providing for aid from the county or municipality for the expense of such improvement," relating to the compensation of referees;

Also: Senate Bill No. 210--An act to amend section 12 of chapter 690, Statutes of 1913, entitled the Direct Primary Law, as amended, relating to direct primary elections;

Also: Senate Bill No. 416--An act to provide for the standardization of cement-concrete pipe sold for irrigation purposes;

Also: Senate Bill No. 476--An act to add section 6a to chapter 176, Statutes of 1919, entitled "An act providing for the prevention and suppression of forest fires," approved May 2, 1919, relating to arrests and appearances on charges of violating forest or fire laws;

Also: Senate Bill No. 490--An act defining the civil liability for failure to control fire;

And reports that the same have been correctly enrolled, and presented to the Governor on the fifteenth day of May, at two o'clock p.m.

RILEY, Chairman.

Also:

MR. PRESIDENT: Your Committee on Engrossment, Enrollment and Printing has examined Senate Bill No. 533--An act to amend section 2 of an act entitled "An act remising, releasing and quitclaiming to the Regents of the University of California the properties in the county of Los Angeles which were heretofore transferred to and vested in said the Regents of the University of California by an act entitled 'An act repealing sections 1, 2 and 3 of an act entitled "An act to establish a branch State Normal School," approved March 14, 1881, abolishing the branch of the State Normal School at Los Angeles, transferring its properties to the Regents of the University of California, providing for the establishment of a branch of the University of California at Los Angeles, continuing regular normal school training courses and providing an appropriation for the support and maintenance thereof,' approved May 23, 1919, and all other properties, real, personal, and mixed, connected therewith or appurtenant thereto, and authorizing said the Regents of the University of California to hold, sell, lease or otherwise deal with the same and to dispose of proceeds realized from said holding, selling, leasing, or otherwise dealing with the same, and repealing all acts or parts of acts in conflict with this act," approved April 12, 1929;

Also: Senate Bill No. 698--An act to amend sections 3644 and 3646 of the Political Code, relating to taxation of boats and vessels;

Also: Senate Bill No. 734—An act regulating the sale of grain in sacks, defining the term grain, providing that the sacks shall be sold and purchased as part of the same transaction;

Also: Senate Bill No. 751—An act to create a fund to be known as the State Highway General Fund and providing for expenditures therefrom;

And reports that the same have been correctly enrolled, and presented to the Governor on the fifteenth day of May, at two o'clock p.m.

RILEY, Chairman.

Also:

MR. PRESIDENT: Your Committee on Engrossment, Enrollment and Printing has examined Senate Bill No. 805—An act to amend section 16754 of the "Weights and Measures Act," relating to sealers of weights and measures in counties of the fifty-fourth class;

Also: Senate Bill No. 805—An act to add a new section to be numbered 9a54 to the act entitled "An act to provide for the establishment and maintenance of county free libraries in the State of California, and repealing 'An act entitled "An act to provide county library systems," approved April 12, 1909, and all acts and parts of acts in conflict with this act," approved February 25, 1911, as amended, relating to libraries in counties of the fifty-fourth class;

Also: Senate Bill No. 944—An act to amend an act entitled "An act to authorize the counties of the State of California to establish retirement systems for their employees," approved May 20, 1919, by adding a new section thereto to be designated section 34, relating to the exclusion of certain employees;

And reports that the same have been correctly enrolled, and presented to the Governor on the fifteenth day of May, at two o'clock p.m.

RILEY, Chairman.

MESSAGE FROM THE ASSEMBLY.

The following message from the Assembly was received and read:

ASSEMBLY CHAMBER, SACRAMENTO, May 15, 1931.

MR. PRESIDENT: I am directed to inform your honorable body that the Assembly amended, and on this day passed as amended, Senate Bill No. 339—An act making an appropriation for the construction and completion of an exposition building for the use of No. 1A Agricultural District Association—and respectfully requests your honorable body to concur in said amendment.

ARTHUR A. OHNIMUS, Chief Clerk.
By A. W. ENGELKE, Assistant Clerk.

CONSIDERATION OF ASSEMBLY AMENDMENT.

The Senate took up for consideration Assembly amendment to Senate Bill No. 339—An act making an appropriation for the construction and completion of an exposition building for the use of No. 1—A agricultural district association.

ASSEMBLY AMENDMENT TO SENATE BILL NUMBER THREE HUNDRED THIRTY-NINE.

AMENDMENT NUMBER ONE.

On page 1, line 20, of the printed bill, strike out the period, and insert in lieu thereof the following: ", nor until a suitable site is deeded to said district for the same purpose."

The question being: Shall the Senate concur in Assembly amendment to Senate Bill No. 339?

The roll was called, and Assembly amendment to Senate Bill No. 339 concurred in by the following vote:

AYES—Senators Allen, Baker, Breed, Clock, Crittenden, Edwards, Evans, Fellom, Harper, Hays, Ingels, Jones, Mixer, Moran, Rich, Riley, Schottky, Sharkey, Slater, Swing, and Wagy—21.

NOES—None.

Senate Bill No. 339 ordered to print, and enrollment.

MESSAGE FROM THE ASSEMBLY.

The following message from the Assembly was received and read:

ASSEMBLY CHAMBER, SACRAMENTO, May 14, 1931.

MR. PRESIDENT: I am directed to inform your honorable body that the Assembly amended, and on this day passed as amended, Senate Bill No. 420—An act to add a new section to the School Code, to be numbered 2.1504, providing for the payment of expenses incurred in holding conventions of county, city and district superintendents—and respectfully requests your honorable body to concur in said amendment.

ARTHUR A. OHNIMUS, Chief Clerk.
By FRED J. DESCH, Assistant Clerk.

CONSIDERATION OF ASSEMBLY AMENDMENT.

The Senate took up for consideration Assembly amendment to Senate Bill No. 420—An act to add a new section to the School Code to be numbered 2.1504, providing for the payment of expenses incurred in holding conventions of county, city and district superintendents.

ASSEMBLY AMENDMENT TO SENATE BILL NUMBER FOUR HUNDRED TWENTY.

AMENDMENT NUMBER ONE.

On page 1, line 5, of the printed bill, strike out the period, and insert in lieu thereof a comma and the following: "including the employment of speakers."

The question being: Shall the Senate concur in Assembly amendment to Senate Bill No. 420?

The roll was called, and Assembly amendment to Senate Bill No. 420 concurred in by the following vote:

AYES—Senators Allen, Baker, Cleveland, Clock, Crittenden, Edwards, Evans, Fellom, Harper, Hays, Ingels, Jones, Mixter, Moran, Nelson, Rich, Riley, Schottky, Sharkey, Slate, Swing, and Wagy—22.

NOES—None.

Senate Bill No. 420 ordered to print, and enrollment.

MESSAGE FROM THE ASSEMBLY.

The following message from the Assembly was received and read:

ASSEMBLY CHAMBER, SACRAMENTO, May 14, 1931.

MR. PRESIDENT: I am directed to inform your honorable body that the Assembly amended, and on May 11, 1931, passed as amended, Senate Bill No. 454—An act to amend section 602 of the Penal Code, relating to trespass—and respectfully requests your honorable body to concur in said amendment.

ARTHUR A. OHNIMUS, Chief Clerk.
By FRED J. DESCH, Assistant Clerk.

CONSIDERATION OF ASSEMBLY AMENDMENT.

The Senate took up for consideration Assembly amendment to Senate Bill No. 454—An act to amend section 602 of the Penal Code, relating to trespass.

ASSEMBLY AMENDMENT TO SENATE BILL NUMBER FOUR HUNDRED FIFTY-FOUR.

AMENDMENT NUMBER ONE.

On page 1, line 27, of the printed bill, after the comma following the word "another", insert the following: "or relates to fires, fire control, or any other matter involving the protection of the property,".

The question being: Shall the Senate concur in Assembly amendment to Senate Bill No. 454?

The roll was called, and Assembly amendment to Senate Bill No. 454 concurred in by the following vote:

AYES—Senators Allen, Baker, Cleveland, Clock, Crittenden, Edwards, Evans, Fellom, Harper, Hays, Jones, Mixter, Moran, Nelson, Rich, Riley, Schottky, Sharkey, Slater, Swing, Wagy, and Williams—22.

NOES—None.

Senate Bill No. 454 ordered to print, and enrollment.

MESSAGE FROM THE ASSEMBLY.

The following message from the Assembly was received and read:

ASSEMBLY CHAMBER, SACRAMENTO, May 15, 1931.

MR. PRESIDENT: I am directed to inform your honorable body that the Assembly amended, and on this day passed as amended, Senate Bill No. 894—An act to amend section 653c of the Penal Code, relating to the hours of labor on public works—and respectfully requests your honorable body to concur in said amendments.

ARTHUR A. OHNIMUS, Chief Clerk.
By A. W. ENGELKE, Assistant Clerk.

CONSIDERATION OF ASSEMBLY AMENDMENTS

The Senate took up for consideration Assembly amendments to Senate Bill No. 894—An act to amend section 653c of the Penal Code, relating to the hours of labor on public works.

ASSEMBLY AMENDMENTS TO SENATE BILL NUMBER EIGHT HUNDRED NINETY-FOUR.

AMENDMENT NUMBER ONE.

On page 6, line 8, of the printed bill, after the word "payment", insert a comma.

AMENDMENT NUMBER TWO.

On page 6, line 17, of the printed bill, after the word "section", insert a comma.

AMENDMENT NUMBER THREE.

On page 6, line 27, of the printed bill after the word "California", beginning on line 26, insert a comma.

AMENDMENT NUMBER FOUR.

On page 6, line 29, of the printed bill, after the word "contractor", insert "or subcontractor".

AMENDMENT NUMBER FIVE.

On page 6, lines 29 and 30, of the printed bill, strike out the words "of any contractor, or any subcontractor under him", and insert in lieu thereof the following: "thereof".

AMENDMENT NUMBER SIX.

On page 6, line 24, of the printed bill, strike out the word "by", and insert in lieu thereof the word "to".

AMENDMENT NUMBER SEVEN.

On page 6, line 45, of the printed bill, after the word "charter", insert the words "heretofore or hereafter approved".

The question being: Shall the Senate concur in Assembly amendments to Senate Bill No. 894?

The roll was called, and Assembly amendments to Senate Bill No. 894 concurred in by the following vote:

AYES—Senators Allen, Baker, Breed, Christian, Clock, Crittenden, Duval, Edwards, Evans, Hays, Ingels, Jones, McCormack, Mixter, Moran, Nelson, Rich, Riley, Schottky, Slater, Wagy, and Williams—22.

NOES—None.

Senate Bill No. 894 ordered to print, and enrollment.

MESSAGE FROM THE ASSEMBLY.

The following message from the Assembly was received and read:

ASSEMBLY CHAMBER, SACRAMENTO, May 14, 1931.

MR. PRESIDENT: I am directed to inform your honorable body that the Assembly amended, and on this day passed as amended, Senate Bill No. 506—An act to amend section 632 of the Penal Code, relating to the protection of fish—and respectfully requests your honorable body to concur in said amendment.

ARTHUR A. OHNIMUS, Chief Clerk.

By FRED J. DESCH, Assistant Clerk.

CONSIDERATION OF ASSEMBLY AMENDMENT.

The Senate took up for consideration Assembly amendment to Senate Bill No. 506—An act to amend section 632 of the Penal Code, relating to the protection of fish.

ASSEMBLY AMENDMENT TO SENATE BILL NUMBER FIVE HUNDRED SIX.

AMENDMENT NUMBER ONE.

On page 4, line 22, of the printed bill, as amended, strike out the word "into", and insert in lieu thereof the words "to the division of fish and game for deposit in".

The question being: Shall the Senate concur in Assembly amendment to Senate Bill No. 506?

The roll was called, and Assembly amendment to Senate Bill No. 506 concurred in by the following vote:

AYES—Senators Allen, Baker, Breed, Christian, Cleveland, Clock, Crittenden, Duval, Edwards, Evans, Harper, Hays, Ingels, Jones, Mixter, Moran, Nelson, Rich, Riley, Schottky, Sharkey, Slater, Waggy, and Williams—24.

NOES—None.

Senate Bill No. 506 ordered to print, and enrollment.

MESSAGE FROM THE ASSEMBLY.

The following message from the Assembly was received and read:

ASSEMBLY CHAMBER, SACRAMENTO, May 15, 1931.

MR. PRESIDENT: I am directed to inform your honorable body that the Assembly amended, and on this day passed as amended, Senate Bill No. 306—An act granting to the city of Pacific Grove the title to the waterfront of said city, together with certain submerged lands in the bay of Monterey contiguous thereto—and respectfully requests your honorable body to concur in said amendment.

ARTHUR A. OHNIMUS, Chief Clerk.

By A. W. ENGELKE, Assistant Clerk.

CONSIDERATION OF ASSEMBLY AMENDMENT.

The Senate took up for consideration Assembly amendment to Senate Bill No. 306—An act granting to the city of Pacific Grove the title to the waterfront of said city, together with certain submerged lands in the bay of Monterey contiguous thereto.

ASSEMBLY AMENDMENT TO SENATE BILL NUMBER THREE HUNDRED SIX.

AMENDMENT NUMBER ONE.

On page 1 of the printed bill, strike out lines 9 to 20, inclusive, and insert in lieu thereof the following:

"Parcel 1: Beginning at the intersection of the southeasterly corporate limit line (produced) of said city of Pacific Grove with the mean high tide line of the bay of Monterey and running thence northwesterly along said mean high tide line to an intersection with the westerly line of Grand avenue (produced) of said city, thence S. 80° E. two thousand feet, thence N. 69° E., to a point in the bay of Monterey where the depth of water in said bay is sixty (60) feet measured from mean low tide level, thence southeasterly along a line in said bay, which line shall be at a constant depth of sixty (60) feet of water measured from the mean low tide level of said bay to the intersection with said corporate limit line (produced); thence southwesterly along said produced line of said city limits to the place of beginning.

Parcel 2: Beginning at the point of intersection of the northerly property line of the lands of Matine L. McDougall with the mean high tide line of the bay of Monterey, which said point bears N. 19° 23' 45" E. six hundred sixty-five feet and S. 70° 36' 15" E. two hundred feet, more or less, from the southeast corner of Ocean View avenue and Seventeenth street of the city of Pacific Grove; running thence from said point N. 69° E. to a point in the bay of Monterey where the depth of water in said bay is sixty (60) feet measured from mean low tide level; thence northwesterly along a line in said bay, which line shall be at a constant depth of sixty (60) feet measured from the mean low tide level of said bay to the intersection with the westerly city limit line (produced) of said city of Pacific Grove; thence S. 19° 22' W. on and along said city limits line (produced) to the point of intersection of said city limits line (produced) with the mean high tide line of the bay of Monterey; thence southeasterly along said mean high tide line to the point of beginning."

The question being: Shall the Senate concur in Assembly amendment to Senate Bill No. 306?

The roll was called, and Assembly amendment to Senate Bill No. 306 concurred in by the following vote:

AYES—Senators Baker, Breed, Cassidy, Christian, Cleveland, Clark, Crittenden, Duval, Evans, Fellom, Harper, Hays, McCormack, Mixer, Moran, Nelson, Rich, Riley, Schottky, Sharkey, Slater, Wagy, and Williams—23.

NOES—None.

Senate Bill No. 306 ordered to print, and enrollment.

MESSAGE FROM THE ASSEMBLY.

The following message from the Assembly was received and read:

ASSEMBLY CHAMBER, SACRAMENTO, May 15, 1931.

MR. PRESIDENT: I am directed to inform your honorable body that the Assembly amended, and on this day passed as amended, Senate Bill No. 768—An act to amend section 636 of the Penal Code, relating to the protection of fish—and respectfully requests your honorable body to concur in said amendments.

ARTHUR A. OHNIMUS, Chief Clerk.
By FRED J. DESCH, Assistant Clerk.

CONSIDERATION OF ASSEMBLY AMENDMENTS.

The Senate took up for consideration Assembly amendments to Senate Bill No. 768—An act to amend section 636 of the Penal Code, relating to the protection of fish.

ASSEMBLY AMENDMENTS TO SENATE BILL NUMBER SEVEN HUNDRED SIXTY-EIGHT.

AMENDMENT NUMBER ONE.

On page 1, line 11, of the printed bill, as last amended in Senate April 13, 1931, following "B," insert "twelve "C"."

AMENDMENT NUMBER TWO.

On page 1, line 12, of the printed bill, as amended in Senate April 13, 1931, strike out "twenty-two".

AMENDMENT NUMBER THREE.

On page 1, line 15, of the printed bill, as last amended in Senate April 13, 1931, following "B", insert "twelve "C"."

AMENDMENT NUMBER FOUR.

On page 1, line 22, of the printed bill, as last amended in Senate April 13, 1931, following "B", insert "twelve "C"."

AMENDMENT NUMBER FIVE.

On page 1, line 26, of the printed bill, as last amended in Senate April 13, 1931, following "B", insert "twelve "C"."

AMENDMENT NUMBER SIX.

On page 2, line 2, of the printed bill, as last amended in Senate April 13, 1931, strike out "one inch", and insert in lieu thereof "two inches".

AMENDMENT NUMBER SEVEN.

On page 2, line 3, of the printed bill, as last amended in Senate April 13, 1931, strike out "seven "A" ", and insert in lieu thereof "one and one half, two and one half".

AMENDMENT NUMBER EIGHT.

On page 2, lines 4 and 5, of the printed bill, as last amended in Senate April 13, 1931, strike out "seven "A" ", and insert in lieu thereof "one and one half, two and one half".

AMENDMENT NUMBER NINE.

On page 2, line 11, of the printed bill, as last amended in Senate April 13, 1931, following the semicolon insert the following: "*provided, further,* that the gill or trammel net are not to be used in fish and game district twelve "C" between June sixteenth and November fourteenth of any year, both dates inclusive;"

AMENDMENT NUMBER TEN.

On page 2, line 12, of the printed bill, as last amended in Senate April 13, 1931, strike out "district twelve "B" ", and insert in lieu thereof the following: "districts twelve "B" and twelve "C" ".

AMENDMENT NUMBER ELEVEN.

On page 2, line 40, of the printed bill, as last amended in Senate April 13, 1931, following the "B," insert "and twelve "C" ".

AMENDMENT NUMBER TWELVE.

On page 2, line 43, of the printed bill, as last amended in Senate April 13, 1931, following "B," insert "and twelve "C" ".

AMENDMENT NUMBER THIRTEEN.

On page 2, line 50, of the printed bill, as last amended in Senate April 13, 1931, strike out the "period", and insert the following: "; *provided,* that the use of trammel, gill or halibut nets shall be unlawful at all times within fish and game district nineteen "A" and that every person who in fish and game district nineteen "A" has in possession on any boat any trammel, gill or halibut net is guilty of a misdemeanor; *provided, further,* that trammel nets are not to be used in fish and game district eighteen between seaward boundary of any kelp bed and the high water mark, or within one hundred yards in any direction from any kelp bed."

AMENDMENT NUMBER FOURTEEN.

On page 3, lines 2 and 3, of the printed bill, as last amended in Senate April 13, 1931, following "A", strike out "twenty-one and twenty-two", and insert in lieu thereof "and twenty-one".

AMENDMENT NUMBER FIFTEEN.

On page 3, line 13, of the printed bill, as last amended in Senate April 13, 1931, following "B" insert "twelve "C" ".

AMENDMENT NUMBER SIXTEEN.

On page 3, line 27, of the printed bill, as last amended in Senate April 13, 1931, strike out "sixteenth", and insert in lieu thereof "first" .

AMENDMENT NUMBER SEVENTEEN.

On page 3, line 28, of the printed bill, as last amended in Senate April 13, 1931, strike out "sixteenth", and insert in lieu thereof "first" .

AMENDMENT NUMBER EIGHTEEN.

On page 3, line 32, of the printed bill, as last amended in Senate April 13, 1931, strike out the "period", and insert in lieu thereof "; *provided,* that in fish and game district nineteen "A" round haul or lampara nets not exceeding one hundred and twenty fathoms in length on the cork line including wings, and not exceeding ten fathoms in depth including apron may be used for taking of live bait only. Nothing contained in this section shall prevent any vessel from carrying nets across fish and game districts nineteen "A" and twenty to open water outside the district; *provided,* that they are in said districts for the purpose of navigation only. Also nothing contained in this section shall prevent the entrance into harbors in fish and game districts nineteen "A" and twenty in cases of distress or emergency."

AMENDMENT NUMBER NINETEEN.

On page 3, line 35, of the printed bill, as last amended in Senate April 13, 1931, strike out "nineteen and twenty-two", and insert in lieu thereof "and nineteen".

AMENDMENT NUMBER TWENTY.

On page 3, line 49, of the printed bill, as last amended in Senate April 13, 1931, strike out "and twelve "B" ", and insert in lieu thereof "twelve "B" and twelve "C" ".

AMENDMENT NUMBER TWENTY-ONE.

On page 3, line 51, of the printed bill, as last amended in Senate April 13, 1931, strike out "fifteenth day of August and the fourteenth day of May", and insert in lieu thereof "first day of September and the thirtieth day of April".

AMENDMENT NUMBER TWENTY-TWO.

On page 4, line 2, of the printed bill, as last amended in Senate April 13, 1931, strike out "; *provided further*," and strike out all of lines 3 to 7, inclusive, and insert in lieu thereof a "period".

AMENDMENT NUMBER TWENTY-THREE.

On page 4, line 17, of the printed bill, as last amended in Senate April 13, 1931, strike out that part of the line following the word "bay", and in line 18 strike out "and geodetic survey as of January 1, 1931."

AMENDMENT NUMBER TWENTY-FOUR.

On page 4, line 19, of the printed bill, as last amended in Senate April 13, 1931, following the semicolon insert "*provided, further* that for the purpose of this act the bay commonly known as San Luis Obispo bay shall be considered as lying inside of a direct line drawn from the extreme westerly tip of Point Buchon to a point at high water mark one mile southerly from the mouth of the Santa Maria river;"

AMENDMENT NUMBER TWENTY-FIVE.

On page 4, line 23, of the printed bill, as last amended in Senate April 13, 1931, strike out "crab nets or".

AMENDMENT NUMBER TWENTY-SIX.

On page 4, line 24, of the printed bill, as last amended in Senate April 13, 1931, following the word "districts", insert "one and one-half".

AMENDMENT NUMBER TWENTY-SEVEN.

On page 4, line 27, of the printed bill, as last amended in Senate April 13, 1931, strike out the "period", and insert in lieu thereof "; *provided, however*, that crabs may only be caught with crab traps and lobsters may only be caught with lobster traps."

AMENDMENT NUMBER TWENTY-EIGHT.

On page 4, line 28, of the printed bill, as last amended in Senate April 13, 1931, strike out the word "lawful", and insert in lieu thereof "unlawful".

AMENDMENT NUMBER TWENTY-NINE.

On page 4, line 30, of the printed bill, as last amended in Senate April 13, 1931, strike out the word "only".

AMENDMENT NUMBER THIRTY.

On page 4 of the printed bill, as last amended in Senate April 13, 1931, strike out that part of line 46 following the word "nineteen", and strike out all of lines 47 to 51, inclusive, and insert in lieu thereof "; *provided*, that it shall be unlawful to use troll lines or hand lines in fish and game district twenty-two for taking striped bass or, in fish and game district twenty-two to take striped bass in any manner."

The question being: Shall the Senate concur in Assembly amendments to Senate Bill No. 768?

The roll was called, and Assembly amendments to Senate Bill No. 768 concurred in by the following vote:

AYES—Senators Baker, Breed, Bush, Carter, Cassidy, Clock, Crittenden, Duval, Evans, Fellom, Harper, Hays, Ingels, McKinley, Mixter, Moran, Riley, Schottky, Slater, Treacy, Waggy, and Williams—22.

NOES—None.

Senate Bill No. 768 ordered to print, and enrollment.

MESSAGE FROM THE ASSEMBLY.

The following message from the Assembly was received and read:

ASSEMBLY CHAMBER, SACRAMENTO, May 15, 1931.

MR. PRESIDENT: I am directed to inform your honorable body that the Assembly amended, and on this day passed as amended, Senate Bill No. 917—An act to amend section 3, chapter 197, Statutes of 1907, entitled "An act to amend 'An act to regulate the vocation of fishing and to provide therefrom revenue for the propagation, restoration and conservation of fish in the waters of the State of California,'" "

relating to regulations of the Fish and Game Commission—and respectfully requests your honorable body to concur in said amendments.

ARTHUR A. OHNIMUS, Chief Clerk.
By A. W. ENGELKE, Assistant Clerk.

CONSIDERATION OF ASSEMBLY AMENDMENTS.

The Senate took up for consideration Assembly amendments to Senate Bill No. 917—An act to amend section 3 of chapter 197, Statutes of 1909, entitled "An act to amend 'An act to regulate the vocation of fishing and to provide therefrom revenue for the propagation, restoration and conservation of the fish in the waters of the State of California,' " relating to regulations of the Fish and Game Commission.

ASSEMBLY AMENDMENTS TO SENATE BILL NUMBER NINE HUNDRED SEVENTEEN.

AMENDMENT NUMBER ONE.

On page 2, line 6, of the printed bill, insert after the word "state", the following: "relative to the preservation of fish and game".

AMENDMENT NUMBER TWO.

On page 2, line 10, of the printed bill, insert after the word "plaut", the following: "situate in the waters of this state or on the high seas".

AMENDMENT NUMBER THREE.

On page 2 of the printed bill, strike out lines 18 to 21, inclusive, and insert in lieu thereof the following: "Said license shall be forfeited or revoked by order of the fish and game commission upon proof of the commission by the licensee of any act proscribed by this section."

The question being: Shall the Senate concur in Assembly amendments to Senate Bill No. 917?

The roll was called, and Assembly amendments to Senate Bill No. 917 concurred in by the following vote:

AYES—Senators Baker, Breed, Bush, Carter, Cassidy, Christian, Cleveland, Clock, Deuel, Duval, Evans, Fellom, Harper, Hays, Jones, McKinley, Moran, Nelson, Riley, Schottky, Slater, Treacy, Wagy, and Williams—24.

NOES—None.

Senate Bill No. 917 ordered to print, and enrollment.

MESSAGE FROM THE ASSEMBLY.

The following message from the Assembly was received and read:

ASSEMBLY CHAMBER, SACRAMENTO, May 14, 1931.

MR. PRESIDENT: I am directed to inform your honorable body that the Assembly amended, and on this day passed as amended, Senate Bill No. 848—An act to amend sections 6.61, 6.260, 6.410, 6.441, 6.452, 6.732 and 6.751 of the School Code; to add thereto new sections to be numbered 6.101, 6.204, 6.470-1, 6.470-2 and 6.733; to add a new article to chapter II of part I of division VI thereof, to be known as article VIa, embracing section 6.90a; a new article of chapter IV of part I of division VI thereof, to be known as article IIIa, embracing sections 6.190a to 6.194a, both inclusive; to repeal article I, embracing sections 6.370 to 6.376, both inclusive, article III, embracing sections 6.390 to 6.393, both inclusive, article IV, embracing sections 6.400 to 6.408, both inclusive, article V, embracing sections 6.420 to 6.429, both inclusive; all of chapter V of part II of division VI thereof; to add to chapter V of part II of division VI thereof, a new article to be known as article I, to embrace sections 6.370 to 6.375, both inclusive; a new article to be known as article III, to embrace sections 6.390 to 6.391, both inclusive; a new article to be known as article IV, embracing sections 6.400 to 6.409, both inclusive; a new article to be known as article V, to embrace sections 6.420 to 6.424, both inclusive; to repeal section 6.62 thereof, and to repeal all of those acts and parts of acts in this act enumerated and described, all relating to the environment and equipment of the public school system—and respectfully requests your honorable body to concur in said amendments.

ARTHUR A. OHNIMUS, Chief Clerk.
By FRED J. DESCH, Assistant Clerk.

CONSIDERATION OF ASSEMBLY AMENDMENTS.

The Senate took up for consideration Assembly amendments to Senate Bill No. 848. An act to amend sections 6.61, 6.260, 6.440, 6.441, 6.452, 6.732 and 6.751 of the School Code; to add thereto new sections to be numbered 6.101, 6.204, 6.470-1, 6.470-2 and 6.733; to add a new article to chapter II of part I of division VI thereof, to be known as article VIa embracing section 6.90a; a new article to chapter IV of part I of division VI thereof, to be known as article IIIa, embracing sections 6.190a to 6.194a, both inclusive; to repeal article I, embracing sections 6.370 to 6.376, both inclusive, article III, embracing sections 6.390 to 6.393, both inclusive, article IV, embracing sections 6.400 to 6.408, both inclusive, article V, embracing sections 6.420 to 6.429, both inclusive; all of chapter V of part II of division VI thereof; to add to chapter V of part II of division VI thereof, a new article to be known as article I, to embrace sections 6.370 to 6.375, both inclusive; a new article to be known as article III, to embrace sections 6.390 to 6.391, both inclusive; a new article to be known as article IV, embracing sections 6.400 to 6.409, both inclusive; a new article to be known as article V, to embrace sections 6.420 to 6.424, both inclusive; to repeal section 6.62 thereof, and to repeal all those acts and parts of acts in this act enumerated and described, all relating to the environment and equipment of the public school system.

ASSEMBLY AMENDMENTS TO SENATE BILL NUMBER EIGHT HUNDRED
FORTY-EIGHT.

AMENDMENT NUMBER ONE.

In line 1 of the title of the printed bill, strike out the word "amend", and insert in lieu thereof the word "repeal".

AMENDMENT NUMBER TWO.

In line 3 of the title of the printed bill, after the word "numbered", insert the following: "6.61, 6.440, 6.441, 6.452, 6.732, 6.751".

AMENDMENT NUMBER THREE.

On page 1 of the printed bill, strike out all of lines 1 and 2, and insert in lieu thereof the following:

"SECTION 1. Sections 6.1, 6.260, 6.440, 6.441, 6.452, 6.732 and 6.751 of the School Code are hereby repealed.

SEC. 2. A new section is hereby added to the School Code to be numbered 6.61 and to read as follows:".

AMENDMENT NUMBER FOUR.

On page 2 of the printed bill, strike out all of lines 12 to 19, inclusive, and insert in lieu thereof the following:

"SEC. 3. A new section is hereby added to the School Code to be numbered 6.440 and".

AMENDMENT NUMBER FIVE.

On page 2 of the printed bill, strike out line 29, and insert in lieu thereof the following:

"SEC. 4. A new section is hereby added to the School Code to be numbered 6.441 and".

AMENDMENT NUMBER SIX.

On page 2 of the printed bill, strike out line 37, and insert in lieu thereof the following:

"SEC. 5. A new section is hereby added to the School Code to be numbered 6.452 and".

AMENDMENT NUMBER SEVEN.

On page 2 of the printed bill, strike out lines 46 and 47, and insert in lieu thereof the following: "A new section is hereby added to the School Code to be numbered 6.732 and to read as follows:".

AMENDMENT NUMBER EIGHT.

On page 3 of the printed bill, strike out all of lines 3 and 4, inclusive, and insert in lieu thereof the following: "A new section is hereby added to the School Code to be numbered 6.751 and to read as follows:".

AMENDMENT NUMBER NINE.

On page 10, line 4, of the printed bill, strike out the following: "Statutes of 1929, chapter LX:".

AMENDMENT NUMBER TEN.

On page 10, line 5, of the printed bill, strike out the Roman numeral "CLX", and insert in lieu thereof the following: "160".

AMENDMENT NUMBER ELEVEN.

On page 10, line 5, of the printed bill, strike out the Roman numeral "CCCXXVII", and insert in lieu thereof the following: "327".

AMENDMENT NUMBER TWELVE.

On page 10, line 6, of the printed bill, strike out the Roman numeral "CDLXI", and insert in lieu thereof the following: "461".

AMENDMENT NUMBER THIRTEEN.

On page 10, line 6, of the printed bill, strike out the Roman numeral "DLXXXII", and insert in lieu thereof the following: "582".

AMENDMENT NUMBER FOURTEEN.

On page 10, line 7, of the printed bill, strike out the Roman numeral "DCXIX", and insert in lieu thereof the following: "619".

AMENDMENT NUMBER FIFTEEN.

On page 10, line 7, of the printed bill, strike out the Roman numeral "DCXCVI", and insert in lieu thereof the following: "696".

The question being: Shall the Senate concur in Assembly amendments to Senate Bill No. 848?

The roll was called, and Assembly amendments to Senate Bill No. 848 concurred in by the following vote:

AYES—Senators Breed, Carter, Cassidy, Clock, Crittenden, Duval, Edwards, Evans, Fellom, Harper, Hays, Jones, McCormack, McKinley, Mixer, Moran, Rich, Riley, Schottky, Slater, Treacy, Wagy, and Williams—23.

NOES—None.

Senate Bill No. 848 ordered to print, and enrollment.

MESSAGE FROM THE ASSEMBLY.

The following message from the Assembly was received and read:

ASSEMBLY CHAMBER, SACRAMENTO, May 14, 1931.

MR. PRESIDENT: I am directed to inform your honorable body that the Assembly amended, and on this day passed as amended, Senate Bill No. 834—An act to amend section 4.290 of the School Code, relating to temporary transfers of moneys from the funds of a county or city to the funds of a school district within such county or city—and respectfully requests your honorable body to concur in said amendments.

ARTHUR A. OHNIMUS, Chief Clerk.
By FRED J. DESCH, Assistant Clerk.

CONSIDERATION OF ASSEMBLY AMENDMENTS.

The Senate took up for consideration Assembly amendments to Senate Bill No. 834—An act to amend section 4.290 of the School Code, relating to temporary transfers of moneys from the funds of a county or city to the funds of a school district within such county or city.

ASSEMBLY AMENDMENTS TO SENATE BILL NUMBER EIGHT HUNDRED THIRTY-FOUR.

AMENDMENT NUMBER ONE.

On page 1, line 6, of the printed amended bill, after the word "the", insert the words "auditor and".

AMENDMENT NUMBER TWO.

On page 1, lines 13 and 14, of the printed amended bill, strike out the word "treasurer", and insert in lieu thereof the word "auditor".

AMENDMENT NUMBER THREE.

On page 1, line 19, of the printed amended bill, after the word "requests", insert the words "of school districts".

AMENDMENT NUMBER FOUR.

On page 1, line 22, of the printed amended bill, after the word "the", insert the words "auditor and".

The question being: Shall the Senate concur in Assembly amendments to Senate Bill No. 834?

The roll was called, and Assembly amendments to Senate Bill No. 834 concurred in by the following vote:

AYES—Senators Bush, Carter, Cassidy, Clock, Duval, Edwards, Evans, Fellom, Harper, Hays, Ingels, Jones, McCormack, McKinley, Mixter, Moran, Rich, Riley, Schottky, Slater, Treacy, Waggy, and Williams—23.

NOES—None.

Senate Bill No. 834 ordered to print, and enrollment.

MESSAGE FROM THE ASSEMBLY.

The following message from the Assembly was received and read:

ASSEMBLY CHAMBER, SACRAMENTO, May 14, 1931.

MR. PRESIDENT: I am directed to inform your honorable body that the Assembly amended, and on this day passed as amended, Senate Bill No. 835—An act to amend sections 4340, 4343, 4344, 4346, 4347, 4350 and 4351 of the School Code, and to repeal section 4348 thereof, all relating to orders and requisitions upon school district funds—and respectfully requests your honorable body to concur in said amendment.

ARTHUR A. O'HINIMUS, Chief Clerk.
By FRED J. DESCH, Assistant Clerk.

CONSIDERATION OF ASSEMBLY AMENDMENT.

The Senate took up for consideration Assembly amendment to Senate Bill No. 835—An act to amend sections 4340, 4343, 4344, 4346, 4347, 4350 and 4351 of the School Code, and to repeal section 4348 thereof, all relating to orders and requisitions upon school district funds.

ASSEMBLY AMENDMENT TO SENATE BILL NUMBER EIGHT HUNDRED THIRTY-FIVE.

AMENDMENT NUMBER ONE.

On page 2, line 35, of the printed bill, after said line 35, insert the following: "SEC. 8. Section 4348 of the School Code is hereby repealed."

The question being: Shall the Senate concur in Assembly amendment to Senate Bill No. 835?

The roll was called, and Assembly amendment to Senate Bill No. 835 concurred in by the following vote:

AYES—Senators Allen, Baker, Breed, Bush, Cassidy, Clock, Crittenden, Duval, Edwards, Evans, Harper, Ingels, Jones, McCormack, McKinley, Mixter, Rich, Riley, Schottky, Slater, Treacy, Waggy, and Williams—23.

NOES—None.

Senate Bill No. 835 ordered to print, and enrollment.

MESSAGE FROM THE ASSEMBLY.

The following message from the Assembly was received and read:

ASSEMBLY CHAMBER, SACRAMENTO, May 14, 1931.

MR. PRESIDENT: I am directed to inform your honorable body that the Assembly amended, and on this day passed as amended, Senate Bill No. 838—An act to amend

sections 5.611 and 5.616 of the School Code, relating to the payment of expenses of holding teachers' institutes—and respectfully requests your honorable body to concur in said amendments.

ARTHUR A. OHNIMUS, Chief Clerk.
By FRED J. DESCH, Assistant Clerk.

CONSIDERATION OF ASSEMBLY AMENDMENTS.

The Senate took up for consideration Assembly amendments to Senate Bill No. 838—An act to amend sections 5.611 and 5.616 of the School Code, relating to the payment of expenses of holding teachers' institutes.

ASSEMBLY AMENDMENTS TO SENATE BILL NUMBER EIGHT HUNDRED THIRTY-EIGHT.

AMENDMENT NUMBER ONE.

On page 1, line 4, of the printed bill, strike out the word "warrant", and insert in lieu thereof the following: "warrants proportionately".

AMENDMENT NUMBER TWO.

On page 1, line 5, of the printed bill, strike out the word "or", and insert in lieu thereof the word "and".

The question being: Shall the Senate concur in Assembly amendments to Senate Bill No. 838?

The roll was called, and Assembly amendments to Senate Bill No. 838 concurred in by the following vote:

AYES—Senators Allen, Baker, Breed, Bush, Cassidy, Clock, Evans, Fellom, Harper, Hays, Ingels, Jones, McCormack, McKinley, Mixter, Rich, Riley, Schottky, Slater, Treacy, and Wagy—21.

NOES—None.

Senate Bill No. 838 ordered to print, and enrollment.

MESSAGE FROM THE ASSEMBLY.

The following message from the Assembly was received and read:

ASSEMBLY CHAMBER, SACRAMENTO, May 14, 1931.

MR. PRESIDENT: I am directed to inform your honorable body that the Assembly amended, and on this day passed as amended, Senate Bill No. 843—An act to amend sections 3.306 and 3.309 of the School Code and to repeal section 3.307 thereof, relating to the attendance of pupils in a high school district in which such pupils do not reside—and respectfully requests your honorable body to concur in said amendments.

ARTHUR A. OHNIMUS, Chief Clerk.
By FRED J. DESCH, Assistant Clerk.

CONSIDERATION OF ASSEMBLY AMENDMENTS.

The Senate took up for consideration Assembly amendments to Senate Bill No. 843—An act to amend sections 3.306 and 3.309 of the School Code and to repeal section 3.307 thereof, relating to the attendance of pupils in a high school district in which such pupils do not reside.

ASSEMBLY AMENDMENTS TO SENATE BILL NUMBER EIGHT HUNDRED FORTY-THREE.

AMENDMENT NUMBER ONE.

In line 1 of the title of the printed bill, after the word "sections", insert the following: "3.301, 3.302".

AMENDMENT NUMBER TWO.

On page 1, line 1, of the printed bill, strike out the number "3.306", and insert in lieu thereof the number "3.301".

AMENDMENT NUMBER THREE.

On page 1, line 2, of the printed bill, after said line 2, insert the following: "3.301. Any person who is, under the provisions of this article, eligible to attend a high school and who resides in a high school district, may attend a high school in

a high school district in the same county, other than that in which he resides, only upon such terms as may be agreed upon by the high school boards of the two districts, or, if such boards fail to agree, on such terms as the county superintendent of schools may prescribe.

SEC. 2. Section 3.302 of the School Code is hereby amended to read as follows:

3.302. Any person who is, under the provisions of this article, eligible to attend high school and who resides in a high school district may attend school in a high school district of another county only upon such terms as may be agreed upon by the high school boards of the two districts, or, if such boards fail to agree, on such terms as may be agreed upon by the county superintendents of schools of the two counties concerned.

Any person who is, under the provisions of this article, eligible to attend high school and who resides in a high school district lying in two or more counties, may attend high school in a high school district in a county other than the county the superintendent of schools of which has jurisdiction over the high school district wherein he resides, only upon such terms as may be agreed upon by the governing board of the two high school districts concerned, or, if such boards fail to agree, upon such terms as shall be agreed upon by the county superintendents of schools of the two counties concerned.

SEC. 3. Section 3.306 of the School Code is hereby amended to read as follows: "

AMENDMENT NUMBER FOUR.

On page 1, line 17, of the printed bill, strike out the number "2" and insert in lieu thereof the number "4".

AMENDMENT NUMBER FIVE.

On page 1, line 24, of the printed bill, after said line 24, insert the following: "SEC. 5. Section 3.307 of the School Code is hereby repealed."

The question being: Shall the Senate concur in Assembly amendments to Senate Bill No. 843?

The roll was called, and Assembly amendments to Senate Bill No. 843 concurred in by the following vote:

AYES—Senators Allen, Baker, Breed, Bush, Cassidy, Clock, Crittenden, Duval, Edwards, Evans, Fellom, Harper, Hays, Ingels, Jones, McKinley, Mixter, Moran, Rich, Riley, Schottky, Slater, Swing, Treacy, and Wagy—25.

NOES—None.

Senate Bill No. 843 ordered to print, and enrollment.

MESSAGE FROM THE ASSEMBLY.

The following message from the Assembly was received and read:

ASSEMBLY CHAIRMAN, SACRAMENTO, May 14, 1931.

MR. PRESIDENT: I am directed to inform your honorable body that the Assembly amended, and on this day passed as amended, Senate Bill No. 845—An act to amend section 3.350 of the School Code, relating to junior college courses of study maintained by high school districts—and respectfully requests your honorable body to concur in said amendments.

ARTHUR A. OHNIMUS, Chief Clerk.
By FRED J. DESCH, Assistant Clerk.

CONSIDERATION OF ASSEMBLY AMENDMENT.

The Senate took up for consideration Assembly amendment to Senate Bill No. 845—An act to amend section 3.350 of the School Code, relating to junior college courses of study maintained by high school districts.

ASSEMBLY AMENDMENT TO SENATE BILL NUMBER EIGHT HUNDRED FORTY-FIVE.

AMENDMENT NUMBER ONE.

On page 1, line 5, of the printed bill, after the word "may", insert a comma, and the following: "with the approval of the state board of education."

The question being: Shall the Senate concur in Assembly amendment to Senate Bill No. 845?

The roll was called, and Assembly amendment to Senate Bill No. 845 concurred in by the following vote:

AYES—Senators Allen, Baker, Breed, Bush, Carter, Cassidy, Clock, Crittenden, Deuel, Duval, Edwards, Evans, Fellom, Harper, Hays, Ingels, Jones, Mixer, Moran, Rich, Riley, Schottky, Sharkey, Slater, Treney, and Waggy—26.

NOES—None.

Senate Bill No. 845 ordered to print, and enrollment.

MESSAGE FROM THE ASSEMBLY.

The following message from the Assembly was received and read:

ASSEMBLY CHAMBER, SACRAMENTO, May 14, 1931.

MR. PRESIDENT: I am directed to inform your honorable body that the Assembly amended, and on this day passed as amended, Senate Bill No. 849—An act to amend sections 5.401, 5.460, 5.461, 5.802, 5.810 and 5.1071 of the School Code; to repeal chapter VI, embracing sections 5.630 to 5.634, both inclusive, of part III of division V thereof; to add a new chapter to part III of division V thereof, to be known as chapter VI, embracing sections 5.630 to 5.634, both inclusive; to add thereto new sections to be numbered 5.112, 5.383, 5.532, 5.804, 5.815; to add thereto a new part to be known as part V of division V thereof, embracing sections 5.1100 to 5.1138, both inclusive; to repeal section 5.814, and to repeal those acts in this act enumerated and described, all relating to the teaching and supervisory force of the public school system—and respectfully requests your honorable body to concur in said amendments.

ARTHUR A. OHNIMUS, Chief Clerk.
By FRED J. DESCH, Assistant Clerk.

CONSIDERATION OF ASSEMBLY AMENDMENTS.

The Senate took up for consideration Assembly amendments to Senate Bill No. 849—An act to amend section 5.401, 5.460, 5.461, 5.802, 5.810 and 5.1071 of the School Code; to repeal chapter VI, embracing sections 5.630 to 5.634, both inclusive, of part III of division V thereof; to add a new chapter to part III of division V thereof, to be known as chapter VI, embracing sections 5.630 to 5.634, both inclusive; to add thereto new sections to be numbered 5.112, 5.383, 5.532, 5.804, 5.815; to add thereto a new part to be known as part V of division V thereof, embracing sections 5.1100 to 5.1138, both inclusive; to repeal section 5.814, and to repeal those acts in this act enumerated and described, all relating to the teaching and supervisory force of the public school system.

ASSEMBLY AMENDMENTS TO SENATE BILL NUMBER EIGHT HUNDRED FORTY-NINE.

AMENDMENT NUMBER ONE.

In line 1 of the title of the printed bill, strike out the following: "amend section", and insert in lieu thereof the following: "repeal sections".

AMENDMENT NUMBER TWO.

In line 7 of the title of the printed bill, after the word "numbered", insert the following: "5.401, 5.460, 5.461, 5.802, 5.810, 5.1071.".

AMENDMENT NUMBER THREE.

In line 10 of the title of the printed bill, strike out the comma, and insert in lieu thereof the following: "thereof; and to amend section 5.350 thereof,".

AMENDMENT NUMBER FOUR.

On page 1 of the printed bill, strike out all of lines 1 and 2, and insert in lieu thereof the following:

"SECTION 1. Sections 5.401, 5.460, 5.461, 5.802, 5.810 and 5.1071 of the School Code are hereby repealed.

SEC. 1a. A new section is hereby added to the School Code to be numbered 5.401 and to read as follows:".

AMENDMENT NUMBER FIVE.

On page 1 of the printed bill, strike out line 9, and insert in lieu thereof the following:

"SEC. 2. A new section is hereby added to the School Code to be numbered 5.460 and".

AMENDMENT NUMBER SIX.

On page 2 of the printed bill, strike out line 1, and insert in lieu thereof the following:

"SEC. 3. A new section is hereby added to the School Code to be numbered 5.461 and".

AMENDMENT NUMBER SEVEN.

On page 2 of the printed bill, strike out line 6, and insert in lieu thereof the following:

"SEC. 4. A new section is hereby added to the School Code to be numbered 5.802 and".

AMENDMENT NUMBER EIGHT.

On page 2 of the printed bill, strike out lines 14 and 15, and insert in lieu thereof the following:

"SEC. 5. A new section is hereby added to the School Code to be numbered 5.1071 and to read as follows:".

AMENDMENT NUMBER NINE.

On page 8, line 23, of the printed bill, after said line 23 insert the following:

SEC. 16. Section 5, 50 of the School Code is hereby amended to read as follows: 5.350. For each credential or document other than a life diploma granted to a person who has resided in the State of California for the twelve months next preceding the date of application, a fee of one dollar shall be paid, and for each credential granted to a person other than one having resided within the State of California for the twelve months next preceding the date of application a fee of five dollars shall be paid."

AMENDMENT NUMBER TEN.

On page 8, line 24, of the printed bill, strike out the number "16", and insert in lieu thereof the number "17".

AMENDMENT NUMBER ELEVEN.

On page 2, line 27, of the printed bill, strike out the Roman numeral "LXII", and insert in lieu thereof the following: "62".

AMENDMENT NUMBER TWELVE.

On page 2, line 27, of the printed bill, strike out the Roman numeral "CXI", and insert in lieu thereof the following: "111".

AMENDMENT NUMBER THIRTEEN.

On page 2, line 28, of the printed bill, strike out the Roman numeral "CCLXVIII", and insert in lieu thereof the following: "268".

AMENDMENT NUMBER FOURTEEN.

On page 2, line 29, of the printed bill, strike out the Roman numeral "CCCXXIII", and insert in lieu thereof the following: "323".

AMENDMENT NUMBER FIFTEEN.

On page 2, line 29, of the printed bill, strike out the Roman numeral "CDXXVIII", and insert in lieu thereof the following: "428".

AMENDMENT NUMBER SIXTEEN.

On page 2, line 30, of the printed bill, strike out the Roman numeral "DCXII", and insert in lieu thereof the following: "612".

AMENDMENT NUMBER SEVENTEEN.

On page 2, line 30, of the printed bill, strike out the Roman numeral "DCXCIV", and insert in lieu thereof the following: "694".

AMENDMENT NUMBER EIGHTEEN.

On page 2, line 31, of the printed bill, strike out the Roman numeral "DCCCLIV", and insert in lieu thereof the following: "854".

AMENDMENT NUMBER NINETEEN.

On page 2, line 32, of the printed bill, strike out the Roman numeral "DCCCLXXXVII", and insert in lieu thereof the following: "897".

The question being: Shall the Senate concur in Assembly amendments to Senate Bill No. 849?

The roll was called, and Assembly amendments to Senate Bill No. 849 concurred in by the following vote:

AYES—Senators Allen, Baker, Breed, Bush, Cassidy, Cleveland, Clock, Crittenden, Deuel, Evans, Fellom, Harper, Hays, Ingels, Inman, Jones, Mixer, Moran, Rich, Riley, Schottky, Sharkey, Slater, Swing, Treacy, and Waggy—26.

NOES—None.

Senate Bill No. 849 ordered to print, and enrollment.

MESSAGE FROM THE ASSEMBLY.

The following message from the Assembly was received and read:

ASSEMBLY CHAMBER, SACRAMENTO, May 15, 1931.

MR. PRESIDENT: I am directed to inform your honorable body that the Assembly amended, and on this day passed as amended, Senate Bill No. 851. An act to amend sections 3.351, 3.350 and 3.762 of the School Code, to repeal article VIII, embracing sections 3.490 to 3.501, inclusive, of chapter I of part IV of division III thereof, to add a new article to chapter I of part IV of division III thereof to be known as article VIII embracing sections 3.490 to 3.495, inclusive, to add a new article to chapter II of part IV of division III to be known as article VIIa, embracing sections 3.670a to 3.685a, inclusive; to add thereto new sections to be numbered 3.392 and 3.807 and to repeal those acts in this act enumerated and described, all relating to the system of public instruction—and respectfully requests your honorable body to concur in said amendments.

ARTHUR A. OHNIMUS, Chief Clerk.
By A. W. ENGELKE, Assistant Clerk.

CONSIDERATION OF ASSEMBLY AMENDMENTS.

The Senate took up for consideration Assembly amendments to Senate Bill No. 851—An act to amend sections 3.351, 3.350 and 3.762 of the School Code, to repeal article VIII, embracing sections 3.490 to 3.501, inclusive, of chapter I of part IV of division III thereof, to add a new article to chapter I of part IV of division III thereof to be known as article VIII, embracing sections 3.490 to 3.495, inclusive, to add a new article to chapter II of part IV of division III to be known as article VIIa, embracing sections 3.670a to 3.685a, inclusive; to add thereto new sections to be numbered 3.392 and 3.807 and to repeal those acts in this act enumerated and described, all relating to the system of public instruction.

ASSEMBLY AMENDMENTS TO SENATE BILL NUMBER EIGHT HUNDRED FIFTY-ONE.

AMENDMENT NUMBER ONE.

Strike out the title of the printed bill, and insert in lieu thereof the following: "An act to add a new section to the School Code to be numbered 2.1043, relating to the governing boards of high school districts."

AMENDMENT NUMBER TWO.

On page 1 of the printed bill, strike out lines 1 to 17, inclusive, and also strike out all of pages 2 to 7, inclusive, and insert in lieu thereof the following:

"SECTION 1. A new section is hereby added to the School Code to be numbered 2.1043 to read as follows:

2.1043. When the boundaries of an elementary school district governed by a city board of education are coterminous with the boundaries of a high school district other than a city high school district, the city board of education may call and hold an election on the question of whether the city board of education shall also be the governing board of the high school district. The election shall be called, held, and conducted in as nearly the same manner as may be practical as are elections for members of boards of school trustees as provided in article I of chapter II of this part, except that the words to appear on the ballots shall be: "For the government of high school district by the city board of education—yes" and "For the government of high school district by the city board of education—no," and except that the returns shall be made to the city board of education. If it appears after the votes have been canvassed that a majority of the votes cast in favor of the government of the high school district by the city board of education the then existing high school board shall be deemed abolished and the city board of education shall thereafter be for every purpose the governing board of the high school district."

The question being: Shall the Senate concur in Assembly amendments to Senate Bill No. 851?

The roll was called, and Assembly amendments to Senate Bill No. 851 concurred in by the following vote:

AYES—Senators Allen, Baker, Breed, Bush, Carter, Cassidy, Crittenden, Deuel, Duval, Edwards, Evans, Fellom, Harper, Hays, Ingels, Inman, Jones, Maloney, Moran, Rich, Riley, Schottky, Sharkey, Slater, Swing, and Waggy—26.

NOES—None.

Senate Bill No. 851 ordered to print, and enrollment.

MESSAGE FROM THE ASSEMBLY.

The following message from the Assembly was received and read:

ASSEMBLY CHAMBER, SACRAMENTO, May 15, 1931.

MR. PRESIDENT: I am directed to inform your honorable body that the Assembly amended, and on this day passed as amended, Senate Bill No. 853—An act to repeal chapter II of part II of division I of the School Code, and to amend sections 1.70, 1.80, 1.144 and 1.180 thereof, and to add thereto a new chapter II of part II of division I, embracing sections 1.350 to 1.430, inclusive, and new sections to be numbered 1.35, 1.36, 1.71 and 1.81, and to repeal those certain acts in this act enumerated and described, all relating to pupils in the public schools—and respectfully requests your honorable body to concur in said amendments.

ARTHUR A. OHNIMUS, Chief Clerk.
By A. W. ENGELKE, Assistant Clerk.

CONSIDERATION OF ASSEMBLY AMENDMENTS.

The Senate took up for consideration Assembly amendments to Senate Bill No. 853—An act to repeal chapter II of part II of division I of the School Code, and to repeal sections 1.70, 1.80, 1.144 and 1.180 thereof, and to add thereto a new chapter II of part II of division I, embracing sections 1.350 to 1.430, inclusive, and new sections to be numbered 1.70, 1.80, 1.144, 1.180, 1.35, 1.36, 1.71 and 1.81, and to repeal those certain acts in this act enumerated and described, all relating to pupils in the public schools.

ASSEMBLY AMENDMENTS TO SENATE BILL NUMBER EIGHT HUNDRED FIFTY-THREE.

AMENDMENT NUMBER ONE.

In line 2 of the title of the printed bill, as amended in Senate March 20, 1931, strike out the word "amend", and insert in lieu thereof the word "repeal".

AMENDMENT NUMBER TWO.

In line 5 of the title of the printed bill, as amended in Senate March 20, 1931, after the word "numbered", insert the following: "1.70, 1.80, 1.144, 1.180,".

AMENDMENT NUMBER THREE.

On page 1 of the printed bill, as amended in Senate March 20, 1931, strike out lines 1 and 2, and insert in lieu thereof the following:

"SECTION 1. Sections 1.70, 1.80, 1.144 and 1.180 of the School Code are hereby repealed.

SEC. 1a. A new section is hereby added to the School Code to be numbered 1.70 and to read as follows:".

AMENDMENT NUMBER FOUR.

On page 2 of the printed bill, as amended in Senate March 20, 1931, strike out lines 1 and 2, and insert in lieu thereof the following:

"SEC. 2. A new section is hereby added to the School Code to be numbered 1.80 and to read as follows:".

AMENDMENT NUMBER FIVE.

On page 2 of the printed bill, as amended in Senate March 20, 1931, strike out lines 14 and 15, and insert in lieu thereof the following:

"SEC. 3. A new section is hereby added to the School Code to be numbered 1.144 and to read as follows:".

AMENDMENT NUMBER SIX.

On page 2 of the printed bill, as amended in Senate March 20, 1931, strike out lines 25 and 26, and insert in lieu thereof the following:

"SEC. 4. A new section is hereby added to the School Code to be numbered 1.180 and to read as follows:".

AMENDMENT NUMBER SEVEN.

On page 7 of the printed bill, as amended in Senate March 20, 1931, strike out lines 26 to 30, inclusive, and insert in lieu thereof the following: "statutes of 1929, chapter 82; statutes of 1929, chapter 148; statutes of 1929, chapter 149; statutes of 1929, chapter 182; statutes of 1929, chapter 187; statutes of 1929, chapter 592; statutes of 1929, chapter 885."

The question being: Shall the Senate concur in Assembly amendments to Senate Bill No. 853?

The roll was called, and Assembly amendments to Senate Bill No. 853 concurred in by the following vote:

AYES—Senators Allen, Baker, Breed, Bush, Cassidy, Christian, Clock, Crittenden, Deuel, Duval, Edwards, Evans, Fellom, Harper, Hays, Ingels, Inman, Jones, Maloney, McCormack, McKinley, Moran, Rich, Riley, Schottky, Sharkey, Slater, Treacy, and Wagye—29.

NOES—None.

Senate Bill No. 853 ordered to print, and enrollment.

MESSAGE FROM THE ASSEMBLY.

The following message from the Assembly was received and read:

ASSEMBLY CHAMBER, SACRAMENTO, May 14, 1931.

MR. PRESIDENT: I am directed to inform your honorable body that the Assembly amended, and on this day passed as amended, Senate Bill No. 852—An act to amend section 2.310, 2.500, 2.600, 2.670 to 2.674, inclusive, 2.690, 2.691, 2.750, 2.830, 2.877, 2.913, 2.1021, 2.1058, 2.1061, 2.1130, 2.1131, 2.1391, 2.1435, 2.1440 to 2.1443, inclusive, 2.1463, 2.1466 and 2.1468 of the School Code; to add thereto new sections to be numbered 2.21, 2.1095, 2.1111, 2.1321, 2.1399 to 2.1401, inclusive, 2.1444 to 2.1446, inclusive, and 2.1469; to add a new article to chapter VI of part I of division II thereof to be numbered article VIIIA, embracing sections 2.440a to 2.454a, inclusive; to add a new article to chapter XI of part I of division II thereof, to be numbered article VIA embracing sections 2.730a to 2.738a, inclusive; to add a new article to chapter I of part V of division II thereof to be numbered article V embracing section 2.1520; to repeal sections 2.1392 to 2.1398, inclusive, and sections 2.1132 and 2.1133 thereof, and to repeal those acts in this act enumerated and described, all relating to the administrative organization of the public school system—and respectfully requests your honorable body to concur in said amendments.

ARTHUR A. OHNIMUS, Chief Clerk.
By FRED J. DESCH, Assistant Clerk.

CONSIDERATION OF ASSEMBLY AMENDMENTS.

The Senate took up for consideration Assembly amendments to Senate Bill No. 852—An act to amend sections 2.310, 2.500, 2.600, 2.670 to 2.674, inclusive, 2.690, 2.691, 2.750, 2.830, 2.877, 2.913, 2.1021, 2.1058, 2.1061, 2.1130, 2.1131, 2.1391, 2.1435, 2.1440 to 2.1443, inclusive, 2.1463, 2.1466 and 2.1468 of the School Code; to add thereto new sections to be numbered 2.21, 2.1095, 2.1111, 2.1321, 2.1399 to 2.1401, inclusive, 2.1444 to 2.1446, inclusive, and 2.1469; to add a new article to chapter VI of part I of division II thereof to be numbered article VIIIA, embracing sections 2.440a to 2.454a, inclusive; to add a new article to chapter XI of part I of division II thereof, to be numbered VIA, embracing sections 2.730a to 2.738a, inclusive; to add a new article to chapter I of part V of division II thereof to be numbered article V, embracing section 2.1520; to repeal sections 2.1392 to 2.1398, inclusive, and sections 2.1132 and 2.1133 thereof, and to repeal those acts in this act enumerated and described, all relating to the administrative organization of the public school system.

ASSEMBLY AMENDMENTS TO SENATE BILL NUMBER EIGHT HUNDRED FIFTY-TWO.

AMENDMENT NUMBER ONE.

In line 1 of the title of the printed bill, strike out the word "amend", and insert in lieu thereof the word "repeal".

AMENDMENT NUMBER TWO.

In line 5 of the title of the printed bill, after the word "numbered", insert the following: "2,310, 2,500, 2,600, 2,670 to 2,674, inclusive, 2,690, 2,691, 2,750, 2,830, 2,877, 2,913, 2,1021, 2,1058, 2,1061, 2,1130, 2,1131, 2,1391, 2,1435, 2,1440 to 2,1443, inclusive, 2,1463, 2,1466, 2,1468,".

AMENDMENT NUMBER THREE.

On page 1 of the printed bill, strike out lines 1 and 2, and insert in lieu thereof the following:

"SECTION 1. Sections 2,310, 2,500, 2,600, 2,670 to 2,674, inclusive, 2,690, 2,691, 2,750, 2,830, 2,877, 2,913, 2,1021, 2,1058, 2,1061, 2,1130, 2,1131, 2,1391, 2,1435, 2,1440 to 2,1443, inclusive, 2,1463, 2,1466 and 2,1468 of the School Code are hereby repealed.

SEC. 1a. A new section is hereby added to the School Code to be numbered 2,130 and to read as follows:".

AMENDMENT NUMBER FOUR.

On page 2 of the printed bill, strike out lines 31 and 32, and insert in lieu thereof the following:

"SEC. 2. A new section is hereby added to the School Code to be numbered 2,500 and to read as follows:".

AMENDMENT NUMBER FIVE.

On page 2 of the printed bill, strike out lines 45 and 46, and insert in lieu thereof the following:

"SEC. 3. A new section is hereby added to the School Code to be numbered 2,600 and to read as follows:".

AMENDMENT NUMBER SIX.

On page 3 of the printed bill, strike out lines 32 and 33, and insert in lieu thereof the following:

"SEC. 4. A new section is hereby added to the School Code to be numbered 2,670 and to read as follows:".

AMENDMENT NUMBER SEVEN.

On page 3 of the printed bill, strike out lines 43 and 44, and insert in lieu thereof the following:

"SEC. 5. A new section is hereby added to the School Code to be numbered 2,671 and to read as follows:".

AMENDMENT NUMBER EIGHT.

On page 4 of the printed bill, strike out lines 3 and 4, and insert in lieu thereof the following:

"SEC. 6. A new section is hereby added to the School Code to be numbered 2,672 and to read as follows:".

AMENDMENT NUMBER NINE.

On page 4 of the printed bill, strike out lines 15 and 16, and insert in lieu thereof the following:

"SEC. 7. A new section is hereby added to the School Code to be numbered 2,673 and to read as follows:".

AMENDMENT NUMBER TEN.

On page 4 of the printed bill, strike out lines 27 and 28, and insert in lieu thereof the following:

"SEC. 8. A new section is hereby added to the School Code to be numbered 2,674 and to read as follows:".

AMENDMENT NUMBER ELEVEN.

On page 4 of the printed bill, strike out lines 39 and 40, and insert in lieu thereof the following:

"SEC. 9. A new section is hereby added to the School Code to be numbered 2,690 and to read as follows:".

AMENDMENT NUMBER TWELVE.

On page 5 of the printed bill, strike out lines 3 and 4, and insert in lieu thereof the following:

"SEC. 10. A new section is hereby added to the School Code to be numbered 2,691 and to read as follows:".

AMENDMENT NUMBER THIRTEEN.

On page 5 of the printed bill, strike out lines 9 and 10, and insert in lieu thereof the following:

"SEC. 11. A new section is hereby added to the School Code to be numbered 2,750 and to read as follows:".

AMENDMENT NUMBER FOURTEEN.

On page 5 of the printed bill, strike out lines 22 and 23, and insert in lieu thereof the following:

"SEC. 12. A new section is hereby added to the School Code to be numbered 2,830 and to read as follows:".

AMENDMENT NUMBER FIFTEEN.

On page 5 of the printed bill, strike out lines 27 and 28, and insert in lieu thereof the following:

"SEC. 13. A new section is hereby added to the School Code to be numbered 2.877 and to read as follows:".

AMENDMENT NUMBER SIXTEEN.

On page 5 of the printed bill, strike out lines 43 and 44, and insert in lieu thereof the following:

"SEC. 14. A new section is hereby added to the School Code to be numbered 2.913 and to read as follows:".

AMENDMENT NUMBER SEVENTEEN.

On page 6 of the printed bill, strike out lines 1 and 2, and insert in lieu thereof the following:

"SEC. 15. A new section is hereby added to the School Code to be numbered 2.1021 and to read as follows:".

AMENDMENT NUMBER EIGHTEEN.

On page 6 of the printed bill, strike out lines 8 and 9, and insert in lieu thereof the following:

"SEC. 16. A new section is hereby added to the School Code to be numbered 2.1058 and to read as follows:".

AMENDMENT NUMBER NINETEEN.

On page 6 of the printed bill, strike out lines 15 and 16, and insert in lieu thereof the following:

"SEC. 17. A new section is hereby added to the School Code to be numbered 2.1061 and to read as follows:".

AMENDMENT NUMBER TWENTY.

On page 6 of the printed bill, strike out lines 24 and 25, and insert in lieu thereof the following:

"SEC. 18. A new section is hereby added to the School Code to be numbered 2.1130 and to read as follows:".

AMENDMENT NUMBER TWENTY-ONE.

On page 6 of the printed bill, strike out lines 33 and 34, and insert in lieu thereof the following:

"SEC. 19. A new section is hereby added to the School Code to be numbered 2.1131 and to read as follows:".

AMENDMENT NUMBER TWENTY-TWO.

On page 6 of the printed bill, strike out lines 43 and 44, and insert in lieu thereof the following:

"SEC. 20. A new section is hereby added to the School Code to be numbered 2.1391 and to read as follows:".

AMENDMENT NUMBER TWENTY-THREE.

On page 7 of the printed bill, strike out lines 3 and 4, and insert in lieu thereof the following:

"SEC. 21. A new section is hereby added to the School Code to be numbered 2.1435 and to read as follows:".

AMENDMENT NUMBER TWENTY-FOUR.

On page 7 of the printed bill, strike out lines 11 and 12, and insert in lieu thereof the following:

"SEC. 22. A new section is hereby added to the School Code to be numbered 2.1440 and to read as follows:".

AMENDMENT NUMBER TWENTY-FIVE.

On page 7 of the printed bill, strike out lines 22 and 23, and insert in lieu thereof the following:

"SEC. 23. A new section is hereby added to the School Code to be numbered 2.1441 and to read as follows:".

AMENDMENT NUMBER TWENTY-SIX.

On page 7 of the printed bill, strike out lines 37 and 38, and insert in lieu thereof the following:

"SEC. 24. A new section is hereby added to the School Code to be numbered 2.1442 and to read as follows:".

AMENDMENT NUMBER TWENTY-SEVEN.

On page 7 of the printed bill, strike out lines 49 and 50, and insert in lieu thereof the following:

"SEC. 25. A new section is hereby added to the School Code to be numbered 2.1443 and to read as follows:".

AMENDMENT NUMBER TWENTY-EIGHT.

On page 8 of the printed bill, strike out lines 14 and 15, and insert in lieu thereof the following:

"SEC. 26. A new section is hereby added to the School Code to be numbered 2.1463 and to read as follows:"

AMENDMENT NUMBER TWENTY-NINE.

On page 8 of the printed bill, strike out lines 21 and 22, and insert in lieu thereof the following:

"SEC. 27. A new section is hereby added to the School Code to be numbered 2.1466 and to read as follows:"

AMENDMENT NUMBER THIRTY.

On page 8, line 28, of the printed bill, strike out all of lines 28 to 30, inclusive, and insert in lieu thereof the following: "needs. At the time of such request the governing board shall pay to the division a sum of money sufficient to meet the estimated cost of such survey. If the money paid is found by the division to be insufficient to meet the cost to the state of the survey, the department may from time to time require the payment of further money for the same purpose and may refuse to continue the survey until such payment is made. Any portion of such sums not actually used for the purpose for which it is paid, must be refunded to the district, board, or person making the payment:"

AMENDMENT NUMBER THIRTY-ONE.

On page 8 of the printed bill, strike out lines 31 and 32, and insert in lieu thereof the following:

"SEC. 28. A new section is hereby added to the School Code to be numbered 2.1468 and to read as follows:"

The question being: Shall the Senate concur in Assembly amendments to Senate Bill No. 852?

The roll was called, and Assembly amendments to Senate Bill No. 852 concurred in by the following vote:

AYES—Senators Allen, Baker, Bush, Carter, Cassidy, Christian, Clock, Crittenden, Deuel, Evans, Fellows, Harper, Inman, Jones, McInney, McCormack, McKinley, Moran, Rich, Riley, Schotsky, Sharkey, Slater, and Wagy—24.

NOES—None.

Senate Bill No. 852 ordered to print, and enrollment.

MESSAGE FROM THE ASSEMBLY.

The following message from the Assembly was received and read:

ASSEMBLY CHAMBER, SACRAMENTO, May 15, 1931.

MR. PRESIDENT: I am directed to inform your honorable body that the Assembly amended, and on this day passed as amended, Senate Bill No. 389—An act to amend section 2.878 of the School Code, relating to electors at school district elections—and respectfully requests your honorable body to concur in said amendments.

ARTHUR A. OHNIMUS, Chief Clerk.
By A. W. ENGELKE, Assistant Clerk.

CONSIDERATION OF ASSEMBLY AMENDMENT.

The Senate took up for consideration Assembly amendment to Senate Bill No. 389—An act to amend section 2.878 of the School Code, relating to electors at school district elections.

ASSEMBLY AMENDMENT TO SENATE BILL NUMBER THREE HUNDRED EIGHTY-NINE.

AMENDMENT NUMBER ONE.

On page 1 of the printed bill, strike out lines 3 to 16, inclusive, and insert in lieu thereof the following:

"2.878. Every elector resident of the school district, who is a qualified elector of the county, and who is registered in the precinct where the election is held at least forty days before the election, may vote thereat.

At the time the governing board of any school district calls any election provided for by this code the clerk or secretary of the board shall in writing officially request the county clerk or registrar of voters of the county or city and county within which the school district is situated to furnish said board with as many copies as may be needed of the index of the registration book for each precinct contained in whole or

in part in the school district. Upon receipt of such request the county clerk or registrar of voters shall forward to the said clerk or secretary of the governing board the number of copies requested.

The governing board of the school district charged with the conduct of carrying on said election, may precinct or subdivide the municipality or territory within which such election is to be held, into special or consolidated election precincts for the holding of such election. In establishing such precincts, the said governing board shall number such precincts so established, consecutively, and each precinct so established shall for the purpose of such election be known by the number so designated.

Any elector desiring to vote at said election shall write his or her name and address on a roster of voters provided for that purpose and announce the same to one of the election officers, who shall then in an audible tone of voice announce the same, and if another election officer finds the name on the precinct index, and it has not been canceled, he shall in like manner repeat the name and address and deliver to the elector a ticket which he shall be allowed to vote.

The election clerk having in charge the copy of the index to the register or affidavits of registration shall, in like manner, repeat the name and shall write in the ruled space opposite the name in figures, the line number designating the position of the name on the roster for each elector who votes.

The said elector shall only be allowed to cast his ballot in the precinct in which his place of residence is located.

The question being: Shall the Senate concur in Assembly amendment to Senate Bill No. 389?

The roll was called, and Assembly amendment to Senate Bill No. 389 concurred in by the following vote:

AYES—Senators Allen, Baker, Breed, Bush, Cassidy, Christian, Clock, Evans, Fellom, Harper, Hays, Jones, Maloney, McCormack, McKinley, Moran, Riley, Schottky, Sharkey, Slater, and Wagy—21.

NOES—None.

Senate Bill No. 389 ordered to print, and enrollment.

MESSAGE FROM THE ASSEMBLY.

The following message from the Assembly was received and read:

ASSEMBLY CHAMBER, SACRAMENTO, May 15, 1931.

MR. PRESIDENT: I am directed to inform your honorable body that the Assembly amended, and on this day passed as amended, Senate Bill No. 465—An act to amend section 2.801 of the School Code, relating to the liability of boards of school trustees, and to add a new section to the School Code, to be numbered section 2.990, providing for insurance by school districts—and respectfully requests your honorable body to concur in said amendment.

ARTHUR A. OHNIMUS, Chief Clerk.
By FRED J. DESCH, Assistant Clerk.

CONSIDERATION OF ASSEMBLY AMENDMENT.

The Senate took up for consideration Assembly amendment to Senate Bill No. 465—An act to amend section 2.801 of the School Code, relating to the liability of boards of school trustees, and to add a new section to the School Code, to be numbered section 2.990, providing for insurance by school districts.

ASSEMBLY AMENDMENT TO SENATE BILL NUMBER FOUR HUNDRED SIXTY-FIVE.

AMENDMENT NUMBER ONE.

On page 1, line 22, of the printed bill, after the word "liability" insert the following: "(other than a liability which may be insured against under the provisions of the workmen's compensation insurance and safety act, or under the workmen's compensation insurance and safety act of 1917)".

The question being: Shall the Senate concur in Assembly amendment to Senate Bill No. 465?

The roll was called, and Assembly amendment to Senate Bill No. 465 concurred in by the following vote:

AYES—Senators Allen, Baker, Breed, Bush, Carter, Cassidy, Christian, Clock, Crittenden, Evans, Fellom, Harper, Hays, Ingels, Jones, Maloney, McCormack, McKinley, Mixer, Moran, Rich, Schottky, Sharkey, Slater, Swing, and Wagy—26.

NOES—None.

Senate Bill No. 465 ordered to print, and enrollment.

MESSAGE FROM THE ASSEMBLY.

The following message from the Assembly was received and read:

ASSEMBLY CHAMBER, SACRAMENTO, May 14, 1931.

MR. PRESIDENT: I am directed to inform your honorable body that the Assembly amended, and on this day passed as amended, Senate Bill No. 439—An act to repeal article I, embracing sections 4530 to 4533, both inclusive, article II, embracing sections 4540 to 4548, both inclusive, article III, embracing sections 4560 to 4566, both inclusive, all of chapter VI of part III of division IV of the School Code, and section 4570 thereof, all relating to the financial support of high school districts, and respectfully requests your honorable body to concur in said amendments.

ARTHUR A. OHNIMUS, Chief Clerk.

By FRED J. DESCH, Assistant Clerk.

CONSIDERATION OF ASSEMBLY AMENDMENTS.

The Senate took up for consideration Assembly amendments to Senate Bill No. 439—An act to repeal article I, embracing sections 4530 to 4533, both inclusive, article II, embracing sections 4540 to 4548, both inclusive, article III, embracing sections 4560 to 4566, both inclusive, all of chapter VI of part III of division IV of the School Code, and section 4570 thereof, all relating to the financial support of high school districts.

ASSEMBLY AMENDMENTS TO SENATE BILL NUMBER FOUR HUNDRED THIRTY-NINE.

AMENDMENT NUMBER ONE.

In line 3 of the title of the printed bill, beginning in said line 3, strike out the following: "article III, embracing sections 4560 to 4566, both inclusive,".

AMENDMENT NUMBER TWO.

In line 5 of the title of the printed bill, strike out the word "section", and insert in lieu thereof the following: "sections 4560, 4561, 4562, 4564, 4565, 4566 and".

AMENDMENT NUMBER THREE.

On page 1, line 7, of the printed bill, beginning with said line 7, strike out all of lines 7 to 10, inclusive, and insert in lieu thereof the following:

"SEC. 3. Sections 4560, 4561, 4562, 4564, 4565, 4566 and 4570 of the School Code are hereby repealed."

The question being: Shall the Senate concur in Assembly amendments to Senate Bill No. 439?

The roll was called, and Assembly amendments to Senate Bill No. 439 concurred in by the following vote:

AYES—Senators Allen, Baker, Breed, Bush, Carter, Cassidy, Christian, Clock, Crittenden, Deuel, Evans, Fellom, Harper, Hays, Ingels, Inman, Maloney, McCormack, Mixer, Rich, Rochester, Schottky, Sharkey, Slater, Swing, and Wagy—26.

NOES—None.

Senate Bill No. 439 ordered to print, and enrollment.

MESSAGE FROM THE ASSEMBLY.

The following message from the Assembly was received and read:

ASSEMBLY CHAMBER, SACRAMENTO, May 14, 1931.

MR. PRESIDENT: I am directed to inform your honorable body that the Assembly amended, and on this day passed as amended, Senate Bill No. 442—An act to

amend section 3.470 of the School Code and to repeal sections 3.471 and 3.473 thereof, relating to cooperative part-time vocational courses in high schools—and respectfully requests your honorable body to concur in said amendment.

ARTHUR A. OHNIMUS, Chief Clerk.
By FRED J. DESCH, Assistant Clerk.

CONSIDERATION OF ASSEMBLY AMENDMENTS.

The Senate took up for consideration Assembly amendments to Senate Bill No. 442—An act to amend section 3.470 of the School Code and to repeal sections 3.471, 3.472 and 3.473 thereof, relating to cooperative part-time vocational courses in high schools.

ASSEMBLY AMENDMENTS TO SENATE BILL NUMBER FOUR HUNDRED FORTY-TWO.

AMENDMENT NUMBER ONE.

In line 2 of the title of the printed bill, strike out the first comma, and the following: "3.472".

AMENDMENT NUMBER TWO.

On page 1, line 10, of the printed bill, strike out the first comma, and the following: "3.472".

The question being: Shall the Senate concur in Assembly amendments to Senate Bill No. 442?

The roll was called, and Assembly amendments to Senate Bill No. 442 concurred in by the following vote:

AYES—Senators Allen, Baker, Breed, Bush, Carter, Cassidy, Christian, Clock, Crittenden, Deuel, Evans, Fellom, Harper, Hays, Ingels, Maloney, McCormack, Mixer, Rich, Riley, Schottky, Sharkey, Slater, Swing, and Wagye—25.
NOES—None.

Senate Bill No. 442 ordered to print, and enrollment.

MESSAGE FROM THE ASSEMBLY.

The following message from the Assembly was received and read:

ASSEMBLY CHAMBER, SACRAMENTO, May 15, 1931.

MR. PRESIDENT: I am directed to inform your honorable body that the Assembly amended, and on this day passed as amended, Senate Bill No. 138. An act to add a new article to chapter 3 of title I of part III of the Political Code, to be numbered article IIa, embracing sections 360 to 360g, both inclusive, and to repeal sections 363k, 363l and 363m of the Political Code, and section 30 of the California Vehicle Act, relating to a Department of Motor Vehicles—and respectfully requests your honorable body to concur in said amendments.

ARTHUR A. OHNIMUS, Chief Clerk.
By A. W. ENGELKE, Assistant Clerk.

CONSIDERATION OF ASSEMBLY AMENDMENTS.

The Senate took up for consideration Assembly amendments to Senate Bill No. 138—An act to add a new article to chapter 3 of title I of part III of the Political Code, to be numbered article IIa, embracing sections 360 to 360g, both inclusive, and to repeal sections 363k, 363l and 363m of the Political Code and section 30 of the California Vehicle Act relating to a Department of Motor Vehicles.

ASSEMBLY AMENDMENTS TO SENATE BILL NUMBER ONE HUNDRED THIRTY-EIGHT.

AMENDMENT NUMBER ONE.

On page 2, line 24, of the printed bill, after the word "positions", insert the following: "together with such investigators as may be necessary."

AMENDMENT NUMBER TWO.

On page 3 of the printed bill, insert between lines 9 and 10, the following: "All members and employees of the patrol holding their positions under civil service rating on the day this act takes effect shall retain their civil service status. Such

specialized positions as are necessary in the discretion of the chief of the patrol shall be filled from open competitive examinations."

AMENDMENT NUMBER THREE.

On page 2, line 48, of the printed bill, after the word "secretary", insert the following: "and such investigators as may be necessary."

AMENDMENT NUMBER FOUR.

On page 3 of the printed bill, after line 41, insert the following: "No badge shall be issued by the director of the department of motor vehicles, chief of the patrol or any other person to any person who is not a duly authorized employee and acting member of the California highway patrol."

The question being: Shall the Senate concur in Assembly amendments to Senate Bill No. 138?

The roll was called, and Assembly amendments to Senate Bill No. 138 concurred in by the following vote:

AYES—Senators Allen, Baker, Breed, Bush, Carter, Cassidy, Christian, Clock, Crittenden, Deuel, Evans, Fellom, Harper, Hays, Ingels, Inman, Maloney, McCormack, Mixer, Moran, Rich, Schottky, Sharkey, Slater, Swing, and Wagye—26.

NOES—None.

Senate Bill No. 138 ordered to print, and enrollment.

MESSAGE FROM THE ASSEMBLY.

The following message from the Assembly was received and read:

ASSEMBLY CHAMBER, SACRAMENTO, May 14, 1931.

MR. PRESIDENT: I am directed to inform your honorable body that the Assembly amended, and on this day passed as amended, Senate Bill No. 2—An act to amend section 737aa of the Political Code, relating to the salary of the superior judge in and for the county of Monterey—and respectfully requests your honorable body to concur in said amendments.

ARTHUR A. OINIMUS, Chief Clerk.

By A. W. ENGELKE, Assistant Clerk.

CONSIDERATION OF ASSEMBLY AMENDMENT.

The Senate took up for consideration Assembly amendment to Senate Bill No. 2—An act to amend section 737aa of the Political Code, relating to the salary of the superior judge in and for the county of Monterey.

ASSEMBLY AMENDMENT TO SENATE BILL NUMBER TWO.

AMENDMENT NUMBER ONE.

On page 1, lines 4 and 5, of the printed bill, strike out "seven thousand five hundred", and insert in lieu thereof the following: "eight thousand".

The question being: Shall the Senate concur in Assembly amendment to Senate Bill No. 2?

The roll was called, and Assembly amendment to Senate Bill No. 2 concurred in by the following vote:

AYES—Senators Allen, Baker, Breed, Carter, Cassidy, Christian, Clock, Crittenden, Deuel, Duval, Evans, Fellom, Harper, Ingels, Inman, Maloney, McCormack, McKinley, Meram, Rich, Riley, Schottky, Sharkey, Slater, Swing, and Wagye—26.

NOES—Senators Hays, and Rochester—2.

Senate Bill No. 2 ordered to print, and enrollment.

MESSAGE FROM THE ASSEMBLY.

The following message from the Assembly was received and read:

ASSEMBLY CHAMBER, SACRAMENTO, May 14, 1931.

MR. PRESIDENT: I am directed to inform your honorable body that the Assembly amended, and on this day passed as amended, Senate Bill No. 600—An act to add a new section to the Penal Code, to be numbered 969b, to provide for the admission in evidence in criminal cases of the official records, or the exemplification of copies

of official records, of the penitentiaries or reformatories of sister states or of federal penitentiaries, and providing that such records and copies shall constitute prima facie evidence of a prior conviction—and respectfully requests your honorable body to concur in said amendments.

ARTHUR A. O'HINIMUS, Chief Clerk.
By FRED J. DESCH, Assistant Clerk.

CONSIDERATION OF ASSEMBLY AMENDMENTS.

The Senate took up for consideration Assembly amendments to Senate Bill No. 600—An act to add a new section to the Penal Code, to be numbered 969b, to provide for the admission in evidence in criminal cases of the official records, or the exemplification of copies of official records, of the penitentiaries or reformatories of sister states or of federal penitentiaries, and providing that such records and copies shall constitute prima facie evidence of a prior conviction.

ASSEMBLY AMENDMENTS TO SENATE BILL NUMBER SIX HUNDRED.

AMENDMENT NUMBER ONE.

In lines 2 and 3 of the title of the printed bill, strike out "to provide for the admission", and insert in lieu thereof the following: "relating to the admissibility".

AMENDMENT NUMBER TWO.

In line 4 of the title of the printed bill, strike out "official records, or the", and also strike out all of lines 5 to 11, inclusive, of the title of the printed bill, and insert in lieu thereof the following: "records, or certified copies thereof, of prisons, penitentiaries and reformatories."

AMENDMENT NUMBER THREE.

On page 1 of the printed bill, strike out line 2, and insert in lieu thereof the following:

"SECTION 1. A new section, to be numbered 969b, is hereby added to the Penal Code, to read as follows:

969b. For the purpose of establishing prima facie".

AMENDMENT NUMBER FOUR.

On page 1, line 4, of the printed bill, after "convicted", insert the following: "of an act punishable by imprisonment in the state prison of this state, and has served a term therefor in any penal institution, or has been convicted".

AMENDMENT NUMBER FIVE.

On page 1, line 5, of the printed bill, strike out "sister", and insert in lieu thereof the following: "other".

AMENDMENT NUMBER SIX.

On page 1, line 6, of the printed bill, after "state," insert the following: "and has served a term therefor in any state penitentiary or reformatory,".

AMENDMENT NUMBER SEVEN.

On page 1, line 7, of the printed bill, after the comma insert the following: "and has served a term therefor in any penal institution".

AMENDMENT NUMBER EIGHT.

On page 1, line 8, of the printed bill, after "any", insert the following: "state".

AMENDMENT NUMBER NINE.

On page 1 of the printed bill, strike out lines 9 to 11, inclusive, and insert in lieu thereof the following: "or federal penitentiary in which such person has been imprisoned,".

AMENDMENT NUMBER TEN.

On page 2, line 1, of the printed bill, after "copies", insert the following: "thereof".

AMENDMENT NUMBER ELEVEN.

On page 2, lines 1 and 2, of the printed bill, strike out "officer of the prison having charge", and insert in lieu thereof the following: "official custodian".

The question being: Shall the Senate concur in Assembly amendments to Senate Bill No. 600?

The roll was called, and Assembly Concurrent Resolution No. 100 passed by the following vote:

Yeas—Messrs. Allen, Brown, Bush, Carter, Connelley, Cummings, Davis, Edwards, Evans, Gentry, Gorman, Harlow, Jones, Lester, Lusk, McKeown, McKinnis, Miller, and Wilson—26.
Nays—None.

Senate Bill No. 100 ordered to print, and enrollment.

Committee on Public Lands.

SENATE RESOLUTION NO. 100—(AMENDED).

Assembly Bill No. 1111—An act to amend Section 24 of the California Public Law, as amended, relating to the tenure of office of the members of the board.

Roll read (not read).

The question being on the passage of the bill.

The roll was called, and Assembly Bill No. 1111 passed by the following vote:

Yeas—Messrs. Allen, Baker, Bush, Carter, Connelley, Cummings, Davis, Edwards, Evans, Gentry, Gorman, Harlow, Jones, Lester, Lusk, McKeown, McKinnis, Miller, and Wilson—26.
Nays—None.

Title read and approved.

Bill ordered transmitted to the Assembly.

ASSEMBLY CONCURRENT RESOLUTION NO. 36

Resolved, in favor of a report of the State Controller and the Attorney General.

Answered to the resolution, the Senate announced that copies of answers from the State Controller and Attorney General have been filed during the years 1900 and 1901 in some places in the State, and that the members of the House of California, and to J. A. Webb, Assistant Comptroller of the State of California, during the period from January 1, 1901, to December 31, 1901.

Resolution read.

The question being on the adoption of the resolution.

The roll was called, and Assembly Concurrent Resolution No. 36 adopted by the following vote:

Yeas—Messrs. Allen, Baker, Bush, Carter, Connelley, Cummings, Davis, Edwards, Evans, Gentry, Gorman, Harlow, Jones, Lester, Lusk, McKeown, McKinnis, Miller, and Wilson—26.
Nays—None.

Assembly Concurrent Resolution No. 37 ordered transmitted to the Assembly.

Assembly Bill No. 1114—An act making an appropriation for the purchase of a site and the construction of an armory in the city of Pasadena, Los Angeles County, California.

Roll read (not read).

The question being on the passage of the bill.

The roll was called, and Assembly Bill No. 1114 passed by the following vote:

Yeas—Messrs. Allen, Baker, Bush, Carter, Connelley, Cummings, Davis, Edwards, Evans, Gentry, Gorman, Harlow, Jones, Lester, Lusk, McKeown, McKinnis, Miller, and Wilson—26.
Nays—None.

Title read and approved.

Bill ordered transmitted to the Assembly.

Assembly Bill No. 359—An act to amend section 737*kk* of the Political Code, relating to the salaries of the superior judges of the superior court in and for the county of San Diego.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Assembly Bill No. 359 passed by the following vote:

AYES—Senators Allen, Baker, Breed, Bush, Carter, Cassidy, Christian, Cleveland, Clock, Crittenden, Deuel, Evans, Harper, Ingels, Maloney, McCormack, McKinley, Moran, Nelson, Rich, Riley, Sharkey, Slater, Swing, Wagy, and Williams—26.

NOES—Senator Rochester—1.

Title read and approved.

Bill ordered transmitted to the Assembly.

Assembly Bill No. 1685—An act making an appropriation to pay the claim of Quaker Oats Company against the State of California.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Assembly Bill No. 1685 passed by the following vote:

AYES—Senators Allen, Baker, Breed, Bush, Carter, Cassidy, Christian, Cleveland, Crittenden, Deuel, Duval, Edwards, Evans, Harper, Jones, Maloney, McCormack, McKinley, Moran, Nelson, Rich, Riley, Rochester, Sharkey, Slater, Swing, Treacy, Wagy, and Williams—30.

NOES—None.

Title read and approved.

Bill ordered transmitted to the Assembly.

Assembly Bill No. 1686—An act making an appropriation to pay the claim of California Securities Company against the State of California.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Assembly Bill No. 1686 passed by the following vote:

AYES—Senators Allen, Baker, Breed, Bush, Carter, Cleveland, Clock, Crittenden, Duval, Edwards, Evans, Harper, Ingels, Inman, Jones, Maloney, McCormack, McKinley, Moran, Nelson, Rich, Riley, Slater, Swing, Treacy, Tubbs, Wagy, and Williams—28.

NOES—None.

Title read and approved.

Bill ordered transmitted to the Assembly.

Assembly Bill No. 919—An act making an appropriation for the purchase of additional land for the Norwalk State Hospital, declaring the urgency thereof, and providing that this act shall take effect immediately.

Bill read third time.

URGENCY CLAUSE.

SEC. 2. This act is hereby declared to be an urgency measure necessary for the immediate preservation of the public peace, health and safety within the meaning of section 1 of article IV of the constitution and shall, therefore, go into immediate effect. The facts constituting the necessity are as follows: The existing water supply is insufficient and inadequate and the shortage thereof seriously affects the health and welfare of the inmates of the institution and the officers and employees thereof.

and it is necessary that an adequate water system for the institution be provided immediately.

Urgency clause read.

The question being on the adoption of the urgency clause.

The roll was called, and the urgency clause adopted by the following vote:

AYES—Senators Allen, Baker, Breed, Bush, Carter, Cassidy, Christian, Cleveland, Clock, Crittenden, Duval, Edwards, Evans, Fellom, Harper, Hays, Ingels, Inman, Jones, Maloney, McCormack, McKinley, Mixer, Moran, Riley, Rochester, Slater, Swing, Treacy, Tubbs, Waggy, and Williams—32.

NOES—None.

The question being on the passage of the bill.

The roll was called, and Assembly Bill No. 919 passed by the following vote:

AYES—Senators Allen, Baker, Breed, Carter, Cassidy, Cleveland, Clock, Crittenden, Duval, Edwards, Evans, Fellom, Harper, Ingels, Inman, Jones, Maloney, McCormack, McKinley, Mixer, Moran, Rich, Riley, Rochester, Slater, Swing, Tubbs, Waggy, and Williams—29.

NOES—None.

Title read and approved.

Bill ordered transmitted to the Assembly.

ASSEMBLY JOINT RESOLUTION No. 26.

Relative to changing the official name of Goat Island to Yerba Buena Island.

WHEREAS, At the time of the American occupation of California, and for many years prior thereto, the island in San Francisco Bay known as Goat Island was known as Yerba Buena Island; and

WHEREAS, The original historic name of said island is more euphonious and in keeping with the nomenclature of historic landmarks in California and no good reason appears for the change which has been made; now, therefore, be it

Resolved by the Assembly and Senate, jointly, That the Legislature of the State of California respectfully urges the National Geographic Board to resume the use of Yerba Buena as the official designation of said island; and be it further

Resolved, That the Chief Clerk of the Assembly is hereby directed to transmit copies of this resolution to said National Geographic Board at Washington, D. C.

Resolution read.

The question being on the adoption of the resolution.

The roll was called, and Assembly Joint Resolution No. 26 adopted by the following vote:

AYES—Senators Allen, Breed, Bush, Carter, Cassidy, Clock, Crittenden, Edwards, Evans, Fellom, Harper, Ingels, Inman, Jones, Maloney, McCormack, McKinley, Mixer, Nelson, Rich, Riley, Schottky, Slater, Swing, Treacy, Tubbs, Waggy, and Williams—28.

NOES—Senator Moran—1.

Assembly Joint Resolution No. 26 ordered transmitted to the Assembly.

Assembly Bill No. 725—An act authorizing the establishment, maintenance, and operation of recreation districts.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Assembly Bill No. 725 passed by the following vote:

AYES—Senators Baker, Breed, Bush, Carter, Cassidy, Christian, Cleveland, Clock, Duval, Edwards, Evans, Fellom, Harper, Hays, Ingels, Inman, Maloney, McKinley,

Mixer, Moran, Nelson, Rich, Riley, Rochester, Schottky, Slater, Swing, Tubbs, Wagy, and Williams—30.

NOES—None.

Title read and approved.

Bill ordered transmitted to the Assembly.

Assembly Bill No. 663—An act to add a new section to the School Code to be numbered 2.1043, relating to the governing boards of high school districts.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Assembly Bill No. 663 passed by the following vote:

AYES—Senators Baker, Breed, Bush, Carter, Cassidy, Duval, Evans, Fellow Harper, Hays, Jones, Maloney, McKinley, Mixer, Nelson, Rich, Riley, Rochester Slater, Swing, Tubbs, Wagy, and Williams—23.

NOES—Senator Christian—1.

Title read and approved.

Bill ordered transmitted to the Assembly.

ASSEMBLY CONCURRENT RESOLUTION No. 19.

Relative to the American Legislators' Association and the Interstate Legislative Reference Bureau.

WHEREAS, All experienced persons know that in each state, legislative problems continually increase, both in number and in complexity; and

WHEREAS, It is obvious that in order to solve such problems most effectively, each Legislature must give systematic, scientific and business-like consideration to the actual facts which have a bearing upon each question—to the extent that such facts have been determined by reliable research; and

WHEREAS, Each Legislature must give similar consideration to the methods and experience of other jurisdictions in dealing with problems similar to its own; and

WHEREAS, No such problems can be dealt with adequately until facilities are established to assist every inquiring legislator to secure the most accurate information and the most expert advice which are available; and

WHEREAS, Experience indicates the necessity for an Interstate Legislative Reference Bureau to serve as a clearing house of information between all of the legislative reference services which are now being conducted by numerous states, and also to serve as a clearing house of information between the legislatures and all other agencies which are engaged in the study and analysis of legislative problems, such as governmental departments, political science departments of universities, competent reputable associations, and all other sources of information; and

WHEREAS, Experience also indicates that in certain states which do not maintain substantial legislative reference services, there is an imperative need for such an Interstate Legislative Reference Bureau, which will assist the legislators of those states to secure whatever information they desire in analyzing the legislative problems which they must determine, and to make more readily accessible for them, without cost, the valuable material which is at all times available from the legislative reference libraries and bureaus of various other states, and from many other reliable sources; and

WHEREAS, Every individual legislator in the United States shares the responsibility for improving the present inadequate and unsatisfactory condition of the legislative processes, but neither any individual legislator, nor any group of legislators from one state, can bring about such improvement without the cooperation of legislators of other states; and

WHEREAS, Such an Interstate Legislative Reference Bureau can not be maintained by any one state alone, without the cooperation of the legislatures of other states; and

WHEREAS, In order to set the machinery in motion to secure the necessary cooperation of the forty-eight legislatures, members of each legislature are working together in the development of the project of the American Legislators' Association; and

WHEREAS, The said American Legislators' Association has now established in the vicinity of the University of Chicago, the Interstate Legislative Reference Bureau, which by explicit pledge is without color of politics, partisanship or propaganda, is conducted without profit, and is engaged upon three principal purposes:

First: To procure promptly for all inquiring state legislators, and their agents, whatever information or advice they desire in connection with any legislative prob-

tion, primarily by assisting them to secure, without cost, the benefit of all researches conducted by governmental departments, universities, associations, legislative reference bureaus, and other agencies throughout the United States.

Second: To conduct a systematic study of the legislative processes of each of the states, in order to ascertain the practices which contribute most to efficient and economical organization and procedure; and to render all possible assistance to each legislature—and to each legislative reference bureau—which is endeavoring to improve its organization.

Third: To publish for the benefit of all state legislators the monthly magazine, State Government, as well as special bulletins, and thus to disseminate information which will be helpful to all conscientious students of legislation; and

WHEREAS, The American Legislators' Association is promoting acquaintance and mutual understanding among all individuals and organizations officially concerned with the impartial and scientific functioning of the legislatures of the various states, by the organization of standing committees and advisory boards, and otherwise; and

WHEREAS, The character and project of the American Legislators' Association have the endorsement, and its organization has the active cooperation, not only of its membership, which consists entirely of members and ex-members of state legislatures, but also of numbers of other responsible citizens, many of whom, having specialized knowledge, are serving on the association's advisory boards; now, therefore, be it

Resolved by the Assembly, the Senate concurring. That the organization of the American Legislators' Association and of the Interstate Legislative Reference Bureau are hereby commended as legitimate and constructive efforts to assist the legislatures of the various states in the efficient performance of their work.

Resolution read.

The question being on the adoption of the resolution.

The roll was called, and Assembly Concurrent Resolution No. 19 adopted by the following vote:

AYES—Senators Baker, Breed, Bush, Carter, Cassidy, Christian, Cleveland, Clock, Duval, Edwards, Evans, Fellom, Harper, Hays, Ingels, Inman, Jones, Maloney, McCormack, McKinley, Mixter, Moran, Nelson, Rich, Rochester, Schottky, Sharkey, Slater, Swing, Tubbs, Wagy, and Williams—32.

NOES—None.

Assembly Concurrent Resolution No. 19 ordered transmitted to the Assembly.

Assembly Bill No. 926—An act to amend section 626½ of the Penal Code, relating to the protection of game.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Assembly Bill No. 926 passed by the following vote:

AYES—Senators Baker, Breed, Bush, Carter, Cassidy, Cleveland, Clock, Crittenden, Duval, Edwards, Evans, Fellom, Harper, Hays, Ingels, Inman, Maloney, McCormack, McKinley, Mixter, Moran, Nelson, Rochester, Schottky, Sharkey, Slater, Swing, Tubbs, Wagy, and Williams—30.

NOES—None.

Title read and approved.

Bill ordered transmitted to the Assembly.

Assembly Bill No. 927—An act to amend section 626 of the Penal Code, relating to the protection of game.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Assembly Bill No. 927 passed by the following vote:

AYES—Senators Baker, Breed, Bush, Carter, Cassidy, Christian, Clock, Duval, Edwards, Evans, Fellom, Harper, Hays, Ingels, Maloney, McCormack, McKinley,

Mixer, Nelson, Rich, Rochester, Schottky, Slater, Swing, Tubbs, Wagy, and Williams—27.

NOES—None.

Title read and approved.

Bill ordered transmitted to the Assembly.

Assembly Bill No. 887—An act to amend section 10 of chapter 517, Statutes of 1917, entitled "An act to provide for the protection of fur-bearing mammals, defining fur-bearing mammals, providing for a license for hunting or trapping such fur-bearing mammals and requiring reports to be filed with the Fish and Game Commission," approved May 18, 1917, as amended.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Assembly Bill No. 887 passed by the following vote:

AYES—Senators Allen, Baker, Carter, Cassidy, Christian, Cleveland, Clock, Crittenden, Duval, Edwards, Evans, Fellom, Harper, Hays, Inman, Maloney, McCormack, McKinley, Mixer, Nelson, Rich, Schottky, Sharkey, Slater, Swing, Tubbs, Wagy, and Williams—28.

NOES—None.

Title read and approved.

Bill ordered transmitted to the Assembly.

Assembly Bill No. 672—An act to amend section 628a of the Penal Code, relating to the protection of fish.

Bill read third time.

MOTION TO REFER TO SPECIAL COMMITTEE OF ONE.

During third reading of the bill, Senator Sharkey moved to refer Assembly Bill No. 672 to Senator Swing, as a Special Committee of One, to amend as follows:

AMENDMENT NUMBER ONE.

On page 1 of the printed bill, as amended in Assembly May 4, 1931, strike out all of lines 3 to 26, inclusive, and on page 2 strike out all of lines 1 to 39, inclusive, and insert in lieu thereof the following:

"628a. Every person, who at any time, buys, sells, offers for sale or has in his possession any striped bass or less than twenty inches in length measured from the tip of the snout to the extreme tip of the tail, or who between March first and May fifteenth, both dates inclusive, buys, sells, offers or exposes for sale or has in his possession any striped bass of more than ten pounds in weight is guilty of a misdemeanor; *provided*, that nothing in this act shall prohibit the possession of any striped bass of over ten pounds in weight when taken by hook and line in the manner commonly known as angling and in accordance with the limit provisions of this act between the dates above mentioned but such striped bass can not be shipped, sold or offered for sale; every person who except in districts two and twelve takes, catches or kills striped bass in any manner between May sixteenth and July thirty-first, both dates inclusive; every person who at any time except with hook and line takes, catches or kills any shad or striped bass in districts twelve or thirteen; every person who, except with hook and line, and in the manner commonly known as angling, takes, catches, kills or has in his possession any striped bass or shad between the seventeenth day of September and the fourteenth day of November, inclusive, of any year, or between the sixteenth day of May and the thirty-first day of July, both dates inclusive, of any year, or who, between the seventeenth day of September and the fourteenth day of November, inclusive, or between the sixteenth day of May and the thirty-first day of July, inclusive, of any year, takes, catches, kills or has in his possession more than five striped bass or shad, or who, between the seventeenth day of September and the fourteenth day of November, inclusive, or between the sixteenth day of May and the thirty-first day of July, inclusive, of any year, buys, sells, offers for sale, ships or offers for shipment, or receives for shipment or transportation, any striped bass, or who at any time offers for shipment, ships or receives for shipment or transportation from the State of California, to any place in any other state, territory or foreign county any striped bass is guilty of a misdemeanor.

Every person who takes any striped bass or shad in a net, any of the meshes of which are, when drawn closely together and measured inside the knots, less than five and one-half inches in length, is guilty of a misdemeanor. Every person who shall cast, extend or draw, or assist in casting, extending or drawing any net or seine, for the purpose of taking or catching any shad or striped bass in any of the waters of this state at any time between sunrise of each Saturday and sunset of the following Sunday is guilty of a misdemeanor. Every person who, in fish and game districts one, two, three, twelve or thirteen takes, catches or kills more than five striped bass in any one calendar day, or who buys, sells or offers or exposes for sale any striped bass caught or taken in fish and game districts number one, two, three, twelve or thirteen is guilty of a misdemeanor; be it

Provided, that nothing in this section shall prohibit any person from having in his possession, in any one calendar day, not to exceed five striped bass between twelve inches in length and twenty-one inches in length measured from the tip of the snout to the extreme tip of the tail, but such striped bass must be caught only with hook and line in an open district and must not be bought, sold or offered for sale, or shipped or offered for shipment; and be it

Provided, further, that nothing in this section shall prohibit any person from holding in his possession, between May sixteenth and July thirty-first, inclusive, or between September seventeenth and November fourteenth, inclusive, striped bass legally caught in open season if the holder of such striped bass places them in cold storage in a public warehouse to be approved by the fish and game commission and causes nonnegotiable warehouse receipts to be issued therefore in the name of said commission which receipts shall be held by said commission until the next opening of the striped bass season. At the opening of the striped bass season the fish and game commission shall surrender the striped bass so held to the owner when he shall have paid all storage charges and any expenses incurred by the fish and game commission relative to the storage of the striped bass. Every person who violates any of the provisions of this section is guilty of a misdemeanor."

DEMAND FOR PREVIOUS QUESTION.

Senator Carter demanded the previous question.

The question being put: Shall the main question be now put?

Demand sustained.

The question being on Senator Sharkey's motion.

Motion lost.

MOTION TO REFER TO SPECIAL COMMITTEE OF ONE.

During third reading of the bill, Senator McCormack moved to refer Assembly Bill No. 672 to Senator Duval, as a Special Committee of One, to amend as follows:

AMENDMENT NUMBER ONE.

On page 2, line 11, of the printed bill, strike out "twelve 'A' or twelve 'B'", and insert in lieu thereof the following: "or twelve 'A'".

Motion carried.

REPORT OF SPECIAL COMMITTEE OF ONE.

SENATE CHAMBER, SACRAMENTO, May 15, 1931.

MR. PRESIDENT: Your Special Committee of One, to which was referred Assembly Bill No. 672, with instructions to amend, respectfully reports the same back, amended as per instructions.

DUVAL, Committee.

Report read, and on motion of Senator McCormack adopted.

Bill ordered to print.

POINT OF ORDER.

Senator Allen raised the point of order that: Senator Sharkey was out of order as there was nothing before the Senate.

DECISION ON POINT OF ORDER.

The President announced his decision and declared the point of order well taken.

Assembly Bill No. 1397—An act to amend section 9 of an act entitled "An act to regulate and license the maintenance and operation of commercial hunting clubs and to provide revenue therefrom for fish and game protection and restoration," approved June 3, 1927, relating to regulations included in license.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Assembly Bill No. 1397 passed by the following vote:

AYES—Senators Allen, Baker, Bush, Carter, Cassidy, Christian, Cleveland, Cloek, Crittenden, Evans, Fellom, Harper, Ingels, Jones, Maloney, McCormack, McKinley, Rich, Riley, Rochester, Schottky, Slater, Swing, Tubbs, Wagye, and Williams—26.

NOES—Senators Breed, and Moran—2.

Title read and approved.

Bill ordered transmitted to the Assembly.

MOTION TO CONSIDER RESOLUTION.

Senator Allen moved that the Senate consider, out of regular order, his resolution to withdraw Assembly Bill No. 1217 from Committee on Finance.

DEMAND FOR PREVIOUS QUESTION.

Senator Evans demanded the previous question.

The question being put: Shall the main question be now put?

Demand sustained.

The question being on Senator Allen's motion.

Motion lost.

Assembly Bill No. 1398—An act to recognize the right of the United States Commissioner of Fisheries and his duly authorized agents to conduct fish hatchery, fish culture, and all operations connected therewith in this State.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Assembly Bill No. 1398 passed by the following vote:

AYES—Senators Allen, Baker, Breed, Carter, Cassidy, Christian, Cleveland, Cloek, Crittenden, Evans, Fellom, Harper, Hays, Ingels, Jones, Maloney, McCormack, McKinley, Mixter, Moran, Nelson, Rich, Rochester, Schottky, Sharkey, Slater, Swing, Tubbs, and Wagye—29.

NOES—None.

Title read and approved.

Bill ordered transmitted to the Assembly.

Assembly Bill No. 1442—An act to add two new sections numbered 55½ and 62½ to, and to amend sections 4, 6, 7, 12, 23, 28, 30, 40, 47, 55, 58, 62, 68 and 71, and to repeal sections 17 and 70 of an act entitled "An act to divide the State of California into fish and game districts and to repeal an act entitled 'An act to divide the State of California into fish and game districts and to repeal an act entitled "An act to divide the State of California into six fish and game districts," approved March 21, 1911, and all acts or parts of acts inconsistent herewith," approved May 19, 1915," as amended.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Assembly Bill No. 1442 passed by the following vote:

AYES—Senators Allen, Breed, Carter, Cassidy, Christian, Cleveland, Clock, Edwards, Evans, Fellom, Harper, Hays, Ingels, Inman, Jones, Maloney, McCormack, McKinley, Mixter, Moran, Nelson, Rich, Riley, Rochester, Schottky, Sharkey, Slater, Swing, Tubbs, Wagy, and Williams—31.

NOES—None.

Title read and approved.

Bill ordered transmitted to the Assembly.

COMMUNICATION.

The following communication was received, and ordered printed in the Journal:

By Senator Swing:

STATE OF CALIFORNIA, DEPARTMENT OF FINANCE,
SACRAMENTO, May 16, 1931.

*Honorable Ralph E. Swing,
Member of the Senate,
Sacramento, California.*

MY DEAR SENATOR SWING: It is my pleasure to inform you that the Governor has signed Senate Bill No. 517, which is now chapter 325, Statutes of 1931, and that he has also signed Assembly Bill No. 1957, which is now chapter 326, Statutes of 1931.

The signing of these bills corrects the controversial section in Senate Bill No. 517, which, through an oversight, was not directed to the attention of the members of the Senate in the explanation of the various amendments to Senate Bill No. 517, which were made in the Assembly.

Very truly yours,

FRED W. LINKS,
Deputy Chief, Division of Budgets and Accounts.

RECESS.

On motion of Senator Breed at twelve o'clock and fifty minutes p.m., the President of the Senate declared recess until one o'clock and twenty minutes p.m.

RECONVENED.

At one o'clock and twenty minutes p.m., the Senate reconvened.

Lieutenant Governor Frank F. Merriam, President of the Senate, in the chair.

Secretary Joseph A. Beek at the desk.

MESSAGES FROM THE ASSEMBLY.

The following messages from the Assembly were received and read:

ASSEMBLY CHAMBER, SACRAMENTO, May 15, 1931.

MR. PRESIDENT: I am directed to inform your honorable body that the Assembly on this day adopted Senate Concurrent Resolution No. 40—Providing for the appointment of a Commission on Legislation Pertaining to Water Resources.

ARTHUR A. OHNIMUS, Chief Clerk.
By A. W. ENGELKE, Assistant Clerk.

Senate Concurrent Resolution No. 40 ordered to enrollment.

Also:

ASSEMBLY CHAMBER, SACRAMENTO, May 15, 1931.

MR. PRESIDENT: I am directed to inform your honorable body that the Assembly on this day concurred in Senate amendments to Assembly Bill No. 750—An act to amend sections 737d, 737e, 737ee, 737ff, 737tt, 737yy, 737ff, 737t, 737r, and 737r of the Political Code, relating to salaries of judges of the superior court;

Also: Assembly Bill No. 1461—An act to amend section 3898b of the Political Code, relating to and providing educational opportunities for children of veterans, defining the powers and duties of the Veterans' Welfare Board in relation thereto and making an appropriation therefor;

Also: Assembly Bill No. 516—An act to amend the title and section 1 of and to add section 3 to an act entitled "An act to prohibit the possession of machine rifles, machine guns and submachine guns capable of automatically and continuously discharging loaded ammunition of any caliber in which the ammunition is fed to such guns from or by means of clips, disks, drums, belts or other separable mechanical device, and providing a penalty for violation thereof," approved May 16, 1927, relating to the sale or transportation of machine guns.

Also: Assembly Bill No. 1058—An act to amend sections 630 and 631 of the Probate Code so as to permit the surviving heirs to collect wages due deceased persons, without the necessity of administration.

ARTHUR A. OHNIMUS, Chief Clerk.
By A. W. ENGELKE, Assistant Clerk.

Also:

ASSEMBLY CHAMBER, SACRAMENTO, May 15, 1931.

MR. PRESIDENT: I am directed to inform your honorable body that the Assembly on this day concurred in Senate amendments to Assembly Bill No. 370—An act to amend section 636 of the Penal Code, relating to the protection of fish and game;

Also: Assembly Bill No. 414—An act to amend section 626 of Penal Code, relating to the protection of game;

Also: Assembly Bill No. 273—An act to add section 11a to, and to amend section 33 of, an act entitled "An act to provide for and regulate municipal elections in cities of the fifth and sixth class," approved May 27, 1919, as amended, relating to municipal elections;

Also: Assembly Bill No. 1378—An act to amend section 628c of the Penal Code, relating to the protection of fish and game.

ARTHUR A. OHNIMUS, Chief Clerk.
By A. W. ENGELKE, Assistant Clerk.

Also:

ASSEMBLY CHAMBER, SACRAMENTO, May 15, 1931.

MR. PRESIDENT: I am directed to inform your honorable body that the Assembly on this day concurred in Senate amendments to Assembly Bill No. 1136—An act to amend section 4236a of the Political Code, relating to county and township officers in counties of the seventh class, the assistants, deputies, and other employees of said officers, and providing for the compensation of said officers and said assistants, deputies, and other employees;

Also: Assembly Bill No. 1280—An act to amend section 4257, and to repeal section 4257a of the Political Code, relating to the salaries, fees and expenses of officers in counties of the twenty-eighth class;

Also: Assembly Bill No. 1183—An act to amend section 4922 of the School Code, relating to the computing of units of average daily attendance in secondary schools;

Also: Assembly Bill No. 1240—An act to amend section 737p of the Political Code, relating to the salary of the judge of the superior court in and for the county of Kings.

ARTHUR A. OHNIMUS, Chief Clerk.
By A. W. ENGELKE, Assistant Clerk.

Also:

ASSEMBLY CHAMBER, SACRAMENTO, May 15, 1931.

MR. PRESIDENT: I am directed to inform your honorable body that the Assembly on this day appointed as a Committee on Free Conference on Assembly Bill No. 397—An act to add two new sections to be numbered 587 and 1515 to the Probate Code, relating to dedication of real property for street or highway purposes by executors, administrators and guardians—the following Assemblymen: Hill, Feigenbaum and Cronin, to meet with a like committee from your honorable body.

ARTHUR A. OHNIMUS, Chief Clerk.
By C. W. BOOTH, Assistant Clerk.

Also:

ASSEMBLY CHAMBER, SACRAMENTO, May 15, 1931.

MR. PRESIDENT: I am directed to inform your honorable body that the Assembly on this day adopted the report of the Committee on Free Conference concerning Senate Bill No. 548—An act to amend chapter 266, Statutes of 1923, entitled the "California Vehicle Act," approved May 30, 1923, as amended, by amending the title thereof, by repealing section 20, and by amending sections 7, 7 $\frac{1}{2}$, 8 $\frac{1}{2}$, 21, 29, 35, 36, 41, 43, 47, 64, 72, 77, 82, 83 $\frac{1}{2}$, 85, 87, 89, 90, 91, 94, 95, 96, 100, 110, 111, 113, 115, 116, 118, 119, 122, 123, 124, 125, 126, 131, 135, 136, 138, 139, 142, 145, 146, 151, 159 $\frac{1}{2}$, and by adding thereto new sections numbered 7 $\frac{1}{2}$, 45 $\frac{1}{2}$, 47 $\frac{1}{2}$, 57 $\frac{1}{2}$, 62 $\frac{1}{2}$, 73 $\frac{1}{2}$, 64 $\frac{1}{2}$, 93 $\frac{1}{2}$, 111 $\frac{1}{2}$, 113 $\frac{1}{2}$, 114 $\frac{1}{2}$, 131 $\frac{1}{2}$, 135 $\frac{1}{2}$, 136 $\frac{1}{2}$, 139 $\frac{1}{2}$, 139 $\frac{1}{2}$, 145 $\frac{1}{2}$, 145 $\frac{1}{2}$, relating to the regulation of traffic on streets and highways and to the use and operation of vehicles and the registration and identification of vehicles and the licensing of operators and chauffeurs, the service of civil process on nonresidents, the reporting of accidents and damage to vehicles, and to the powers and duties of

the California Highway Patrol and to the erection of signs, signals or lights upon or adjacent to highways and to the enforcement of this act.

ARTHUR A. OHNIMUS, Chief Clerk.
By C. W. BOOTH, Assistant Clerk.

Senate Bill No. 548 ordered to enrollment.

Also:

ASSEMBLY CHAMBER, SACRAMENTO, May 15, 1931.

MR. PRESIDENT: I am directed to inform your honorable body that the Assembly on this day adopted the report of the Committee on Free Conference concerning Senate Joint Resolution No. 14. Relative to memorializing and petitioning Congress to enact legislation to eliminate the restrictions which now attach to the taxation of national banking associations, and creating a committee to further such purpose.

ARTHUR A. OHNIMUS, Chief Clerk.
By C. W. BOOTH, Assistant Clerk.

Senate Joint Resolution No. 14 ordered to enrollment.

Also:

ASSEMBLY CHAMBER, SACRAMENTO, May 15, 1931.

MR. PRESIDENT: I am directed to inform your honorable body that the Assembly on this day adopted the report of the Committee on Free Conference concerning Senate Bill No. 895. An act authorizing the Governor of the State of California to select and engage the services of an educational research foundation or other organization engaged or organized to engage in the work of making critical surveys in the field of education to make a survey of the present system, plan of organization, and conduct of public education of higher than high school grade in the State of California and to report in writing the results of its survey with its recommendations, providing for the compensation of such foundation or other organization, making an appropriation therefor and for the payment of expenses incidental to carrying out the provisions of this act, and authorizing the Governor to accept gifts of money, property or services in furtherance of the work to be carried out as in this act provided.

ARTHUR A. OHNIMUS, Chief Clerk.
By C. W. BOOTH, Assistant Clerk.

Senate Bill No. 895 ordered to enrollment.

Also:

ASSEMBLY CHAMBER, SACRAMENTO, May 15, 1931.

MR. PRESIDENT: I am directed to inform your honorable body that the Assembly on this day passed Senate Bill No. 287. An act to regulate motor boats of less than 15 gross tons capacity, operating in California waters and carrying passengers for hire and providing a penalty for violation thereof.

Also: Senate Bill No. 215. An act to amend section 963 of the Code of Civil Procedure, relating to appeals from the superior court.

Also: Senate Bill No. 230. An act to amend sections 4130 and 4300c of the Political Code, relating to recorders and fees.

Also: Senate Bill No. 575. An act to amend sections 2, 4, 5 and 6 of an act entitled "An act to create the office of Public Defender, to provide for the election of such officers, and prescribing their duties and compensation," approved May 24, 1921, relating to the office of Public Defender.

ARTHUR A. OHNIMUS, Chief Clerk.
By A. W. ENGELKE, Assistant Clerk.

Senate Bills Nos. 287, 215, 230 and 575 ordered to enrollment.

Also:

ASSEMBLY CHAMBER, SACRAMENTO, May 15, 1931.

MR. PRESIDENT: I am directed to inform your honorable body that the Assembly on this day concurred in Senate amendments to Assembly Bill No. 1534. An act to amend section 737d of the Political Code, relating to the salary of the judge of the superior court in and for the county of Ventura.

ARTHUR A. OHNIMUS, Chief Clerk.
By A. W. ENGELKE, Assistant Clerk.

Also:

ASSEMBLY CHAMBER, SACRAMENTO, May 15, 1931.

MR. PRESIDENT: I am directed to inform your honorable body that the Assembly on this day passed Senate Bill No. 697. An act making an appropriation to pay the claim of Clara Carr against the State of California.

Also: Senate Bill No. 824. An act providing for the exhibit of the products and resources of the State of California at the Chicago World's Fair Centennial Celebra-

tion to be held at Chicago, Illinois, in 1933, creating the California World's Fair Centennial Celebration Commission and defining its powers and duties, and making an appropriation therefor;

Also: Senate Bill No. 954—An act to amend section 7371 of the Political Code, relating to salary of judges of the superior court in and for the county of Humboldt.

ARTHUR A. OHNIMUS, Chief Clerk.
By A. W. ENGELKE, Assistant Clerk.

Senate Bills Nos. 697, 824 and 954 ordered to enrollment.

Also:

ASSEMBLY CHAMBER, SACRAMENTO, May 15, 1931.

MR. PRESIDENT: I am directed to inform your honorable body that the Assembly on this day passed Senate Bill No. 319—An act to amend section 873 of the Code of Civil Procedure, relating to the time of trial in justices' courts;

Also: Senate Bill No. 610—An act to amend section 1426 of the Penal Code, relating to proceedings in justice's court and municipal courts.

ARTHUR A. OHNIMUS, Chief Clerk.
By A. W. ENGELKE, Assistant Clerk.

Senate Bills Nos. 319 and 610 ordered to enrollment.

Also:

ASSEMBLY CHAMBER, SACRAMENTO, May 15, 1931.

MR. PRESIDENT: I am directed to inform your honorable body that the Assembly on this day refused passage to Senate Bill No. 214—An act to amend section 605 of the Probate Code, relating to the appointment of appraisers.

ARTHUR A. OHNIMUS, Chief Clerk.
By A. W. ENGELKE, Assistant Clerk.

Also:

ASSEMBLY CHAMBER, SACRAMENTO, May 15, 1931.

MR. PRESIDENT: I am directed to inform your honorable body that the Assembly on this day passed Senate Bill No. 205—An act providing for the building of a causeway across the Tisdale By-pass in Sutter County, State of California, and making an appropriation therefor;

Also: Senate Bill No. 91—An act to amend section 763 of the Code of Civil Procedure, relating to partition;

Also: Senate Bill No. 209—An act to amend section 204e of the Code of Civil Procedure, relating to jury commissioner in counties, or cities and counties, where there is a secretary of the judges of the superior court.

ARTHUR A. OHNIMUS, Chief Clerk.
By A. W. ENGELKE, Assistant Clerk.

Senate Bills Nos. 205, 91 and 209 ordered to enrollment.

Also:

ASSEMBLY CHAMBER, SACRAMENTO, May 15, 1931.

MR. PRESIDENT: I am directed to inform your honorable body that the Assembly on this day adopted Senate Concurrent Resolution No. 39—Relating to the dedication of the Lassen Volcanic National Park.

ARTHUR A. OHNIMUS, Chief Clerk.
By A. W. ENGELKE, Assistant Clerk.

Senate Concurrent Resolution No. 39 ordered to enrollment.

Also:

ASSEMBLY CHAMBER, SACRAMENTO, May 15, 1931.

MR. PRESIDENT: I am directed to inform your honorable body that the Assembly on this day adopted Senate Constitutional Amendment No. 22—A resolution to propose to the people of the State of California an amendment of the constitution of said State by amending section 15 of article XIII thereof, relating to revenue and taxation;

Also: Senate Constitutional Amendment No. 17—A resolution to propose to the people of the State of California an amendment to section 23a of article IV of the constitution of said State, relating to officers, employees and attaches.

ARTHUR A. OHNIMUS, Chief Clerk.
By A. W. ENGELKE, Assistant Clerk.

Senate Constitutional Amendments Nos. 22 and 17 ordered to enrollment.

Also:

ASSEMBLY CHAMBER, SACRAMENTO, May 15, 1931.

MR. PRESIDENT: I am directed to inform your honorable body that the Assembly on this day passed Senate Bill No. 178—An act to amend sections 600 and 608 of the Probate Code, relating to the inventory and appraisal of the estate of a decedent.

ARTHUR A. OHNIMUS, Chief Clerk.
By A. W. ENGELKE, Assistant Clerk.

Senate Bill No. 178 ordered to enrollment.

Also:

ASSEMBLY CHAMBER, SACRAMENTO, May 15, 1931.

MR. PRESIDENT: I am directed to inform your honorable body that the Assembly amended, and on this day passed as amended, Senate Bill No. 961—An act to amend section 737h of the Political Code, relating to the salaries of the judges of the superior court—and respectfully requests your honorable body to concur in said amendment.

ARTHUR A. OHNIMUS, Chief Clerk.
By A. W. ENGELKE, Assistant Clerk.

CONSIDERATION OF ASSEMBLY AMENDMENT.

The Senate took up for consideration Assembly amendment to Senate Bill No. 961—An act to amend section 737h of the Political Code, relating to the salaries of the judges of the superior court.

ASSEMBLY AMENDMENT TO SENATE BILL NUMBER NINE HUNDRED SIXTY-ONE.

AMENDMENT NUMBER ONE.

On page 1, line 4, of the printed bill, strike out the word "six", and insert in lieu thereof the word "five".

The question being: Shall the Senate concur in Assembly amendment to Senate Bill No. 961?

The roll was called, and Assembly amendment to Senate Bill No. 961 concurred in by the following vote:

AYES—Senators Allen, Baker, Bush, Cassidy, Christian, Cleveland, Clock, Edwards, Evans, Fellom, Harper, Hays, Jones, McCormack, McKinley, Moran, Nelson, Rich, Schottky, Slater, Treacy, Tubbs, and Wagye—23.

NOES—Senator Rochester—1.

Senate Bill No. 961 ordered to print, and enrollment

MESSAGE FROM THE ASSEMBLY.

The following message from the Assembly was received and read:

ASSEMBLY CHAMBER, SACRAMENTO, May 12, 1931.

MR. PRESIDENT: I am directed to inform your honorable body that the Assembly amended, and on this day passed as amended, Senate Bill No. 13—An act to add a new section to the Penal Code, to be numbered 64a, relating to the filing of initiative or referendum petitions—and respectfully requests your honorable body to concur in said amendment.

ARTHUR A. OHNIMUS, Chief Clerk.
By A. W. ENGELKE, Assistant Clerk.

CONSIDERATION OF ASSEMBLY AMENDMENT.

The Senate took up for consideration Assembly amendment to Senate Bill No. 13—An act to add a new section to the Penal Code, to be numbered 64a, relating to the filing of initiative or referendum petitions.

ASSEMBLY AMENDMENT TO SENATE BILL NUMBER THIRTEEN.

AMENDMENT NUMBER ONE.

On page 1, line 11, of the printed bill, after the word "petition", strike out the period and insert a semicolon and the following: "provided, that nothing in this section shall apply to any person who, in good faith, files a petition embracing an initiative or referendum measure which may conflict with a similar measure already on file."

The question being: Shall the Senate concur in Assembly amendment to Senate Bill No. 13?

The roll was called, and Assembly amendment to Senate Bill No. 13 concurred in by the following vote:

AYES—Senators Allen, Breed, Bush, Cassidy, Christian, Clock, Crittenden, Deuel, Duval, Evans, Fellom, Harper, Hays, Ingels, Jones, McCormack, McKinley, Mixer, Moran, Nelson, Rochester, Schottky, Sharkey, Slater, Tubbs, Wagy, and Williams—27.

NOES—None.

Senate Bill No. 13 ordered to print, and enrollment.

CONSIDERATION OF DAILY FILE.

THIRD READING OF ASSEMBLY BILLS (RESUMED).

Assembly Bill No. 495—An act to amend section 628*f* of the Penal Code, relating to the protection of fish and game.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Assembly Bill No. 495 passed by the following vote.

AYES—Senators Allen, Baker, Breed, Bush, Cassidy, Christian, Clock, Crittenden, Deuel, Duval, Edwards, Evans, Fellom, Harper, Hays, Ingels, Jones, McCormack, McKinley, Moran, Nelson, Rich, Rochester, Schottky, Sharkey, Slater, Treacy, Tubbs, Wagy, and Williams—30.

NOES—None.

Title read and approved.

Bill ordered transmitted to the Assembly.

Assembly Bill No. 43—An act to amend section 270*b* of the Penal Code, relating to security for payment of support of wife or minor child.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Assembly Bill No. 43 passed by the following vote:

AYES—Senators Allen, Baker, Breed, Bush, Cassidy, Christian, Clock, Deuel, Duval, Edwards, Fellom, Harper, Hays, Ingels, Jones, McCormack, McKinley, Mixer, Moran, Nelson, Rich, Rochester, Schottky, Sharkey, Slater, Swing, Tubbs, Wagy, and Williams—29.

NOES—None.

Title read and approved.

Bill ordered transmitted to the Assembly.

Assembly Bill No. 563—An act to amend section 737*rr* of the Political Code, relating to the salary of the judge of the superior court in and for the county of Solano.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Assembly Bill No. 563 passed by the following vote:

AYES—Senators Allen, Baker, Breed, Cassidy, Christian, Clock, Crittenden, Deuel, Edwards, Evans, Fellom, Harper, Hays, Ingels, McCormack, McKinley, Mixer, Moran, Nelson, Rich, Schottky, Sharkey, Slater, Swing, Tubbs, Wagy, and Williams—27.

NOES—Senator Rochester—1.

Title read and approved.

Bill ordered transmitted to the Assembly.

Assembly Bill No. 299—An act to amend section 737*ss* of the Political Code, relating to the salary of the judge of the superior court, Shasta County.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Assembly Bill No. 299 passed by the following vote:

AYES—Senators Allen, Baker, Breed, Cassidy, Christian, Clock, Crittenden, Deuel, Edwards, Evans, Fellom, Harper, Hays, Ingels, Jones, McCormack, McKinley, Mixer, Moran, Nelson, Rich, Schottky, Sharkey, Slater, Swing, Tubbs, Waggy, and Williams—28.

NOES—Senator Rochester—1.

Title read and approved.

Bill ordered transmitted to the Assembly.

Assembly Bill No. 194—An act to amend section 737*ii* of the Political Code, relating to the salary of the superior judge in and for the county of San Benito.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Assembly Bill No. 194 passed by the following vote:

AYES—Senators Allen, Baker, Breed, Carter, Cassidy, Christian, Cleveland, Clock, Crittenden, Deuel, Duval, Edwards, Evans, Fellom, Harper, Hays, Ingels, Jones, McCormack, McKinley, Mixer, Moran, Nelson, Rich, Schottky, Sharkey, Slater, Swing, Tubbs, Waggy, and Williams—31.

NOES—Senator Rochester—1.

Title read and approved.

Bill ordered transmitted to the Assembly.

Assembly Bill No. 193—An act to amend section 737*rr* of the Political Code, relating to the salary of the superior judge in and for the county of Santa Cruz.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Assembly Bill No. 193 passed by the following vote:

AYES—Senators Allen, Baker, Cleveland, Crittenden, Deuel, Duval, Edwards, Evans, Fellom, Harper, Ingels, Maloney, McCormack, McKinley, Mixer, Moran, Nelson, Rich, Riley, Schottky, Sharkey, Slater, Swing, Treacy, Tubbs, Waggy, and Williams—27.

NOES—Senators Cassidy, Clock, Hays, Jones, and Rochester—5.

Title read and approved.

Bill ordered transmitted to the Assembly.

Assembly Bill No. 1944—An act to amend section 737*ccc* of the Political Code, relating to the salary of the judge of the superior court in and for the county of Yolo.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Assembly Bill No. 1944 passed by the following vote:

AYES—Senators Allen, Baker, Breed, Bush, Carter, Cassidy, Christian, Cleveland, Clock, Crittenden, Deuel, Duval, Edwards, Evans, Fellom, Harper, Hays, Ingels,

Jones, Maloney, McCormack, McKinley, Mixer, Moran, Nelson, Rich, Riley, Schottky, Sharkey, Slater, Swing, Treacy, Tubbs, Wagv, and Williams—35.
NOES—Senator Rochester—1.

Title read and approved.

Bill ordered transmitted to the Assembly.

Assembly Bill No. 1465—An act to amend section 737*nn* of the Political Code, relating to the salary of the judge of the superior court in and for the county of San Luis Obispo.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Assembly Bill No. 1645 passed by the following vote:

AYES—Senators Allen, Baker, Breed, Bush, Carter, Cassidy, Christian, Cleveland, Clock, Denel, Duval, Edwards, Evans, Fellom, Harper, Hays, Ingels, Jones, Maloney, McCormack, McKinley, Mixer, Moran, Rich, Riley, Schottky, Sharkey, Slater, Swing, Treacy, Tubbs, Wagv, and Williams—33.

NOES—Senator Rochester—1.

Title read and approved.

Bill ordered transmitted to the Assembly.

Assembly Bill No. 751—An act to amend section 737*uu* of the Political Code, relating to salary of superior court judge.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Assembly Bill No. 751 passed by the following vote:

AYES—Senators Allen, Baker, Breed, Bush, Carter, Cassidy, Christian, Cleveland, Clock, Crittenden, Duval, Edwards, Evans, Fellom, Harper, Hays, Ingels, Inman, Maloney, McCormack, McKinley, Mixer, Moran, Rich, Riley, Schottky, Sharkey, Slater, Swing, Treacy, Tubbs, Wagv, Williams, and Young—34.

NOES—Senator Rochester—1.

Title read and approved.

Bill ordered transmitted to the Assembly.

Assembly Bill No. 687—An act increasing the number of judges of the superior court of the State of California, in and for the county of San Mateo, and providing for the appointment of an additional judge and for his compensation.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Assembly Bill No. 687 passed by the following vote:

AYES—Senators Allen, Baker, Breed, Bush, Cassidy, Christian, Clock, Crittenden, Denel, Duval, Edwards, Evans, Fellom, Harper, Hays, Ingels, Inman, Jones, Maloney, McCormack, McKinley, Mixer, Moran, Rich, Riley, Schottky, Sharkey, Slater, Swing, Treacy, Tubbs, and Williams—32.

NOES—None.

Title read and approved.

Bill ordered transmitted to the Assembly.

Assembly Bill No. 288—An act to add a new section to the Code of Civil Procedure, to be known as 67*b*, relating to the superior court of San Diego County, and increasing the number of judges thereof.

On motion of Senator Harper, Assembly Bill No. 288 was ordered re-referred to Committee on Finance.

Assembly Bill No. 56—An act to add a new section to the Code of Civil Procedure, to be numbered 666, relating to the number of judges of the superior court in the county of Merced.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Assembly Bill No. 56 passed by the following vote:

AYES—Senators Allen, Breed, Bush, Carter, Cassidy, Christian, Cleveland, Clock, Crittenden, Duval, Edwards, Hays, Ingels, Inman, Jones, Maloney, McKinley, Mixter, Moran, Nelson, Rich, Riley, Schottky, Sharkey, Slater, Swing, and Williams—27.

NOTES—Senators Baker, Deuel, Evans, Fellom, Harper, Treacy, and Tubbs—7.

Title read and approved.

Bill ordered transmitted to the Assembly.

Assembly Bill No. 30—An act making an appropriation to pay the claim of Edmund M. Moor against the State of California.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Assembly Bill No. 30 passed by the following vote:

AYES—Senators Allen, Baker, Breed, Bush, Carter, Cassidy, Christian, Cleveland, Clock, Crittenden, Deuel, Duval, Edwards, Evans, Fellom, Harper, Hays, Ingels, Inman, Maloney, McKinley, Mixter, Moran, Nelson, Rich, Riley, Schottky, Sharkey, Slater, Swing, Treacy, Tubbs, and Williams—33.

NOTES—None.

Title read and approved.

Bill ordered transmitted to the Assembly.

ASSISTANT SECRETARY FRANCIS E. DALIN AT THE DESK.

Assembly Bill No. 588—An act making an appropriation to pay the claim of Phil Rohan against the State of California.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Assembly Bill No. 588 passed by the following vote:

AYES—Senators Allen, Baker, Breed, Bush, Carter, Cassidy, Christian, Cleveland, Clock, Crittenden, Deuel, Edwards, Evans, Fellom, Harper, Hays, Ingels, Inman, Maloney, McKinley, Mixter, Moran, Nelson, Rich, Riley, Rochester, Schottky, Sharkey, Slater, Swing, Treacy, Tubbs, and Williams—33.

NOTES—None.

Title read and approved.

Bill ordered transmitted to the Assembly.

Assembly Bill No. 631—An act making an appropriation to pay the claim of Pacific Gas and Electric Company against the State of California.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Assembly Bill No. 631 passed by the following vote:

AYES—Senators Allen, Baker, Bush, Carter, Cassidy, Christian, Cleveland, Clock, Crittenden, Deuel, Edwards, Evans, Fellom, Harper, Hays, Ingels, Inman, Jones,

Maloney, McCormack, McKinley, Mixter, Moran, Nelson, Rich, Schottky, Sharkey, Slater, Swing, Treacy, Tubbs, and Williams—22.

NOES—None.

Title read and approved.

Bill ordered transmitted to the Assembly.

Assembly Bill No. 673—An act appropriating money to pay the claim of International Indemnity Company, a corporation, against the State of California.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Assembly Bill No. 673 passed by the following vote:

AYES—Senators Allen, Baker, Bush, Carter, Cassidy, Christian, Cleveland, Clock, Crittenden, Deuel, Duval, Edwards, Evans, Fellom, Harper, Hays, Ingels, Inman, Jones, Maloney, McCormack, McKinley, Mixter, Moran, Rich, Rochester, Schottky, Sharkey, Slater, Swing, Treacy, Tubbs, and Williams—33.

NOES—None.

Title read and approved.

Bill ordered transmitted to the Assembly.

Assembly Bill No. 1407—An act making an appropriation to pay the claim of Louis Zeh against the State of California.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Assembly Bill No. 1407 passed by the following vote:

AYES—Senators Allen, Baker, Bush, Carter, Cassidy, Clock, Crittenden, Deuel, Duval, Edwards, Evans, Fellom, Harper, Hays, Ingels, Inman, Jones, McKinley, Mixter, Moran, Nelson, Rich, Rochester, Schottky, Sharkey, Slater, Swing, Treacy, Tubbs, and Williams—30.

NOES—None.

Title read and approved.

Bill ordered transmitted to the Assembly.

Assembly Bill No. 1511—An act appropriating money to pay the claim of the disbursing officer of the Division of Highways, State Department of Public Works, against the State of California.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Assembly Bill No. 1511 passed by the following vote:

AYES—Senators Allen, Baker, Bush, Carter, Cassidy, Clock, Crittenden, Deuel, Edwards, Evans, Fellom, Harper, Hays, Ingels, Inman, Jones, Maloney, McCormack, McKinley, Mixter, Moran, Nelson, Rich, Rochester, Sharkey, Slater, Swing, Treacy, Tubbs, and Williams—30.

NOES—None.

Title read and approved.

Bill ordered transmitted to the Assembly.

Assembly Bill No. 1954—An act creating in the State Department of Penology a Division of Prison Terms and Paroles under the control of a Board of Prison Terms and Paroles, defining the powers and duties of said division and of said board, and making an appropriation therefor.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Assembly Bill No. 1954 passed by the following vote:

AYES—Senators Allen, Bush, Cassidy, Christian, Clock, Crittenden, Deuel, Edwards, Evans, Fellom, Harper, Ingels, Inman, Jones, Maloney, McCormack, McKinley, Mixter, Moran, Nelson, Rich, Riley, Schottky, Sharkey, Slater, Swing, Treacy, Tubbs, and Williams—29.

NOES—Senator Hays—1.

Title read and approved.

Bill ordered transmitted to the Assembly.

Assembly Bill No. 730—An act to prohibit the solicitation of the business of collecting personal injury or death claims arising within this State, with the intention of instituting suit thereon outside of this State, and to provide a penalty for violation of this act.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Assembly Bill No. 730 passed by the following vote:

AYES—Senators Allen, Bush, Cassidy, Christian, Clock, Crittenden, Deuel, Edwards, Evans, Fellom, Harper, Hays, Ingels, Inman, Maloney, McKinley, Mixter, Moran, Nelson, Rich, Schottky, Sharkey, Slater, Swing, Treacy, Tubbs, and Williams—27.

NOES—None.

Title read and approved.

Bill ordered transmitted to the Assembly.

Assembly Bill No. 1006—An act to amend section 560 and to repeal sections 565, 569 and 570 of the Penal Code, relating to directors and officers of corporations.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Assembly Bill No. 1006 passed by the following vote:

AYES—Senators Allen, Baker, Bush, Cassidy, Christian, Cleveland, Clock, Crittenden, Deuel, Duval, Edwards, Evans, Fellom, Harper, Hays, Inman, Jones, Maloney, McCormack, McKinley, Mixter, Nelson, Rich, Schottky, Sharkey, Slater, Treacy, Tubbs, and Williams—29.

NOES—None.

Title read and approved.

Bill ordered transmitted to the Assembly.

Assembly Bill No. 1015—An act to amend section 2403 of the Civil Code, relating to the authority of partners.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Assembly Bill No. 1015 passed by the following vote:

AYES—Senators Allen, Bush, Cassidy, Christian, Cleveland, Clock, Crittenden, Deuel, Duval, Edwards, Evans, Fellom, Harper, Hays, Ingels, Inman, Jones, Maloney, McCormack, McKinley, Mixter, Nelson, Rich, Riley, Schottky, Sharkey, Slater, Treacy, Tubbs, and Williams—30.

NOES—None.

Title read and approved.

Bill ordered transmitted to the Assembly.

Assembly Bill No. 1311—An act to amend sections 988*a*, 988*b*, and 988*g* of the Code of Civil Procedure, and to add a new section to said code to be numbered 988*i*, all relating to appeals from municipal courts in civil cases.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Assembly Bill No. 1311 passed by the following vote :

AYES—Senators Allen, Baker, Breed, Bush, Cassidy, Christian, Cleveland, Clock, Crittenden, Deuel, Edwards, Evans, Fellom, Harper, Hays, Ingels, Inman, Jones, Maloney, McCormack, McKinley, Mixer, Moran, Nelson, Rich, Riley, Schottky, Sharkey, Slater, Treacy, Tubbs, and Williams—32.

NOES—None.

Title read and approved.

Bill ordered transmitted to the Assembly.

Assembly Bill No. 1540—An act to amend section 4312 of the Political Code, relating to the place of offices of certain county officers.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Assembly Bill No. 1540 passed by the following vote :

AYES—Senators Allen, Baker, Breed, Bush, Cassidy, Christian, Clock, Crittenden, Deuel, Duval, Edwards, Fellom, Harper, Hays, Inman, Jones, Maloney, McCormack, McKinley, Mixer, Moran, Nelson, Rich, Riley, Schottky, Sharkey, Slater, Treacy, Tubbs, and Williams—30.

NOES—None.

Title read and approved.

Bill ordered transmitted to the Assembly.

Assembly Bill No. 1537—An act to amend section 73 of the Code of Civil Procedure, relating to sessions of the superior courts.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Assembly Bill No. 1537 passed by the following vote :

AYES—Senators Allen, Baker, Breed, Bush, Cassidy, Christian, Crittenden, Deuel, Duval, Edwards, Fellom, Harper, Hays, Ingels, Inman, Jones, Maloney, McCormack, McKinley, Mixer, Moran, Nelson, Rich, Riley, Schottky, Sharkey, Slater, Treacy, Tubbs, and Williams—30.

NOES—None.

Title read and approved.

Bill ordered transmitted to the Assembly.

Assembly Bill No. 1388—An act to add a new section, to be numbered 110*a*, to the Code of Civil Procedure, relating to salaries of justices of the peace in townships of 30,000 population or more in counties of the first class, and the determination of such population.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Assembly Bill No. 1388 passed by the following vote:

AYES—Senators Allen, Baker, Breed, Christian, Deuel, Duval, Edwards, Fellom, Harper, Hays, Inman, Maloney, McCormack, McKinley, Mixer, Moran, Nelson, Rich, Riley, Sharkey, Slater, Tubbs, Waggy, and Williams—24.

NOES—Senator Rochester—1.

Title read and approved.

Bill ordered transmitted to the Assembly.

Assembly Bill No. 1001—An act to amend sections 406 and 410 of the Civil Code, and to add section 406.1 thereto, relating to foreign corporations.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Assembly Bill No. 1001 passed by the following vote:

AYES—Senators Allen, Baker, Breed, Bush, Cassidy, Christian, Clock, Crittenden, Deuel, Edwards, Fellom, Hays, Inman, Jones, Maloney, McCormack, McKauley, Mixer, Moran, Nelson, Rich, Riley, Rochester, Sharkey, Slater, Swing, Treney, Tubbs, Waggy, and Williams—30.

NOES—None.

Title read and approved.

Bill ordered transmitted to the Assembly.

Assembly Bill No. 1312—An act authorizing a suit against the State of California to quiet title against it to certain real property in the city of Oakland, county of Alameda, State of California.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Assembly Bill No. 1312 passed by the following vote:

AYES—Senators Allen, Baker, Breed, Bush, Cassidy, Christian, Cleveland, Clock, Crittenden, Deuel, Edwards, Fellom, Harper, Hays, Inman, Jones, Maloney, McCormack, McKinley, Mixer, Moran, Nelson, Rich, Riley, Rochester, Schottky, Slater, Swing, Treney, Tubbs, Waggy, and Williams—32.

NOES—None.

Title read and approved.

Bill ordered transmitted to the Assembly.

Assembly Bill No. 1259—An act to amend sections 692 and 694 of the Code of Civil Procedure, relating to sales of property under execution or under power contained in a deed of trust.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Assembly Bill No. 1259 passed by the following vote:

AYES—Senators Allen, Baker, Breed, Bush, Cassidy, Christian, Cleveland, Clock, Deuel, Duval, Edwards, Evans, Fellom, Harper, Hays, Ingels, Inman, Jones, Maloney, McKinley, Mixer, Rich, Rochester, Slater, Swing, Treney, Tubbs, Waggy, and Williams—29.

NOES—None.

Title read and approved.

Bill ordered transmitted to the Assembly.

Assembly Bill No. 535—An act to regulate the possession or transportation of any form of shell, cartridge or bomb containing or capable of emitting tear gas, and providing penalties for violation thereof.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Assembly Bill No. 535 passed by the following vote:

AYES—Senators Allen, Baker, Breed, Bush, Cassidy, Christian, Deuel, Duval, Edwards, Evans, Fellom, Harper, Jones, Maloney, McCormack, Mixter, Riley, Rochester, Sharkey, Slater, Swing, Treacy, Wagy, and Williams—25.

NOES—Senator Clock—1.

Title read and approved.

Bill ordered transmitted to the Assembly.

Assembly Bill No. 1538—An act to amend section 142 of the Code of Civil Procedure, relating to superior court.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Assembly Bill No. 1538 passed by the following vote:

AYES—Senators Allen, Baker, Breed, Bush, Cassidy, Christian, Cleveland, Clock, Deuel, Edwards, Evans, Fellom, Harper, Hays, Ingels, Inman, Jones, Maloney, McCormack, McKinley, Mixter, Moran, Rich, Riley, Rochester, Sharkey, Slater, Swing, Treacy, Tubbs, Wagy, and Williams—32.

NOES—None.

Title read and approved.

Bill ordered transmitted to the Assembly.

Assembly Bill No. 674—An act to provide for the removal or destruction of abandoned or neglected orchard trees, vines, shrubs, or parts thereof, or agricultural crops.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Assembly Bill No. 674 passed by the following vote:

AYES—Senators Allen, Baker, Breed, Cassidy, Christian, Cleveland, Clock, Deuel, Edwards, Evans, Fellom, Harper, Hays, Inman, Jones, Maloney, McCormack, McKinley, Mixter, Moran, Nelson, Rich, Riley, Rochester, Schottky, Sharkey, Slater, Swing, Treacy, Wagy, and Williams—31.

NOES—None.

Title read and approved.

Bill ordered transmitted to the Assembly.

Assembly Bill No. 1327—An act to provide for the sanitary inspection of slaughterhouses, the inspection of animals or meats intended for human consumption, to provide rules and regulations therefor, to provide penalties for the violation thereof and to repeal the California Meat Inspection Law, approved June 3, 1921.

On motion of Senator Evans, Assembly Bill No. 1327 was ordered re-referred to Committee on Public Health and Quarantine.

Assembly Bill No. 1038—An act to amend an act entitled "An act to divide the State of California into fish and game districts and to repeal an act entitled 'An act to divide the State of California into fish and game districts and to repeal an act entitled "An act to divide the

State of California into six fish and game districts," approved March 21, 1911, and all acts or parts of acts inconsistent herewith," approved May 10, 1915," approved May 28, 1917, as amended, by amending section 71 thereof, relating to fish and game district one." "S."

On motion of Senator Allen, Assembly Bill No. 1048 was ordered re-referred to Committee on Fish and Game.

Assembly Constitutional Amendment No. 1—A resolution to propose to the people of the State of California, an amendment to the constitution of said State by amending section 23 of article VI, thereof, relating to the qualification of judges.

On motion of Senator McKinley, Assembly Constitutional Amendment No. 1 was ordered re-referred to Committee on Constitutional Amendments.

Assembly Bill No. 1456—An act to amend an act entitled "An act providing for the organization of water districts by the board of supervisors of the different counties of the State upon petition thereof by the landowners, providing for the joint government and control thereof by the landowners thereof and the board of supervisors of the county in which the same are formed, providing for the duties in connection therewith of the county officials of each county in which any of the lands contained in said district are located; providing for the acquisition and conservation by said district of irrigation works, for the irrigation of the lands embraced therein and for the distribution thereby of water for irrigation purposes; providing for the payment of the debts thereof by a tax levied on the lands embraced therein; providing for the issuance and sale of bonds thereby; providing for the transfer of the properties of such districts to any reclamation, drainage or irrigation project and the extension of contracts providing for such transfer in exchange for the right to reserve and use water; providing for the approval of the California Bond Certification Commission of such contracts or transfers; providing that said bonds and contracts or transfers may be investigated by the California Bond Certification Commission; providing for the approval of said bonds and such transfers or contracts, providing therefor by the California Bond Certification Commission in case said investigation is favorably reported and that thereafter said bonds may be lawfully purchased, or reserved in pledge as security for any money or deposits or for the performance of any act, by banks, banking institutions, insurance companies, trust companies, guardians, executors, administrators and special administrators; providing in certain cases for the transfer of districts from the supervision of one county board of supervisors to another; providing for the dissolution of said districts for misuse of corporate power; and providing for the annexation of lands to and the exclusion of lands from such districts," approved June 13, 1913, as amended, by amending section 1a thereof to repeal the provision permitting a water district to be organized within the boundaries of an irrigation district.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Assembly Bill No. 1356 passed by the following vote:

AYES—Senators Allen, Baker, Breed, Bush, Christian, Clock, Crittenden, Edwards, Evans, Fellom, Harper, Hays, Ingels, Maloney, McCormack, McKinley, Mixer, Moran, Riley, Rochester, Schottky, Sharkey, Slater, Swing, Treacy, Tubbs, Wagy, and Williams—28.

NOES—None.

Title read and approved.

Bill ordered transmitted to the Assembly.

Assembly Bill No. 226—An act to amend sections 5, 6, and 9 and to add section 8a to an act entitled "An act to provide for the formation, management, alteration of boundaries, and dissolution of sewer maintenance districts in unincorporated territory of counties, defining the powers of such districts and providing for the levy and collection of taxes to defray the expenses thereof," approved May 19, 1927. Statutes of 1927, page 1088, relating to sewer maintenance districts.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Assembly Bill No. 226 passed by the following vote:

AYES—Senators Allen, Baker, Breed, Bush, Cassidy, Christian, Clock, Crittenden, Deuel, Edwards, Evans, Fellom, Harper, Hays, Inman, Jones, Maloney, McCormack, McKinley, Mixer, Riley, Rochester, Schottky, Sharkey, Slater, Swing, Treacy, Tubbs, Wagy, and Williams—30.

NOES—None.

Title read and approved.

Bill ordered transmitted to the Assembly.

Assembly Bill No. 667—An act validating all leases entered into by municipalities in and to lands for fair and exhibition purposes.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Assembly Bill No. 667 passed by the following vote:

AYES—Senators Allen, Baker, Breed, Bush, Christian, Clock, Crittenden, Deuel, Edwards, Evans, Harper, Hays, Ingels, Inman, Jones, Maloney, McCormack, McKinley, Mixer, Riley, Rochester, Schottky, Slater, Treacy, Wagy, and Williams—27.

NOES—None.

AMENDMENT TO TITLE.

The following amendment to the title was offered, and its adoption moved by Senator McKinley:

AMENDMENT NUMBER ONE.

In line 2 of the title of the printed bill, strike out "and exhibition", and insert in lieu thereof the following: "or exhibition or airport".

Amendment adopted.

Title, as amended, read and approved.

Bill ordered to print, and transmitted to the Assembly.

Assembly Bill No. 908—An act to amend sections 1, 2, 3, 4, 5, and 7, and add two new sections to be numbered 5a and 7a to an act entitled "An act providing for the issuance of improvement bonds to represent certain special assessments for public improvements, and providing for

the effect and enforcement of such bonds," approved April 27, 1911, as amended, relating to street improvement bonds.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Assembly Bill No. 908 passed by the following vote:

AYES: Senators Allen, Breed, Bush, Christian, Cleveland, Clegg, Crittenden, Deuel, Edwards, Evans, Follom, Harper, Hays, Jones, Maloney, McCormack, McKinley, Miller, Riley, Rochester, Schottky, Sharkey, Slater, Swing, Treney, Wagy, and Williams—28.

NOES: None.

Title read and approved.

Bill ordered transmitted to the Assembly.

Assembly Bill No. 1348—An act to provide for the planting, protection, maintenance and removal of trees, shrubs and other ornamental vegetation within municipalities, and providing a method for the assessment of the costs and expenses thereof, authorizing the municipality to contribute to the cost thereof, and providing for the establishment of a city forester, and describing his duties, and fixing his compensation.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Assembly Bill No. 1348 passed by the following vote:

AYES: Senators Allen, Baker, Breed, Bush, Christian, Cleveland, Clegg, Crittenden, Deuel, Edwards, Evans, Follom, Harper, Hays, Jones, Maloney, McCormack, McKinley, Miller, Riley, Rochester, Schottky, Sharkey, Slater, Swing, Treney, Wagy, and Williams—28.

NOES: None.

Title read and approved.

Bill ordered transmitted to the Assembly.

Assembly Bill No. 1363—An act to amend the title and section 1 of the County Improvement Act of 1921, as amended, relating to improvement work in another county, or in any city and county, under the provisions of the act.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Assembly Bill No. 1363 passed by the following vote:

AYES: Senators Allen, Baker, Breed, Bush, Christian, Cleveland, Clegg, Crittenden, Deuel, Edwards, Evans, Follom, Harper, Hays, Jones, Maloney, McCormack, McKinley, Miller, Riley, Rochester, Schottky, Sharkey, Slater, Treney, Tuttle, Wagy, and Williams—28.

NOES: None.

Title read and approved.

Bill ordered transmitted to the Assembly.

Assembly Bill No. 1349—An act to enable counties to rent equipment for, or contract for the maintenance, construction or repair of, street and road work in incorporated cities and towns.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Assembly Bill No. 1939 passed by the following vote:

AYES—Senators Allen, Baker, Breed, Bush, Christian, Cleveland, Clock, Crittenden, Duval, Edwards, Evans, Fellom, Harper, Hays, Jones, Maloney, McCormack, McKinley, Mixer, Moran, Rich, Riley, Rochester, Schottky, Sharkey, Slater, Swing, Treacy, Tubbs, Wagye, and Williams—31.

NOES—None.

Title read and approved.

Bill ordered transmitted to the Assembly.

Assembly Bill No. 1192—An act to amend the title and section 1 of an act entitled “An act to enable municipal corporations of the sixth class to elect officers,” approved March 14, 1885, to extend the provisions of the act to cover municipal corporations of the fifth class, and to provide for the calling of an election in the event a freeholders charter of such corporations be declared unconstitutional.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Assembly Bill No. 1192 passed by the following vote:

AYES—Senators Allen, Breed, Bush, Christian, Cleveland, Clock, Crittenden, Duval, Edwards, Evans, Fellom, Harper, Hays, Jones, Maloney, McCormack, McKinley, Mixer, Moran, Nelson, Rich, Riley, Rochester, Schottky, Sharkey, Slater, Swing, Treacy, Tubbs, Wagye, and Williams—31.

NOES—None.

Title read and approved.

Bill ordered transmitted to the Assembly.

Assembly Bill No. 1230—An act to add a new section to be numbered section 752*d* to, and to amend section 760 of an act entitled “An act to provide for the organization, incorporation and government of municipal corporations,” approved March 13, 1883, as amended, relating to the calling of a special election for the election of officers of municipalities of the fifth class.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Assembly Bill No. 1230 passed by the following vote:

AYES—Senators Allen, Baker, Breed, Bush, Christian, Cleveland, Clock, Crittenden, Duval, Evans, Fellom, Harper, Hays, Inman, Maloney, McCormack, McKinley, Mixer, Moran, Nelson, Rich, Riley, Rochester, Schottky, Sharkey, Slater, Swing, Treacy, Tubbs, Wagye, and Williams—31.

NOES—None.

Title read and approved.

Bill ordered transmitted to the Assembly.

Assembly Bill No. 1139—An act to amend sections 4, 24, and 26 of, and to add sections 4*a* and 4*b* to an act entitled “The Road District Improvement Act of 1907,” Statutes of 1907, page 806, as amended, relating to the assessment of publicly owned property in assessment districts formed under said act.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Assembly Bill No. 1139 passed by the following vote:

AYES—Senators Allen, Baker, Breed, Christian, Cleveland, Clock, Crittenden, Duval, Evans, Fellom, Harper, Hays, Inman, Maloney, McCormack, McKinley, Mixer, Moran, Nelson, Rich, Riley, Rochester, Schottky, Sharkey, Slater, Swing, Treacy, Tubbs, Wagy, and Williams—30.

NOES—None.

AMENDMENTS TO TITLE.

The following amendments to title were offered and adopted:

AMENDMENT NUMBER ONE.

In line 1 of the title of the printed bill, as amended, strike out the word "sections" the second time said word occurs in said line, and insert in lieu thereof the word "section".

AMENDMENT NUMBER TWO.

In line 2 of the title of the printed bill, as amended, strike out the words "and 4b".

Title, as amended, read and approved.

Bill ordered to print, and transmitted to the Assembly.

Assembly Bill No. 23—An act to amend sections 862a, 863, 864, 865 and 870a of chapter 49, Statutes of 1883, entitled "An act to provide for the organization, incorporation, and government of municipal corporations," approved March 13, 1883, as amended, relating to cities and towns of the sixth class.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Assembly Bill No. 23 passed by the following vote:

AYES—Senators Allen, Baker, Breed, Christian, Cleveland, Clock, Crittenden, Evans, Fellom, Harper, Hays, Ingels, Inman, Jones, Maloney, McCormack, McKinley, Mixer, Moran, Nelson, Rich, Riley, Rochester, Schottky, Sharkey, Slater, Swing, Treacy, Tubbs, Wagy, and Williams—31.

NOES—None.

Title read and approved.

Bill ordered transmitted to the Assembly.

Assembly Bill No. 184—An act to amend sections 765, 861 and 863 of an act entitled "An act to provide for the organization, incorporation, and government of municipal corporations," approved March 13, 1883, as amended, relating to cities and towns of the fifth and sixth class.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Assembly Bill No. 184 passed by the following vote:

AYES—Senators Allen, Breed, Bush, Christian, Cleveland, Clock, Crittenden, Deuel, Edwards, Evans, Fellom, Harper, Hays, Ingels, Inman, Jones, Maloney, McCormack, McKinley, Moran, Nelson, Rich, Riley, Rochester, Schottky, Sharkey, Slater, Swing, Treacy, Tubbs, Wagy, and Williams—32.

NOES—None.

Title read and approved.

Bill ordered transmitted to the Assembly.

Assembly Bill No. 224—An act to add a new section to be numbered 18a to an act entitled "An act to provide for the laying out, opening, extending, widening, or straightening, in whole or in part, of public highways, roads, streets, squares, lanes, alleys, courts, and places, within municipalities, or within unincorporated territory and one or more

municipalities, or lying within two or more municipalities; for the condemnation of property necessary or convenient for such purposes, or of any interest therein, and for the establishment of assessment districts and the assessment of property therein to pay the expense of such improvement, and providing for aid from the county or municipalities toward the expense of such improvement," approved March 24, 1903, Statutes 1903, page 376, as amended.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Assembly Bill No. 224 passed by the following vote:

AYES—Senators Allen, Baker, Bush, Christian, Cleveland, Clock, Crittenden, Duval, Edwards, Evans, Fellom, Harper, Hays, Ingels, Inman, Jones, Maloney, McCormack, McKinley, Moran, Nelson, Rich, Riley, Rochester, Schottky, Sharkey, Slater, Swing, Treacy, Tubbs, Waggy, and Williams—32.

NOES—None.

Title read and approved.

Bill ordered transmitted to the Assembly.

Assembly Bill No. 225—An act to amend the title and sections 1 and 4 of an act entitled "An act to provide for the laying out, opening, extending, widening, or straightening, in whole or in part, of public streets, avenues, highways, lanes, alleys, courts and places in the unincorporated territories of counties, for the condemnation of property necessary or convenient for such purposes, for the establishment of assessment districts, and for the assessment of property therein to pay the expense of such improvements, for the issuance of improvement bonds to represent assessments for the expense of such improvements, and for the effect and enforcement of such bonds," approved May 11, 1923, Statutes 1923, page 308, as amended, and to add section 1a, relating to acquiring and improving roads and highways in counties

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Assembly Bill No. 225 passed by the following vote:

AYES—Senators Allen, Baker, Christian, Clock, Crittenden, Duval, Edwards, Fellom, Harper, Hays, Ingels, Inman, Jones, Maloney, McCormack, Moran, Nelson, Rich, Riley, Rochester, Schottky, Sharkey, Slater, Swing, Treacy, Tubbs, Waggy, and Williams—28.

NOES—None.

Title read and approved.

Bill ordered transmitted to the Assembly.

Assembly Bill No. 854—An act to amend sections 4 and 5 of an act entitled "An act to form agricultural districts, to provide for the formation, organization and powers, of agricultural associations therein and for management and control of the same by the State, and repealing all acts and portions of acts in conflict with this act," approved April 17, 1909, as amended, relating to directors of district agricultural associations.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Assembly Bill No. 854 passed by the following vote:

AYES—Senators Allen, Baker, Carter, Christian, Crittenden, Duval, Edwards, Fellom, Harper, Hays, Ingels, Inman, Jones, Maloney, McCormack, Moran, Nelson, Riley, Rochester, Schottky, Sharkey, Slater, Swing, Treacy, Wagy, and Williams—27.

NOES—None.

Title read and approved.

Bill ordered transmitted to the Assembly.

Assembly Bill No. 973—An act making an appropriation for the building of a game preserve for tule elk in or near Kern County.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Assembly Bill No. 973 passed by the following vote:

AYES—Senators Allen, Baker, Carter, Christian, Clock, Crittenden, Duval, Edwards, Fellom, Harper, Hays, Ingels, Inman, Maloney, McCormack, Mixer, Moran, Nelson, Rich, Riley, Rochester, Schottky, Sharkey, Slater, Swing, Treacy, Tubbs, Wagy, and Williams—29.

NOES—None.

Title read and approved.

Bill ordered transmitted to the Assembly.

Assembly Bill No. 1444—An act to amend section 373*b* and 373*g* of, and to add a new section numbered 373*j* to article II*j* of chapter 3, title I, part III of the Political Code, relating to the Department of Natural Resources and the Division of Mines thereof, and creating a Division of Oil and Gas therein.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Assembly Bill No. 1444 passed by the following vote:

AYES—Senators Allen, Baker, Carter, Christian, Cleveland, Clock, Crittenden, Duval, Edwards, Fellom, Harper, Maloney, McCormack, Mixer, Sharkey, Slater, Swing, Treacy, Tubbs, Wagy, and Williams—22.

NOES—Senators Moran, Rich, and Rochester—3.

Title read and approved.

Bill ordered transmitted to the Assembly.

Assembly Bill No. 430—An act empowering the Director of Finance to accept title to lands and buildings for the San Francisco State Teachers College.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Assembly Bill No. 430 passed by the following vote:

AYES—Senators Allen, Carter, Crittenden, Duval, Edwards, Evans, Fellom, Harper, Inman, Jones, Maloney, Mixer, Moran, Nelson, Rochester, Schottky, Sharkey, Slater, Swing, Tubbs, Wagy, and Williams—22.

NOES—Senator Clock—1.

Title read and approved.

Bill ordered transmitted to the Assembly.

Assembly Bill No. 1876—An act to provide for the investigation and study of methods for the control of pear blight (*bacillus amylovorus*) under the direction of the Regents of the University of California, and for the dissemination of the knowledge gained through such investigation and study, and making an appropriation therefor.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Assembly Bill No. 1876 passed by the following vote:

AYES—Senators Allen, Baker, Breed, Carter, Christian, Cleveland, Clock, Crittenden, Duval, Edwards, Fellom, Harper, Hays, Ingels, Inman, Jones, Maloney, McCormack, Mixer, Moran, Nelson, Rich, Rochester, Schottky, Sharkey, Slater, Tubbs, Wagy, and Williams—29.

NOES—None.

Title read and approved.

Bill ordered transmitted to the Assembly.

CONSIDERATION OF ASSEMBLY BILL NUMBER FOUR HUNDRED SEVENTY-SIX—
(RESUMED).

Assembly Bill No. 476—An act to provide for the salaries and expenses of the Building and Loan Commissioner, his attorney, deputies, examiners, accountants, appraisers and other assistants; to provide for the disposition of moneys in the "Building and Loan Inspection Fund" created by chapter 354 of the Statutes of 1911, as amended; and of moneys collected under the Building and Loan Association Act; and otherwise relating to the Building and Loan Commissioner, his assistants and employees, and to the regulation of building and loan associations.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Assembly Bill No. 476 passed by the following vote:

AYES—Senators Allen, Baker, Breed, Carter, Christian, Cleveland, Clock, Crittenden, Duval, Edwards, Fellom, Harper, Hays, Ingels, Inman, Jones, Maloney, McCormack, Mixer, Moran, Nelson, Rich, Riley, Schottky, Sharkey, Slater, Treacy, Tubbs, Wagy, and Williams—30.

NOES—Senator Rochester—1.

Title read and approved.

Bill ordered transmitted to the Assembly.

Assembly Bill No. 335—An act appropriating moneys to the use of the Building and Loan Inspection Fund, and providing for the return of said moneys to the General Fund.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Assembly Bill No. 335 passed by the following vote:

AYES—Senators Allen, Baker, Breed, Carter, Christian, Cleveland, Clock, Crittenden, Duval, Edwards, Fellom, Harper, Hays, Ingels, Inman, Jones, Maloney, McCormack, Mixer, Moran, Nelson, Rich, Schottky, Slater, Tubbs, Wagy, and Williams—28.

NOES—Senator Rochester—1.

Title read and approved.

Bill ordered transmitted to the Assembly.

Assembly Bill No. 648—An act to provide for the elimination of camel's thorn and to provide an appropriation therefor.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Assembly Bill No. 648 passed by the following vote:

AYES—Senators Allen, Bator, Breed, Carter, Christian, Cleveland, Clock, Crittenden, Edwards, Fellom, Harper, Ingels, Inman, Jones, Maloney, McCormack, McKinley, Mixer, Moran, Nelson, Rich, Riley, Schottky, Sharkey, Slater, Swing, Treacy, Tubbs, Waggy, and Williams—30.

NOES—None.

Title read and approved.

Bill ordered transmitted to the Assembly.

Assembly Bill No. 1885—An act making an appropriation for the purposes of section 69010 of the Political Code, as added by the Legislature of 1931, defining the duties of the Department of Finance in connection with the construction of certain structures upon certain State lands.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Assembly Bill No. 1885 passed by the following vote:

AYES—Senators Allen, Breed, Bush, Christian, Clock, Crittenden, Deuel, Duval, Edwards, Fellom, Harper, Ingels, Jones, Maloney, McCormack, McKinley, Mixer, Nelson, Schottky, Sharkey, Slater, Tubbs, and Waggy—23.

NOES—Senator Williams—1.

Title read and approved.

Bill ordered transmitted to the Assembly.

Assembly Bill No. 1644—An act to appropriate money to pay the claim of Herbert F. Field against the State of California.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Assembly Bill No. 1644 passed by the following vote:

AYES—Senators Allen, Breed, Bush, Carter, Christian, Clock, Crittenden, Deuel, Duval, Edwards, Fellom, Harper, Hays, Ingels, Jones, Maloney, McCormack, McKinley, Mixer, Nelson, Riley, Rochester, Schottky, Sharkey, Slater, Treacy, Tubbs, Waggy, and Williams—20.

NOES—None.

Title read and approved.

Bill ordered transmitted to the Assembly.

Assembly Bill No. 1748—An act to amend section 20 of chapter 492, Statutes of 1907, entitled "An act for the preservation of the public health of the people of the State of California, and empowering the State Board of Health to enforce its provisions, and providing penalties for the violation thereof," approved March 23, 1907, as amended, relating to rules, regulations and requirements in cases of the transportation of the dead.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Assembly Bill No. 1748 passed by the following vote:

AYES—Senators Allen, Breed, Bush, Carter, Christian, Cleveland, Clock, Duval, Fellom, Ingels, Maloney, McCormack, McKinley, Mixer, Nelson, Riley, Rochester, Schottky, Sharkey, Slater, Treacy, Tubbs, Waggy, and Williams—25.
NOES—None.

Title read and approved.

Bill ordered transmitted to the Assembly.

Assembly Bill No. 232—An act to amend section 9 of an act entitled “An act to provide for the organization and government of public cemetery districts,” approved June 1, 1921, Statutes 1921, chapter 652, page 1103, as amended, relating to time of filing estimates of proposed expenditures.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Assembly Bill No. 232 passed by the following vote:

AYES—Senators Allen, Baker, Carter, Christian, Clock, Duval, Fellom, Hays, Ingels, Inman, Maloney, McCormack, McKinley, Mixer, Moran, Nelson, Riley, Rochester, Schottky, Slater, Swing, Treacy, Tubbs, Waggy, and Williams—25.
NOES—None.

Title read and approved.

Bill ordered transmitted to the Assembly.

Assembly Bill No. 1022—An act to amend sections 6, 8, 9, 10, 25, 32, 23 and 35 of the Bank and Corporation Franchise Tax Act, approved March 1, 1929, relating to bank and corporation taxes.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Assembly Bill No. 1022 passed by the following vote:

AYES—Senators Allen, Baker, Breed, Bush, Carter, Christian, Cleveland, Clock, Duval, Fellom, Hays, Ingels, Jones, Maloney, McCormack, McKinley, Mixer, Nelson, Rich, Schottky, Sharkey, Slater, Swing, Treacy, Waggy, and Williams—26.
NOES—None.

Title read and approved.

Bill ordered transmitted to the Assembly.

Assembly Bill No. 1921—An act to amend section 3713 of the Political Code, relative to State taxation.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Assembly Bill No. 1921 passed by the following vote:

AYES—Senators Baker, Breed, Bush, Carter, Clock, Crittenden, Duval, Evans, Hays, Ingels, Inman, Jones, Maloney, McCormack, McKinley, Moran, Nelson, Rich, Riley, Schottky, Sharkey, Slater, Swing, Treacy, Tubbs, Waggy, and Williams—27.
NOES—Senator Cleveland—1.

Title read and approved.

Bill ordered transmitted to the Assembly.

Assembly Bill No. 1931—An act to amend sections 3897 and 3897a of the Political Code, and to add a new section thereto to be numbered

38796, relating to the termination of the right of redemption of tax-deeded lands, the disposition thereof and the sale of property for delinquent taxes.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Assembly Bill No. 1931 passed by the following vote:

AYES—Senators Allen, Baker, Breed, Bush, Carter, Christian, Cleveland, Clock, Crittenden, Duval, Fellom, Harper, Hays, Ingels, Inman, Jones, Maloney, McCormack, Moran, Nelson, Rich, Sharkey, Slater, Swing, Treney, Tubbs, Waggy, and Williams—28.

NOES—None.

Title read and approved.

Bill ordered transmitted to the Assembly.

Assembly Bill No. 1930—An act to amend section 14 of an act entitled "An act to allow unincorporated towns and villages to establish, equip, and maintain public libraries; to provide for the formation, government and operation of library districts; the acquisition of property thereby; the calling and holding of elections in such districts; the assessment, collection, custody and disbursement of taxes therein; and to create boards of library trustees," approved April 12, 1909, as amended, relating to the registration of library district warrants.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Assembly Bill No. 1930 passed by the following vote:

AYES—Senators Allen, Bush, Carter, Christian, Cleveland, Clock, Crittenden, Duval, Evans, Fellom, Harper, Hays, Ingels, Inman, Jones, Maloney, McCormack, McKinley, Moran, Rich, Riley, Schottky, Sharkey, Slater, Swing, Tubbs, Waggy, and Williams—29.

NOES—None.

Title read and approved.

Bill ordered transmitted to the Assembly.

Assembly Bill No. 453—An act amending an act entitled "An act providing for the granting of franchises in counties or cities and counties for the disposal or destruction, or both, of garbage and other waste, and declaring same an urgency measure," approved April 17, 1931, by adding a section thereto, relating to certain bids submitted for the granting of a franchise for the disposal or destruction, or both, of garbage, waste, offal or debris, and declaring the same to be an urgency measure.

URGENCY CLAUSE

SEC. 2. This act is hereby declared to be an urgency measure, deemed necessary for the immediate preservation of the public health and safety, within the meaning of section 1 of article IV of the constitution of the State of California, and as such it shall take effect immediately. The following is a statement of the facts constituting such necessity:

The inadequate facilities for the disposal or destruction of garbage, waste, offal and debris, which the act amended by this act was intended to remedy, can not be remedied as quickly and satisfactorily as was intended because of the absence in that act of the section added thereto by this act, permitting the acceptance of the bids described in said section, and this act is therefore necessary to facilitate the remedying of the serious conditions which exist and which should be remedied immediately.

Urgency clause read.

The question being on the adoption of the urgency clause.

The roll was called, and the urgency clause adopted by the following vote:

AYES—Senators Allen, Baker, Breed, Bush, Carter, Cassidy, Christian, Cleveland, Crittenden, Deuel, Duval, Evans, Fellom, Harper, Hays, Inman, Jones, Maloney, McCormack, McKinley, Nelson, Rich, Schottky, Sharkey, Slater, Swing, Treacy, Tubbs, Wag, and Williams—30.

NOES—None.

The question being on the passage of the bill.

The roll was called, and Assembly Bill No. 453 passed by the following vote:

AYES—Senators Allen, Baker, Bush, Carter, Cassidy, Cleveland, Clock, Crittenden, Deuel, Duval, Edwards, Evans, Fellom, Harper, Hays, Maloney, McCormack, McKinley, Moran, Nelson, Rich, Riley, Schottky, Sharkey, Slater, Swing, Treacy, Tubbs, Wag, and Williams—30.

NOES—None.

Title read and approved.

Bill ordered transmitted to the Assembly.

Assembly Bill No. 550—An act to amend section 385, and to repeal sections 370, 386 and 387 of the Political Code, relating to secretaries and assistants to and employees of the Governor.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Assembly Bill No. 550 passed by the following vote:

AYES—Senators Allen, Baker, Breed, Bush, Carter, Cassidy, Clock, Crittenden, Deuel, Duval, Edwards, Evans, Fellom, Harper, Maloney, McCormack, McKinley, Mixer, Moran, Nelson, Rich, Riley, Schottky, Sharkey, Slater, Swing, Treacy, Tubbs, Wag, and Williams—30.

NOES—Senators Hays, and Inman—2.

Title read and approved.

Bill ordered transmitted to the Assembly.

Assembly Bill No. 1206—An act to add a new section to the Penal Code, to be numbered section 653g, making it a misdemeanor offense to charge or collect, or attempt to charge or collect, a fee or valuable consideration for placing, or assisting in placing, or attempting to place, persons in public work, as herein defined, or for registering persons for such public work, or giving information as to where such public work may be procured, or to place any order for the employment of a worker, or workers, for such public work where a fee or valuable consideration is to be charged the applicant for such employment.

Bill read third time.

DEMAND FOR PREVIOUS QUESTION.

Senator Carter demanded the previous question.

The question being: Shall the main question be now put?

Demand sustained.

The question being on the passage of the bill.

The roll was called, and Assembly Bill No. 1206 refused passage by the following vote:

AYES—Senators Allen, Fellom, Ingels, Inman, Jones, Maloney, Rich, Riley, Slater, Swing, Treacy, Tubbs, and Wag—13.

NOES—Senators Breed, Bush, Carter, Cassidy, Christian, Cleveland, Clock, Crittenden, Deuel, Duval, Edwards, Evans, Harper, Hays, McCormack, McKinley, Mixer, Moran, Nelson, Rochester, Schottky, and Sharkey—22.

RECESS.

On motion of Senator Breed, at one o'clock and thirty minutes p.m., the President of the Senate declared recess until one o'clock and forty minutes p.m.

RECONVENED.

At one o'clock and forty minutes p.m., the Senate reconvened. Lieutenant Governor Frank F. Merriam, President of the Senate, in the chair.

Secretary Joseph A. Beek at the desk.

REPORTS OF STANDING COMMITTEES—(RESUMED).

The following reports of standing committee were received and read:

ON ENGROSSMENT, ENROLLMENT AND PRINTING.

SENATE CHAMBER, SACRAMENTO, May 15, 1931.

MR. PRESIDENT: Your Committee on Engrossment, Enrollment and Printing has examined Senate Constitutional Amendment No. 3—A resolution to propose to the people of the State of California an amendment to section 1 of article IV of the constitution of said State, relating to the submission of drafts of initiative and referendum measures to the Attorney General, and to the filing of initiative or referendum petition;

Also: Senate Constitutional Amendment No. 6—A resolution to propose to the people of the State of California an amendment to the constitution of said State by amending section 14 of article XIII, relating to exemptions of property on account of military service;

Also: Senate Concurrent Resolution No. 38—Providing for the appointment of a joint committee on legislation pertaining to water resources;

Also: Senate Bill No. 62—An act to amend section 4307 of the Political Code, relating to county charges;

Also: Senate Bill No. 83—An act to prohibit the employment of aliens by contractors and subcontractors on all public work, except in certain cases of extraordinary emergency, providing for the reporting of such cases of extraordinary emergency and the keeping of records of the citizenship of workers employed upon public work and the inspection of such records by the proper officials, providing for a forfeiture for each calendar day, or portion thereof, any alien is knowingly permitted to work on public work and for a stipulation to this effect in the contract, and providing other penalties for violation of the provisions thereof;

And reports that the same have been correctly enrolled and presented to the Governor on the fifteenth day of May, at eleven o'clock and thirty minutes a.m.

RILEY, Chairman.

Also:

MR. PRESIDENT: Your Committee on Engrossment, Enrollment and Printing has examined Senate Bill No. 92—An act to amend section 533 of the Code of Civil Procedure, relating to affidavits of attachment;

Also: Senate Bill No. 185—An act to amend section 9 of chapter 34, Statutes of 1927, entitled "The State Bar Act," approved March 31, 1927, as amended, relating to the Board of Governors;

Also: Senate Bill No. 263—An act to amend section 138 of the Civil Code, relating to orders respecting custody and maintenance of minor children of the marriage in actions for divorce;

Also: Senate Bill No. 273—An act to add a new section to the Political Code of the State of California to be numbered 2476a, relating to the cancellation by boards of supervisors of assessments or portions of assessments levied by reclamation districts on the lands within said districts;

Also: Senate Bill No. 280—An act to amend section 64 of the School Code, relating to the payment of assessments levied against real property owned by, or under the control of, boards of school trustees and city boards of education;

And reports that the same have been correctly enrolled and presented to the Governor on the fifteenth day of May, at eleven o'clock and thirty minutes a.m.

RILEY, Chairman.

Also:

MR. PRESIDENT: Your Committee on Engrossment, Enrollment and Printing has examined Senate Bill No. 290—An act to amend section 13 of chapter 267, Statutes of 1923, entitled "An act to regulate and license the business of producing, refining or distributing gasoline, distillate and other motor vehicle fuels, providing for the collection and distribution of license taxes, prescribing penalties for violation of the

provisions of said act, and repealing all acts and parts of acts inconsistent herewith," approved May 30, 1923, as amended;

Also: Senate Bill No. 343—An act to add a new section to be known as section 751a of the Code of Civil Procedure, relating to a person who has received or taken title to real property in a certain name and thereafter disposes of it in a different name than the name in which it was received;

Also: Senate Bill No. 399—An act to amend section 25 of the Civil Code, relating to who are minors;

Also: Senate Bill No. 415—An act making an appropriation to pay the claim of Southern Pacific Company, a corporation, against the State of California;

And reports that the same have been correctly enrolled and presented to the Governor on the fifteenth day of May, at eleven o'clock and thirty minutes a.m.

RILEY, Chairman.

Also:

MR. PRESIDENT: Your Committee on Engrossment, Enrollment and Printing has examined Senate Bill No. 419—An act to add a new section to be numbered 10 to chapter 326, Statutes of 1925, entitled "An act to authorize and empower the State Director of Education, with the approval of the State Board of Control, to sell and convey the lands and buildings of the San Diego State Teachers College, and from the proceeds of such sale to purchase and improve a new and suitable site for said school, to erect and construct upon the site so purchased buildings and other structures and improvements necessary and proper for said school, to purchase furniture, fixtures, apparatus, and other things necessary for said school, and to rent such temporary buildings and grounds as may be necessary for the use of said school until the completion of the new school buildings," providing for a readjustment of the western boundary of the site of the San Diego State Teachers College;

Also: Senate Bill No. 468—An act making an appropriation for the construction of jetties at the mouth of the Russian River;

Also: Senate Bill No. 505—An act to amend section 626c of the Penal Code and to add two new sections to the Penal Code to be numbered 626e $\frac{1}{2}$ and 626e $\frac{3}{4}$, relating to the protection of game;

Also: Senate Bill No. 555—An act to amend section 27 of the Workmen's Compensation, Insurance and Safety Act of 1917, as amended, by extending the limitation of time for the filing of proceedings for compensation where a release or compromise agreement has not been approved by the commission;

And reports that the same have been correctly enrolled and presented to the Governor on the fifteenth day of May, at eleven o'clock and thirty minutes a.m.

RILEY, Chairman.

Also:

MR. PRESIDENT: Your Committee on Engrossment, Enrollment and Printing has examined Senate Bill No. 558—An act to amend section 29 of the "Workmen's Compensation, Insurance and Safety Act of 1917," as amended, by providing that in prosecutions for violations of said act under this section, the burden of proof shall rest upon the defendant to show compliance with said act;

Also: Senate Bill No. 565—An act granting certain lands and salt marsh and tidelands of the State of California to the city of Oakland, including the management, use and control thereof;

Also: Senate Bill No. 587—An act to amend section 2 of chapter 233, Statutes of 1903, entitled "An act imposing a license tax upon itinerant vendors of drugs, nostrums, ointments, or appliances sold for the cure of disease, injuries or deformities," approved March 20, 1903, as amended, relating to license fees;

Also: Senate Bill No. 651—An act to amend section 2280 of the Civil Code, relating to the revocation of trusts;

Also: Senate Bill No. 682—An act to amend section 374b of the Penal Code and to add a new section thereto to be numbered section 375, relating to the deposit of nauseous, offensive or injurious substances in places of public assemblage or the manufacture or possession thereof with the intent so to deposit;

And reports that the same have been correctly enrolled and presented to the Governor on the fifteenth day of May, at eleven o'clock and thirty minutes a.m.

RILEY, Chairman.

Also:

MR. PRESIDENT: Your Committee on Engrossment, Enrollment and Printing has examined Senate Bill No. 686—An act to amend section 30 of and to add a new section to be numbered 15c to the California Irrigation District Act, relating to the powers and duties of the board of directors;

Also: Senate Bill No. 692—An act to amend sections 2, 5, 6, and 8 of an act entitled "An act to regulate the sale and issuance of licenses to hunt, take, pursue, or kill wild birds or mammals, and/or to angle for, take, catch or kill game fishes for purposes other than sale or profit in order to provide revenue therefrom for fish and game preservation, protection and restoration; defining game fishes; providing a

penalty for the violation of this act and repealing all acts and parts of acts inconsistent or in conflict with this act," relating to the issuing of, accounting for, compensation for issuing, duration of, and mode of applying for hunting and fishing licenses and the definition of game fishes;

Also: Senate Bill No. 733—An act to amend section 3480a of the Political Code, providing a method of refunding reclamation district bonds now or hereafter issued or outstanding;

Also: Senate Bill No. 801—An act to add section 19x54 to the "Juvenile Court Law," relating to probation officers in counties of the fifty-fourth class;

Also: Senate Bill No. 802—An act to amend section 2322x54 of the Political Code, relating to the office of agricultural commissioner in counties of the fifty-fourth class;

And reports that the same have been correctly enrolled and presented to the Governor on the fifteenth day of May, at eleven o'clock and thirty minutes a.m.

RILEY, Chairman.

Also:

MR. PRESIDENT: Your Committee on Engrossment, Enrollment and Printing has examined Senate Bill No. 810—An act to amend section 365f of the Political Code, relating to the power of the California Highway Commission to acquire lands for highway and other purposes and to construct and maintain State highways and other improvements incident thereto;

Also: Senate Bill No. 919—An act to amend section 4233 and to repeal section 4233a of the Political Code, relating to the salaries, fees and expenses of officers in counties of the fourth class;

Also: Senate Bill No. 51—An act relating to and providing for the construction of flood control works on the Santa Ana River system and for the prevention of floods and conserving of the flood waters of said river and its tributaries and making an appropriation therefor;

Also: Senate Bill No. 517—An act to amend sections 656, 663, 674, 675, 675a, 677, 679, 680, 688 and 689 of, to add sections 658a, 675a, 677a and 686a to, the Political Code, and to repeal sections 683, 684, and 686 thereof as added by chapter 516 of the Statutes of 1929, relating to the Department of Finance;

Also: Senate Bill No. 820—An act to appropriate the sum of \$173,500 out of any money in the State treasury, not otherwise appropriated, to lease the necessary facilities and service for the establishment of a telephone typewriter system of communication between cities in California and the Bureau of Criminal Identification and Investigation at Sacramento; and for the operation and control of the system under the direction of the Bureau of Criminal Identification and Investigation, and declaring the same an urgency measure;

And reports that the same have been correctly enrolled and presented to the Governor on the fifteenth day of May, at eleven o'clock and thirty minutes a.m.

RILEY, Chairman.

Also:

MR. PRESIDENT: Your Committee on Engrossment, Enrollment and Printing has examined Senate Bill No. 3—An act to amend section 596 of the Penal Code, relating to the exposure of poisonous substances for animals;

Also: Senate Bill No. 139—An act to repeal section 633e of the Political Code, relating to insurance adjusters;

Also: Senate Bill No. 228—An act to amend sections 595 and 1054 of the Code of Civil Procedure, relating to postponement of trials and extensions of time in superior and inferior courts;

Also: Senate Bill No. 233—An act to amend sections 3 and 5 of chapter 753, Statutes of 1927, entitled "An act to establish the California State Historical Association, relative to providing for the appointment of a board of trustees for said association, and making an appropriation for its support during the seventy-ninth and eightieth fiscal years," approved May 25, 1927;

Also: Senate Bill No. 342—An act to amend section 750 of the Code of Civil Procedure, relating to the issuance and publication of summons in actions to determine conflicting claims to real property;

And reports that the same have been correctly enrolled and presented to the Governor on the fifteenth day of May, at two o'clock p.m.

RILEY, Chairman.

Also:

MR. PRESIDENT: Your Committee on Engrossment, Enrollment and Printing has examined Senate Bill No. 380—An act to add a new section to be numbered 41 to chapter 397, Statutes of 1911, entitled "An act to provide for work in and upon streets, avenues, lanes, alleys, courts, places and sidewalks within municipalities, and upon property and rights of way owned by municipalities or of which a municipality has possession and the right of use under the provisions of section 14 of article I of the constitution, and for establishing and changing the grades of any such streets,

avenues, lanes, alleys, courts, places, sidewalks, properties or rights of way, and providing for the issuance and payment of street improvement bonds to represent certain assessments for the cost thereof, and providing a method for the payment of such bonds," relating to the laying of water pipes and mains in public streets in cases where the water is supplied by a public agency other than the city ordering the improvement;

Also: Senate Bill No. 323—An act making an appropriation to pay the claim of W. H. Carlson against the State of California;

Also: Senate Bill No. 402—An act to promote the development of the egg industry in California, to prohibit the sale of eggs unfit for human food, to provide standards of quality and weight for the sale of eggs, to provide for proper labeling of all eggs displayed for sale to the consumer, to protect the consuming public by preventing deception in the sale of eggs, providing penalties for the violation of the provisions of this act, and repealing all acts or parts of acts in conflict herewith;

Also: Senate Bill No. 426—An act to appropriate the sum of \$28,500 to be used in construction, renewal, and repair of works for restraining, impounding and control of debris resulting from mining operations and other causes along the Yuba River, and to provide for the manner of expending such appropriation;

And reports that the same have been correctly enrolled and presented to the Governor on the fifteenth day of May, at two o'clock p.m.

RILEY, Chairman.

Also:

MR. PRESIDENT: Your Committee on Engrossment, Enrollment and Printing has examined Senate Bill No. 460—An act to amend sections 3, 6, 9, 12, and 17 of, and to add a new section numbered 25 to an act entitled "An act declaring the policy of the State of California relative to toll bridges and creating a board to be known as California Toll Bridge Authority and providing for membership thereof and specifying its duties and powers; also authorizing California Toll Bridge Authority to authorize and direct the Department of Public Works of the State of California to build, purchase, condemn or otherwise acquire for and in the name of the State of California toll bridges and other toll highway crossings and approaches thereto across waters, bays, arms of bays, straits, rivers and streams in California, both navigable and unnavigable or across any stream that is a boundary line between California and any other state, and to acquire franchises, rights, privileges, easements or other property either real or personal, used or to be used in conjunction with any such bridges; also authorizing the Department of Public Works to make recommendations to the California Toll Bridge Authority relative to the acquisition or construction of any toll bridge or toll highway crossing and to submit preliminary estimates of the cost of such acquisition or construction and the amount of revenue bonds required to be issued for such purpose; also authorizing California Toll Bridge Authority to issue and sell revenue bonds to provide funds for the acquisition or construction of toll bridges or other toll highway crossings secured as to the redemption thereof and the interest thereon only by the tolls or other revenues received from such bridge or bridges or other highway crossings and to prescribe the terms and conditions of such bonds; also authorizing the issuance and sale of such revenue bonds for the payment of interest during the period of actual construction of such bridge or other highway crossing and for a period of six months thereafter; also providing for the manner in which such bonds shall be issued and signed and the manner of sale and redemption thereof and the payment of interest thereon; also authorizing said California Toll Bridge Authority to charge and fix the rates of toll on such bridges or other highway crossings and regulating the amount thereof; also authorizing the Department of Public Works of the State of California to operate and maintain all such toll bridges or other toll highway crossings and to collect tolls thereon; also authorizing the Department of Public Works to acquire by eminent domain any toll bridge or bridges or other toll highway crossing or approaches thereto, real estate, personal property, franchises, rights, privileges or easements appurtenant thereto or appropriated to a public use by any person, firm or private corporation or otherwise and defining the procedure therefor; also providing that bonds issued and sold by California Toll Bridge Authority shall not constitute or be a debt or general obligation of the State and shall be secured only by the tolls or other revenues collected from the operation of such bridges or other highway crossings and shall be paid from such tolls or revenues made available by this act; also authorizing any city, county, city and county, incorporated city or town, or joint highway district to advance or contribute money, rights of way, labor, materials or other property in aid of the acquisition, construction, operation or maintenance of any such bridge or highway crossing and to issue and sell general obligation bonds for such purpose; also authorizing the California Toll Bridge Authority to enter into agreements with any such political subdivisions for the repayment of contributions or advances; and providing the time and manner of making such repayments; also providing for the eliminations of toll charges on bridges or other highway crossings acquired and constructed under this act; also defining the limits within which other competitive bridges or other highway crossings or free ferries may be constructed or operated; and also authorizing the recital of the terms of such limitations in bonds issued hereunder; also creating and establishing certain funds and regulating the

...in which none may be withheld therefrom; also prescribing the manner in which tolls on, company tolls and county or corporate bridge and highway district or other highway tolls may be levied on or collected on bridges or other toll highway crossings; also authorizing California Toll Bridge Authority to make agreements with steam and electric or other railroad or transportation companies for the use of portions of toll bridges or other highway crossings acquired or constructed under this act; also providing for the manner in which contracts shall be let for the building of bridges or other highway crossings; also empowering the Department of Public Works to designate certain county roads as State highways; also authorizing the acquisition or construction of tubes or tunnels in connection with such bridges or other highway crossings; also authorizing casualty insurance, indemnity bonds or accident insurance on bridges and other highway crossings constructed under this act; also giving, dedicating and setting apart rights of way through, over, on and across State property for the construction of such toll bridges or other toll highway crossings; also appropriating \$50,000 for the purpose of establishing a revolving fund and providing for the use thereof and the manner of reimbursements thereon," approved June 10, 1929, relating to employees, bonds and bridges—and reports that the same has been correctly enrolled and presented to the Governor on the fifteenth day of May, at two o'clock p.m.

RILEY, Chairman.

Also:

MR. PRESIDENT: Your Committee on Engrossment, Enrollment and Printing has examined Senate Bill No. 472—An act in relation to the control and eradication of bovine tuberculosis; to provide an appropriation for the purposes of this act; to prescribe penalties for violation of the provisions hereof, and to repeal certain acts therein contained.

Also: Senate Bill No. 477—An act to repeal chapter 393, Statutes of 1909, entitled "An act to fix the salaries of the State Forester, deputy forester and assistant forester," approved March 22, 1909, as amended;

Also: Senate Bill No. 522—An act to amend sections 3692 and 3693, and to repeal section 3704a of the Political Code, relating to powers and duties of the State Board of Equalization, and the salary of the secretary of said board;

Also: Senate Bill No. 574—An act to amend section 475 of the Political Code, relating to clerks, phonographic reporter, service agent and stenographers of the Attorney General's office;

And reports that the same have been correctly enrolled and presented to the Governor on the fifteenth day of May, at two o'clock p.m.

RILEY, Chairman.

Also:

MR. PRESIDENT: Your Committee on Engrossment, Enrollment and Printing has examined Senate Bill No. 622—An act to amend the title and sections 2 and 4 of an act entitled "An act to create a flood control district to be called 'Los Angeles County Flood Control District'; to provide for the control and conservation of flood and storm waters, and for the protection of harbors, waterways, public highways and property in said district from damage from such waters, and for the construction of works and the acquisition of property therefor; to authorize the incurring of indebtedness, and the voting, issuing and selling of bonds, and the levying and collecting of taxes by said district; to provide for the government and control of said district, and to define the powers and duties of the officers thereof," approved June 12, 1915, as amended, relating to the objects and purposes of said act and the powers of the board of supervisors thereunder;

Also: Senate Bill No. 691—An act to amend section 28 of chapter 643, Statutes of 1917, entitled "An act to divide the State of California into fish and game districts and to repeal an act entitled 'An act to divide the State of California into fish and game districts and to repeal an act entitled 'An act to divide the State of California into six fish and game districts,' approved March 21, 1911, and all acts or parts of acts inconsistent herewith," approved May 19, 1915," approved May 28, 1917;

Also: Senate Bill No. 729—An act to amend chapter 586 of the Statutes of 1913, known as the "Water Commission Act," approved June 16, 1913, as amended, by amending section 24 thereof and by adding thereto a new section to be numbered 24a, both relating to references to the State Water Commission;

Also: Senate Bill No. 747—An act to amend section 637½ of the Penal Code, relating to protection of fish and game;

And reports that the same have been correctly enrolled and presented to the Governor on the fifteenth day of May, at two o'clock p.m.

RILEY, Chairman.

Also:

MR. PRESIDENT: Your Committee on Engrossment, Enrollment and Printing has examined Senate Bill No. 761—An act to amend section 1274b of the Code of Civil Procedure, relating to escheat;

Also: Senate Bill No. 857—An act to amend section 1 of chapter 834 of the Statutes of 1927, relating to acceptance of the Workmen's Compensation Act;

Also: Senate Bill No. 941—An act to amend section 5.812 of the School Code, relating to the retirement of teachers;

Also: Senate Bill No. 942—An act relating to citrus fruit fairs and expositions and providing that such fairs and expositions shall be entitled to receive and participate in the benefits and aid provided for agricultural fairs in and by the act entitled "An act to form agricultural districts, to provide for the formation, organization and powers, of agricultural associations therein and for the management and control of the same by the State, and repealing all acts and portions of acts in conflict with this act," approved April 17, 1909;

Also: Senate Concurrent Resolution No. 31—Relating to the Marshall monument at Coloma, El Dorado County;

And reports that the same have been correctly enrolled and presented to the Governor on the fifteenth day of May, at two o'clock p.m.

RILEY, Chairman.

Also:

MR. PRESIDENT: Your Committee on Engrossment, Enrollment and Printing has examined Senate Concurrent Resolution No. 32—Relative to leaves of absence of the Governor, Lieutenant Governor and the members of the Senate and Assembly of the forty-ninth session of the Legislature of the State of California;

Also: Senate Concurrent Resolution No. 36—Relative to investigation and report upon acquisition by the State of the toll bridge across Carquinez Straits;

And reports that the same have been correctly enrolled and presented to the Governor on the fifteenth day of May, at two o'clock p.m.

RILEY, Chairman.

Also:

MR. PRESIDENT: Your Committee on Engrossment, Enrollment and Printing has examined Senate Bill No. 8—An act to amend section 67a of the Code of Civil Procedure, relating to the superior court in counties of the first class, increasing the number of judges thereof;

Also: Senate Bill No. 42—An act to increase the number of judges of the superior court of the State of California, in and for the county of San Diego; to provide for the appointment of one additional judge and the manner of payment of his compensation;

Also: Senate Bill No. 52—An act relating to the liability in damages of municipalities, counties, cities and counties, and school districts, in the case of injuries to persons or property resulting from the defective or dangerous condition of public streets, highways, bridges, buildings, works or property; prescribing the duties of the officers thereof in such cases, and authorizing such public or quasi public corporations to take out and pay for insurance to protect them against such liability;

Also: Senate Bill No. 75—An act to amend sections 3 and 23 of and to add sections 28a and 28b to chapter 36, Statutes of 1881, entitled "An act to allow unincorporated towns and villages to equip and maintain a fire department and to assess and collect taxes, from time to time, for such purpose, and to create a board of fire commissioners," approved March 4, 1881, as amended, relating to the powers and duties of commissioners, penalties for violating fire ordinances, and to the withdrawal from fire districts formed thereunder of territory therein which will not be benefited by remaining within said district, and for the dissolution of fire districts organized thereunder;

And reports that the same have been correctly enrolled and presented to the Governor on the fifteenth day of May, at two o'clock and thirty minutes p.m.

CASSIDY, Vice Chairman.

Also:

MR. PRESIDENT: Your Committee on Engrossment, Enrollment and Printing has examined Senate Bill No. 120—An act to amend sections 3, 9, 10, 12 and 20a of, and to add a new section to be numbered 12a, to the California Real Estate Act relating to the State Real Estate Department, the issuance and revocation of licenses and the examination of subdivision projects;

Also: Senate Bill No. 130—An act to amend section 1973 of the Code of Civil Procedure, and to add to said code a new section to be numbered 1973a, relating to agreements in writing;

Also: Senate Bill No. 237—An act to amend section 2.914 of the School Code; to add a new section thereto to be numbered 2.913; to repeal section 2.913 thereof and to repeal chapter 284 of the Statutes of 1929 entitled "An act relating to the holding of school elections in union or joint union school districts," approved May 14, 1929, relating to elections for members of union or joint union school district governing boards;

Also: Senate Bill No. 238—An act to amend section 2.1090 of the School Code, relating to the organization of high school district governing boards;

Also: Senate Bill No. 240—An act to amend section 3.5 of the School Code, relating to the opening and maintenance of schools in school districts;

And reports that the same have been correctly enrolled and presented to the Governor on the fifteenth day of May, at two o'clock and thirty minutes p.m.

CASSIDY, Vice Chairman.

Also:

MR. PRESIDENT: Your Committee on Engrossment, Enrollment and Printing has examined Senate Bill No. 246—An act to add a new article to chapter I of part II of division II to the School Code, to be numbered article IX, embracing sections 2,860 to 2,866, both inclusive, and to repeal article XII, embracing sections 2,1010 to 2,1016, both inclusive, of chapter 2 of part II of division II of the School Code, all relating to annual meetings of school trustees;

Also: Senate Bill No. 247—An act to amend section 2,123 of the School Code, relating to the providing of educational facilities by superintendents of schools of counties;

Also: Senate Bill No. 249—An act to amend section 1,32 of the School Code, relating to causes for suspension or expulsion of pupils from the public schools;

Also: Senate Bill No. 250—An act to amend section 1,33 of the School Code, relating to the injuring of the property of a school district;

Also: Senate Bill No. 257—An act to add a new section to the Political Code to be numbered 4041.28, relating to the disposition of courthouse and other sites dedicated to public use;

Also: Senate Bill No. 17—An act appropriating money for the control and conservation of flood waters in the Los Angeles County Flood Control District;

And reports that the same have been correctly enrolled and presented to the Governor on the fifteenth day of May, at two o'clock and thirty minutes p.m.

CASSIDY, Vice Chairman.

Also:

MR. PRESIDENT: Your Committee on Engrossment, Enrollment and Printing has examined Senate Bill No. 288—An act to amend section 159 of the California Vehicle Act, relating to the Motor Vehicle Fund;

Also: Senate Bill No. 324—An act to add a new section to the Penal Code, to be numbered 6260 $\frac{1}{2}$, relating to the protection of fish;

Also: Senate Bill No. 337—An act making an appropriation for surveys, plans, estimates, preliminary engineering and other preliminary expenses for a bridge across the bay of San Francisco from the city of San Francisco to the county of Alameda;

Also: Senate Bill No. 363—An act to protect persons and property against danger from fire and explosion in petroleum oil or gas wells by providing for the location of wells in relation to the outer boundary lines of the property, public streets, roads and highways and other wells;

Also: Senate Bill No. 375—An act permitting certain boards and officers to require answers to a standard form of questionnaire from persons proposing to bid on any public work;

Also: Senate Bill No. 561—An act to amend sections 224, 224m, 226 and 227 of the Civil Code, relating to adoption;

And reports that the same have been correctly enrolled and presented to the Governor on the fifteenth day of May, at two o'clock and thirty minutes p.m.

CASSIDY, Vice Chairman.

MESSAGES FROM THE ASSEMBLY.

The following messages from the Assembly were received and read:

ASSEMBLY CHAMBER, SACRAMENTO, May 15, 1931.

MR. PRESIDENT: I am directed to inform your honorable body that the Assembly on this day concurred in Senate amendments to Assembly Bill No. 335—An act appropriating moneys to the use of the Building and Loan Inspection Fund, and providing for the return of said moneys to the General Fund;

Also: Assembly Bill No. 1444—An act to amend sections 373b and 373g of, and to add a new section numbered 373j to article II, of chapter 3, title I, part III of the Political Code, relating to the Department of Natural Resources and the Division of Mines thereof, and creating a Division of Oil and Gas therein;

Also: Assembly Bill No. 535—An act to regulate the possession or transportation of any form of shell, cartridge or bomb containing or capable of emitting tear gas, and providing penalties for violation thereof;

Also: Assembly Bill No. 1022—An act to amend sections 6, 8, 9, 10, 25, 32, 33 and 35 of the Bank and Corporation Franchise Tax Act, approved March 1, 1929, relating to bank and corporation taxes.

ARTHUR A. OHNIMUS, Chief Clerk.
By A. W. ENGELKE, Assistant Clerk.

Also:

ASSEMBLY CHAMBER, SACRAMENTO, May 15, 1931.

MR. PRESIDENT: I am directed to inform your honorable body that the Assembly on this day concurred in Senate amendments to Assembly Bill No. 453—An act amending an act entitled "An act providing for the granting of franchises in counties or cities and counties for the disposal or destruction, or both, of garbage and other waste, and declaring same an urgency measure," approved April 17, 1931, by adding a section thereto, relating to certain bids submitted for the granting of a franchise for the disposal or destruction, or both, of garbage, waste, offal or debris, and declaring the same to be an urgency measure;

Also: Assembly Bill No. 1748—An act to amend section 20 of chapter 492, Statutes of 1907, entitled "An act for the preservation of the public health of the people of the State of California, and empowering the State Board of Health to enforce its provisions, and providing penalties for the violation thereof," approved March 23, 1907, as amended, relating to rules, regulations and requirements in cases of the transportation of the dead;

Also: Assembly Bill No. 1876—An act to provide for the investigation and study of methods for the control of pear blight (*Bacillus amylovorus*) under the direction of the Regents of the University of California, and for the dissemination of the knowledge gained through such investigation and study, and making an appropriation therefor;

Also: Assembly Bill No. 1312—An act authorizing a suit against the State of California to quiet title against it to certain real property in the city of Oakland, county of Alameda, State of California.

ARTHUR A. OHNIMUS, Chief Clerk.
By A. W. ENGELKE, Assistant Clerk.

Also:

ASSEMBLY CHAMBER, SACRAMENTO, May 15, 1931.

MR. PRESIDENT: I am directed to inform your honorable body that the Assembly on this day concurred in Senate amendments to Assembly Bill No. 1748—An act to amend section 20 of chapter 492, Statutes of 1907, entitled "An act for the preservation of the public health of the people of the State of California, and empowering the State Board of Health to enforce its provisions, and providing penalties for the violation thereof," approved March 23, 1907, as amended, relating to rules, regulations and requirements in cases of the transportation of the dead;

Also: Assembly Bill No. 1921—An act to amend section 3713 of the Political Code, relative to State taxation;

Also: Assembly Bill No. 232—An act to amend section 9 of an act entitled "An act to provide for the organization and government of public cemetery districts," approved June 1, 1921, Statutes 1921, chapter 652, page 1103, as amended, relating to time of filing estimates of proposed expenditures;

Also: Assembly Bill No. 1139—An act to amend sections 4, 24, and 26 of, and to add sections 4a and 4b to an act entitled "The Road District Improvement Act of 1907," Statutes of 1907, page 806, as amended, relating to the assessment of publicly owned property in assessment districts formed under said act.

ARTHUR A. OHNIMUS, Chief Clerk.
By A. W. ENGELKE, Assistant Clerk.

Also:

ASSEMBLY CHAMBER, SACRAMENTO, May 15, 1931.

MR. PRESIDENT: I am directed to inform your honorable body that the Assembly on this day concurred in Senate amendments to Assembly Bill No. 919—An act making an appropriation to provide for an adequate water system for the Norwalk State Hospital, declaring the urgency thereof, and providing that this act shall take effect immediately;

Also: Assembly Bill No. 674—An act to provide for the removal or destruction of abandoned or neglected orchard trees, vines, shrubs, or parts thereof, or agricultural crops;

Also: Assembly Bill No. 495—An act to amend section 628f of the Penal Code, relating to the protection of fish and game;

Also: Assembly Bill No. 908—An act to amend sections 1, 2, 3, 4, 5, and 7, and add two new sections to be numbered 5a and 7a to an act entitled "An act providing for the issuance of improvement bonds to represent certain special assessments for public improvements, and providing for the effect and enforcement of such bonds," approved April 27, 1911, as amended, relating to street improvement bonds.

ARTHUR A. OHNIMUS, Chief Clerk.
By A. W. ENGELKE, Assistant Clerk.

Also:

ASSEMBLY CHAMBER, SACRAMENTO, May 15, 1931.

MR. PRESIDENT: I am directed to inform your honorable body that the Assembly on this day concurred in Senate amendments to Assembly Bill No. 466—An act mak-

ing it unlawful for an attorney at law to employ any person to solicit law practice; prohibiting any person from soliciting law practice for hire and prescribing the penalty therefor; prohibiting the use of written statements taken from an injured person within 30 days after the injury; also making void certain settlements, compromises, releases and discharges, also certain contracts with attorneys at law, unless approved by the court;

Also: Assembly Bill No. 1088—An act to amend section 3692 of the Political Code, relating to the powers and duties of the State Board of Equalization;

Also: Assembly Bill No. 359—An act to amend section 757½ of the Political Code, relating to the salaries of the superior judges of the superior court in and for the county of San Diego;

Also: Assembly Bill No. 663—An act to add a new section to the School Code to be numbered 2.1043, relating to the governing boards of high school districts.

ARTHUR A. OHNIMUS, Chief Clerk.

By A. W. ENGELKE, Assistant Clerk.

Also:

ASSEMBLY CHAMBER, SACRAMENTO, May 15, 1931.

MR. PRESIDENT: I am directed to inform your honorable body that the Assembly on this day concurred in Senate amendments to Assembly Bill No. 1442—An act to add two new sections numbered 55½ and 62½ to and to amend sections 4, 6, 7, 12, 23, 28, 30, 40, 47, 55, 58, 62, 68 and 71, and to repeal sections 17 and 70 of an act entitled "An act to divide the State of California into fish and game districts and to repeal an act entitled 'An act to divide the State of California into fish and game districts and to repeal an act entitled 'An act to divide the State of California into six fish and game districts,' approved March 14, 1914, and acts or parts of acts inconsistent herewith," approved May 15, 1915," approved May 28, 1917, as amended;

Also: Assembly Bill No. 1954—An act creating in the State Department of Penology a Division of Prison Terms and Paroles under the control of a Board of Prison Terms and Paroles, defining the powers and duties of said division and of said board, and making an appropriation therefor.

ARTHUR A. OHNIMUS, Chief Clerk.

By A. W. ENGELKE, Assistant Clerk.

Also:

ASSEMBLY CHAMBER, SACRAMENTO, May 15, 1931.

MR. PRESIDENT: I am directed to inform your honorable body that the Assembly on this day concurred in Senate amendments to Assembly Concurrent Resolution No. 36—Relative to leaves of absence of the State Controller and the Attorney General.

ARTHUR A. OHNIMUS, Chief Clerk.

By A. W. ENGELKE, Assistant Clerk.

Also:

ASSEMBLY CHAMBER, SACRAMENTO, May 15, 1931.

MR. PRESIDENT: I am directed to inform your honorable body that the Assembly on this day concurred in Senate amendments to Assembly Bill No. 725—An act authorizing the establishment, maintenance and operation of amusement districts;

Also: Assembly Bill No. 926—An act to amend section 626½ of the Penal Code, relating to the protection of game;

Also: Assembly Bill No. 1680—An act making an appropriation to pay the claim of California Securities Company against the State of California;

Also: Assembly Bill No. 1935—An act to amend section 737rr of the Political Code, relating to the salary of the superior judge in and for the county of Santa Cruz.

ARTHUR A. OHNIMUS, Chief Clerk.

By A. W. ENGELKE, Assistant Clerk.

Also:

ASSEMBLY CHAMBER, SACRAMENTO, May 15, 1931.

MR. PRESIDENT: I am directed to inform your honorable body that the Assembly on this day concurred in Senate amendments to Assembly Bill No. 1091—An act to amend section 411 of the Code of Civil Procedure, relating to service of summons;

Also: Assembly Bill No. 1230—An act to add a new section to be numbered section 752d to, and to amend section 760 of an act entitled "An act to provide for the organization, incorporation and governance of municipal corporations," approved March 13, 1883, as amended, relating to the calling of a special election for the election of officers of municipalities of the fifth class;

Also: Assembly Bill No. 1528—An act to amend section 142 of the Code of Civil Procedure, relating to the place of holding court;

Also: Assembly Bill No. 1192—An act to amend the title and section 1 of an act entitled "An act to enable municipal corporations of the sixth class to elect officers," approved March 14, 1885, to extend the provisions of the act to cover municipal

corporations of the fifth class, and to provide for the calling of an election in the event a freeholders charter of such corporations be declared unconstitutional.

ARTHUR A. OHNIMUS, Chief Clerk.
By A. W. ENGELKE, Assistant Clerk.

Also:

ASSEMBLY CHAMBER, SACRAMENTO, May 15, 1931.

MR. PRESIDENT: I am directed to inform your honorable body that the Assembly on this day concurred in Senate amendments to Assembly Bill No. 1259—An act to amend sections 692 and 694 of the Code of Civil Procedure, relating to sales of property under execution or under power contained in a deed of trust;

Also: Assembly Bill No. 1685—An act making an appropriation to pay the claim of Quaker Oats Company against the State of California;

Also: Assembly Bill No. 1118—An act making an appropriation for the purchase of a site and the construction of an armory in the city of Pomona, Los Angeles County, California;

Also: Assembly Bill No. 430—An act empowering the Director of Finance to accept title to lands and buildings for the San Francisco State Teachers College.

ARTHUR A. OHNIMUS, Chief Clerk.
By A. W. ENGELKE, Assistant Clerk.

Also:

ASSEMBLY CHAMBER, SACRAMENTO, May 15, 1931.

MR. PRESIDENT: I am directed to inform your honorable body that the Assembly on this day adopted the report of the Committee on Free Conference concerning Assembly Bill No. 982—An act to amend section 4260 of the Political Code, relating to compensation of county and township officers in counties of the thirty-first class.

ARTHUR A. OHNIMUS, Chief Clerk.
By C. W. BOOTH, Assistant Clerk.

Also:

ASSEMBLY CHAMBER, SACRAMENTO, May 15, 1931.

MR. PRESIDENT: I am directed to inform your honorable body that the Assembly on this day adopted the report of the Committee on Free Conference concerning Assembly Bill No. 1485—An act to repeal chapter 660, of the Statutes of 1927, entitled "An act requiring certain reports to be made concerning children with impaired hearing," approved May 20, 1927; to add a new chapter to part II of division I of the School Code to be known as chapter III, to embrace sections 1,500 to 1,513, both inclusive, providing for the education of minors who are deaf or have impaired hearing.

ARTHUR A. OHNIMUS, Chief Clerk.
By C. W. BOOTH, Assistant Clerk.

Also:

ASSEMBLY CHAMBER, SACRAMENTO, May 15, 1931.

MR. PRESIDENT: I am directed to inform your honorable body that the Assembly on this day adopted the report of the Committee on Free Conference concerning Senate Bill No. 847—An act to repeal chapter II, embracing sections 4,760 to 4,864, both inclusive, of part IV of division IV of the School Code and to add thereto a new chapter to be known as chapter II, embracing sections 4,760 to 4,833, both inclusive, relating to the apportionment of State and county elementary school funds.

ARTHUR A. OHNIMUS, Chief Clerk.
By C. W. BOOTH, Assistant Clerk.

Senate Bill No. 847 ordered to print, and enrollment.

Also:

ASSEMBLY CHAMBER, SACRAMENTO, May 15, 1931.

MR. PRESIDENT: I am directed to inform your honorable body that the Assembly on this day respectfully refused to recede from its amendments to Senate Bill No. 235—An act to amend section 626a of the Penal Code, relating to the protection of fish and game—and appointed Assemblymen Powers, Frazier and Hill, as a Committee on Free Conference, to meet a like committee from the Senate.

ARTHUR A. OHNIMUS, Chief Clerk.
By C. W. BOOTH, Assistant Clerk.

APPOINTMENT OF COMMITTEE ON FREE CONFERENCE.

The President announced the appointment of Senators Inman, Jones and McCormack, as a Committee on Free Conference, to meet with a like committee from the Assembly to consider Assembly amendments to Senate Bill No. 235.

REPORT OF COMMITTEE ON FREE CONFERENCE.

The following report of Committee on Free Conference was received and read:

SENATE CHAMBER, SACRAMENTO, May 15, 1931.

MR. PRESIDENT: Your Committee on Free Conference concerning Senate Bill No. 706—An act authorizing the establishment, maintenance and operation of memorial districts for the acquisition of sites for, and the acquisition, construction, operation, maintenance, and management of, halls, buildings and meeting places for veterans and organizations of veterans; and authorizing the leasing, conveying, or making available, of public lands in certain instances to memorial districts for such purposes—reports that it has met a like committee of the Assembly, consisting of Assemblymen Cloudsley, Quigley and Bowers, and reports that the Committee on Free Conference has agreed to recommend the following: That the Assembly recede from the Assembly amendments.

CLEVELAND,
CHRISTIAN,
HAYS.

Senate Committee on Free Conference.

CLOUDSLEY,
BOWERS,
QUIGLEY.

Assembly Committee on Free Conference.

The question being on the adoption of the report of Committee on Free Conference and amendments.

The roll was called, and the report and amendments adopted by the following vote:

AYES—Senators Allen, Baker, Carter, Cleveland, Clock, Deuel, Duval, Edwards, Evans, Harper, Hays, Jones, Mahoney, McKinley, Mixer, Moran, Schortky, Sharkey, Slater, Swing, Wagy, and Williams—22.

NOES—None.

MESSAGES FROM THE ASSEMBLY.

The following messages from the Assembly were received and read.

ASSEMBLY CHAMBER, SACRAMENTO, May 15, 1931.

MR. PRESIDENT: I am directed to inform your honorable body that the Assembly on this day adopted the report of the Committee on Free Conference concerning Assembly Bill No. 652—An act to amend section 5 of an act of the Legislature of the State of California entitled "An act to provide for the formation of districts within municipalities for the acquisition or construction of public improvements, works and public utilities; for the issuance, sale and payment of bonds of such districts to meet the cost of such improvements, and for the acquisition or construction of such improvements," approved April 20, 1915 as amended, relating to the amount of bonds that may be issued by such district, and the disposition of a surplus if one remains after the completion of the municipal improvement for which bonds were voted.

ARTHUR A. OHNIMUS, Chief Clerk.
By C. W. BOOTH, Assistant Clerk.

Also:

ASSEMBLY CHAMBER, SACRAMENTO, May 15, 1931.

MR. PRESIDENT: I am directed to inform your honorable body that the Assembly on this day adopted the report of the Committee on Free Conference concerning Assembly Bill No. 1092—An act to amend section 103c of the Code of Civil Procedure, providing for justice's clerks and deputy clerks.

ARTHUR A. OHNIMUS, Chief Clerk.
By C. W. BOOTH, Assistant Clerk.

Also:

ASSEMBLY CHAMBER, SACRAMENTO, May 15, 1931.

MR. PRESIDENT: I am directed to inform your honorable body that the Assembly on this day adopted the report of the Committee on Free Conference concerning Assembly Bill No. 1093—An act amending section 103 of the Code of Civil Procedure, relating to justices' courts in townships and cities.

ARTHUR A. OHNIMUS, Chief Clerk.
By C. W. BOOTH, Assistant Clerk.

Also:

ASSEMBLY CHAMBER, SACRAMENTO, May 15, 1931.

MR. PRESIDENT: I am directed to inform your honorable body that the Assembly on this day concurred in Senate amendments to Assembly Bill No. 667—An act

validating all leases entered into by municipalities in and to lands for fair and exhibition purposes.

ARTHUR A. OHNIMUS, Chief Clerk.
By A. W. ENGELKE, Assistant Clerk.

Also:

ASSEMBLY CHAMBER, SACRAMENTO, May 15, 1931.

MR. PRESIDENT: I am directed to inform your honorable body that the Assembly on this day adopted the report of the Committee on Free Conference concerning Senate Bill No. 235—An act to amend section 6260 of the Penal Code, relating to the protection of fish and game.

ARTHUR A. OHNIMUS, Chief Clerk.
By C. W. BOOTH, Assistant Clerk.

Senate Bill No. 235 ordered to print, and enrollment.

Also:

ASSEMBLY CHAMBER, SACRAMENTO, May 15, 1931.

MR. PRESIDENT: I am directed to inform your honorable body that the Assembly on this day adopted the report of the Committee on Free Conference concerning Senate Bill No. 706—An act authorizing the establishment, maintenance and operation of memorial districts for the acquisition of sites for, and the acquisition, construction, operation, maintenance, and management of, halls, buildings and meeting places for veterans and organizations of veterans; and authorizing the leasing, conveying, or making available, of public lands in certain instances to memorial districts for such purposes.

ARTHUR A. OHNIMUS, Chief Clerk.
By C. W. BOOTH, Assistant Clerk.

Senate Bill No. 706 ordered to print, and enrollment.

Also:

ASSEMBLY CHAMBER, SACRAMENTO, May 15, 1931.

MR. PRESIDENT: I am directed to inform your honorable body that the Assembly on this day respectfully receded from its amendments to Senate Bill No. 76—An act to add a new section to the Code of Civil Procedure, to be known as section 170b, relating to justices of the peace.

ARTHUR A. OHNIMUS, Chief Clerk.
By C. W. BOOTH, Assistant Clerk.

Senate Bill No. 76 ordered to enrollment.

REPORT OF COMMITTEE ON FREE CONFERENCE.

The following report of Committee on Free Conference was received and read:

SENATE CHAMBER, SACRAMENTO, May 15, 1931.

MR. PRESIDENT: Your Committee on Free Conference concerning Assembly Bill No. 397—An act to add two new sections to be numbered 587 and 1515 to the Probate Code, relating to dedication of real property for street or highway purposes by executors, administrators and guardians—reports that it has met a like committee of the Assembly, consisting of Assemblymen Hill, Feigenbaum and Cronin, and reports that the Committee on Free Conference has agreed to recommend the following: That the Assembly concur in the Senate amendments, and that the bill be further amended as follows:

AMENDMENT NUMBER ONE.

In line 3 of the title of the printed bill, strike out "for street or highway purposes".

CARTER,
HAYS,
ALLEN,

Senate Committee on Free Conference.

HILL,
FEIGENBAUM,
CRONIN,

Assembly Committee on Free Conference.

The question being on the adoption of the report of Committee on Free Conference and the amendments.

The roll was called, and the report of the Committee on Free Conference and the amendment adopted by the following vote:

AYES—Senators Allen, Baker, Carter, Cassidy, Cleveland, Clock, Crittenden, Duval, Duval, Edwards, Evans, Harper, Hays, Ingels, Inman, Jones, Maloney, McKinley, Mixer, Moran, Schottky, Sharkey, Slater, Swing, Waggy, and Williams—26.

NOES—None.

REPORT OF COMMITTEE ON FREE CONFERENCE.

The following report of Committee on Free Conference was received and read:

SENATE CHAMBER, SACRAMENTO, May 15, 1931.

MR. PRESIDENT: Your Committee on Free Conference concerning Senate Bill No. 235—An act to amend section 6266 of the Penal Code, relating to the protection of fish and game—reports that it has met a like committee of the Assembly, consisting of Assemblymen Frazier, Hill and Powers, and reports that the Committee on Free Conference has agreed to recommend the following: That the Senate concur in the Assembly amendments, and that the bill be further amended as follows:

AMENDMENT NUMBER ONE.

On page 1, line 15, of the printed bill, as amended May 14, 1931, following the word "firearm", insert a comma.

AMENDMENT NUMBER TWO.

On page 1, line 15, of the printed bill, strike out "harpoon", and insert in lieu thereof "harpooned".

AMENDMENT NUMBEE THREE.

On page 2, line 10, of the printed bill, following the word "shoots", insert "at".

INMAN,
JONES,
McCORMACK,

Senate Committee on Free Conference.

FRAZIER,

HILL,

POWERS,

Assembly Committee on Free Conference.

The question being on the adoption of the report of Committee on Free Conference and the amendments.

The roll was called, and the report of the Committee on Free Conference and the amendments adopted by the following vote:

AYES—Senators Allen, Baker, Carter, Cassidy, Cleveland, Clock, Crittenden, Duval, Duval, Edwards, Evans, Harper, Ingels, Inman, Jones, Maloney, McKinley, Mixer, Moran, Schottky, Sharkey, Slater, Treacy, Waggy, and Williams—25.

NOES—None.

Senate Bill No. 235 ordered to print, and enrollment.

MESSAGES FROM THE ASSEMBLY.

The following messages from the Assembly were received and read:

ASSEMBLY CHAMBER, SACRAMENTO, May 15, 1931.

MR. PRESIDENT: I am directed to inform your honorable body that the Assembly on this day respectfully refused to concur in Senate amendments to Assembly Bill No. 476—An act to provide for the salaries and expenses of the Building and Loan Commissioner, his attorney, deputies, examiners, accountants, appraisers and other assistants; to provide for the disposition of moneys in the "Building and Loan Inspection Fund" created by chapter 354 of the Statutes of 1911, as amended; and of moneys collected under the Building and Loan Association Act; and otherwise relating to the Building and Loan Commissioner, his assistants and employees, and to the regulation of building and loan associations—and requests that your honorable body recede therefrom.

ARTHUR A. OHNIMUS, Chief Clerk.
By C. W. BOOTH, Assistant Clerk.

The question being: Shall the Senate recede from Senate amendments to Assembly Bill No. 476?

The roll was called, and the Senate refused to recede from Senate amendments to Assembly Bill No. 476 by the following vote:

AYES—None.

NOES—Senators Allen, Baker, Breed, Carter, Cassidy, Christian, Cleveland, Clock, Crittenden, Deuel, Duval, Edwards, Evans, Harper, Hays, Luman, Jones, Maloney, McCormack, McKinley, Mixer, Moran, Nelson, Riley, Schotky, Sharkey, Slater, Treacy, and Wagy—29.

APPOINTMENT OF COMMITTEE ON FREE CONFERENCE.

The President announced the appointment of Senators Jones, Rich and Edwards, as a Committee on Free Conference, to meet with a like committee from the Assembly for the consideration of Assembly amendments to Assembly Bill No. 476.

The Secretary was directed to notify the Assembly of the Senate's appointment of Committee on Free Conference.

Also:

ASSEMBLY CHAMBER, SACRAMENTO, May 15, 1931.

MR. PRESIDENT: I am directed to inform your honorable body that the Assembly on this day respectfully refused to concur in Senate amendments to Assembly Bill No. 785—An act to add a new article to chapter 3 of title I to part III of the Political Code, to be numbered article IIa embracing sections 360 to 630i, both inclusive, relating to a Department of Motor Vehicles and a California Highway Patrol and repealing sections 363a, 363i and 363m of the Political Code, and repealing section 30 of the California Vehicle Act, relating to the California Highway Patrol—and requests that your honorable body recede therefrom.

ARTHUR A. OHNIMUS, Chief Clerk.

By C. W. BOOTH, Assistant Clerk.

The question being: Shall the Senate recede from Senate amendments to Assembly Bill No. 785?

The roll was called, and the Senate refused to recede from Senate amendments to Assembly Bill No. 785 by the following vote:

AYES—None.

NOES—Senators Allen, Baker, Breed, Carter, Cassidy, Christian, Cleveland, Clock, Crittenden, Deuel, Edwards, Evans, Harper, Hays, Ingels, Luman, Maloney, McCormack, Mixer, Moran, Nelson, Riley, Sharkey, Slater, Treacy, and Wagy—26.

APPOINTMENT OF COMMITTEE ON FREE CONFERENCE.

The President announced the appointment of Senators Swing, Duval and Ingels as a Committee on Free Conference, to meet with a like committee from the Assembly for the consideration of Senate amendments to Assembly Bill No. 785.

The Secretary was directed to notify the Assembly of the Senate's appointment of Committee on Free Conference.

Also:

ASSEMBLY CHAMBER, SACRAMENTO, May 15, 1931.

MR. PRESIDENT: I am directed to inform your honorable body that the Assembly amended, and on this day passed as amended, Senate Bill No. 900—An act to amend the California Vehicle Act, approved May 30, 1923, and as amended, by amending sections 99, 100, 100½, 101, 102, 103, 104, 106, 108, 110, 111, 111½, 130, adding thereto new sections to be numbered 106½, 111½, 111½, 111½, relating to the use, operation and equipment of motor vehicles operated upon the public highways, requiring lights, reflex mirrors, light indicators, prohibiting certain lights, the sale thereof, the sale of motor vehicles equipped with unlawful lights, regarding the method and requirements for the testing of lights and signals, the approval thereof, authorizing the establishment of official headlamp and brake adjusting stations, and the enforcement of said act—and respectfully requests your honorable body to concur in said amendments.

ARTHUR A. OHNIMUS, Chief Clerk.

By A. W. ENGELKE, Assistant Clerk.

CONSIDERATION OF ASSEMBLY AMENDMENTS.

The Senate took up for consideration Assembly amendments to Senate Bill No. 900—An act to amend the California Vehicle Act approved May 30, 1923, and as amended, by amending sections 99, 100½, 101, 102, 103, 104, 106, 108, 111½, 130, adding thereto new sections to be numbered 106½, 111½, 111½, relating to the use, operation, and equipment of motor vehicles operated upon the public highways, requiring lights, reflex mirrors, light indicators, prohibiting certain lights, the sale thereof, the sale of motor vehicles equipped with unlawful lights, regarding the method and requirements for the testing of lights and signals, the approval thereof, authorizing the establishment of official headlamp and brake adjusting stations, and the enforcement of said act.

ASSEMBLY AMENDMENTS TO SENATE BILL NUMBER NINE HUNDRED.

AMENDMENT NUMBER ONE.

On page 8, line 27, of the printed bill, strike out "July 1, 1932", and insert "January 1, 1933."

AMENDMENT NUMBER TWO.

On page 13, line 40, of the printed bill, strike out "July 1, 1932", and insert "January 1, 1933."

The question being: Shall the Senate concur in Assembly amendments to Senate Bill No. 900?

DEMAND FOR PREVIOUS QUESTION.

Senator Riley demanded the previous question.

The question being: Shall the main question be now put?

Demand sustained.

POINT OF ORDER.

Senator Christian raised the point of order that Senator Sharkey was not talking on the subject before the Senate.

DECISION ON POINT OF ORDER.

The President announced his decision and declared the point of order not well taken.

The roll was called, and the Senate refused to concur in Assembly amendments to Senate Bill No. 900 by the following vote:

AYES—Senators Bailey, Felson, Luman, Mason, Rochester, Sharkey, Swing, Treney, and Williams—9.

NOES—Senators Allen, Breed, Bush, Carter, Cassidy, Christian, Cleveland, Cook, Crittenden, Deuel, Duval, Edwards, Evans, Harper, Hays, Jones, McCormack, McKinley, Mixer, Moran, Nelson, Rich, Riley, Schottky, Slater, and Wagy—26.

CONSIDERATION OF DAILY FILE.

THIRD READING OF ASSEMBLY BILLS—(RESUMED).

ASSEMBLY JOINT RESOLUTION No. 27

Relating to memorializing the President of the United States by appropriate means to urge the United States government, as representing the Permanent Opium Committee of the League of Nations, Geneva, Switzerland, to urge upon the governments of certain nations the immediate necessity of limiting the production of all habit-forming narcotic drugs and the raw materials from which they are made to the amount actually required for strictly medicinal and scientific purposes at the forthcoming opium conference of the League of Nations.

WHEREAS, The report of the head office of the federal police of Vienna to the League of Nations, June 16, 1930, states:

"The United States are the final goal of the big consignments of narcotics. All the big alkaloid factories seem to be working for that country"; and

WHEREAS, Illicit drugs formerly smuggled into the United States in ounce and pound lots are now coming in in tons; and

WHEREAS, The continuance of the sale and transportation of enormous quantities of these drugs results in the diversion of large quantities thereof into the channels of illegal international traffic, which illicitly brings into the United States, and here sells for unlawful purposes, preparations made therefrom, such as morphine, cocaine and heroin; and

WHEREAS, The United States of America, in dealing with the traffic in all habit-forming narcotic drugs within its own territories and cooperating sympathetically with the efforts of the government of China, has always been committed, without regard to revenue, to a program aiming at the complete suppression and prohibition of the production and sale of all narcotic drugs except for medicinal and scientific purposes; now, therefore, be it

Resolved, by the Assembly and the Senate of the State of California, jointly, That the State of California, through its Legislature, hereby respectfully urges that the President of the United States by appropriate means put the United States on record as requesting the Permanent Opium Council of the League of Nations, Geneva, Switzerland, to urge the adoption of the scheme of stipulated supply; and be it further

Resolved, That the Governor is respectfully requested to send copies of this resolution to the President of the United States and to the Senators and Representatives of the State of California in Congress.

Resolution read.

The question being on the adoption of the resolution.

The roll was called, and Assembly Joint Resolution No. 27 adopted by the following vote:

AYES—Senators Allen, Baker, Breed, Bush, Carter, Cassidy, Christian, Cleveland, Clock, Crittenden, Deuel, Duval, Edwards, Evans, Fellom, Harper, Hays, Inman, Jones, Maloney, McCormack, McKinley, Mixer, Nelson, Rich, Riley, Rochester, Schottky, Sharkey, Slater, Swing, Wagv, and Williams—33.

NOES—Senators Moran, and Treacy—2.

Assembly Joint Resolution No. 27 ordered transmitted to the Assembly.

Assembly Bill No. 1597—An act to add a new section to be numbered 12½ to "An act to provide for the formation, management and dissolution of county water works districts; for supplying the inhabitants thereof with water; for levying and collecting taxes on property in such districts; and for the issuance of county water works district bonds and the payment thereof," approved June 13, 1913, relative to the organization and regulation of water districts.

Bill read third time.

DEMAND FOR PREVIOUS QUESTION.

Senator Christian demanded the previous question.

The question being: Shall the main question be now put?

Demand sustained.

The question being on the passage of the bill.

The roll was called, and Assembly Bill No. 1597 refused passage by the following vote:

AYES—Senators Allen, Carter, Clock, Evans, Harper, Mixer, Moran, Nelson, Rochester, Tubbs, Wagv, and Williams—12.

NOES—Senators Breed, Bush, Cassidy, Christian, Crittenden, Deuel, Duval, Fellom, Hays, Inman, Jones, Maloney, McCormack, Rich, Riley, Schottky, Sharkey, Slater, and Treacy—19.

Assembly Bill No. 1598—An act to add a new section numbered 13½ to an act entitled "An act to provide for the incorporation and organization and management of county water districts, and to provide for the acquisition of water rights or construction thereby of water works and for the acquisition of all property necessary therefor, and also to provide

for the distribution and sale of water by said districts," approved June 10, 1913, as amended, relating to county water districts.

On motion of Senator Evans, Assembly Bill No. 1598 was ordered re-referred to Committee on Municipal Corporations.

Assembly Bill No. 322—An act to amend section 158 of the Code of Civil Procedure, relating to judges of the superior court.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Assembly Bill No. 322 passed by the following vote:

AYES—Senators Allen, Breed, Bush, Cassidy, Cleveland, Cline, Crittenden, Deuel, Duval, Edwards, Fellom, Harper, Hays, Inman, Jones, Maloney, McCormack, McKinley, Mixer, Rich, Riley, Rochester, Schottky, Sharkey, Slater, Treacy, Tutts, Wagy, and Williams—29.

NOES—Senator Moran—1.

Title read and approved.

Bill ordered transmitted to the Assembly.

Assembly Bill No. 828—An act to amend section 4 of an act entitled "An act to provide for the establishment and change of grade of public highways, streets, public ways and other public property and rights of way, in whole or in part, including property over which possession and right of use have been obtained under the provisions of section 14 of article I of the constitution of the State of California, whether the same are situated within the limits of a municipality or whether such public ways or property are in part within the limits of one or more municipalities, or extend from one municipality into another municipality, or from one or more municipalities into or through unincorporated territory, or in whole or in part form the boundary between adjoining municipalities or between a municipality and adjacent unincorporated territory; and providing for work in and upon the same together with any and all appurtenances and appurtenant work; and providing for assessing the whole or any portion of the costs and expenses thereof upon private property and for the issuance and payment of improvement bonds to represent certain assessments for the costs thereof, and providing for the effect of and the enforcement of such bonds," approved April 21, 1911, as amended, so as to provide for certain preliminary investigation and statement of results in connection with plans and specifications; providing that proceedings thereunder shall be exempted from the operation of any Special Assessment Investigation and Limitation Act if the same be passed at this session of the Legislature, where a demand for the employment of said act is not made by owners of 15 per cent of the area of the district to be assessed, and regulating the procedure in the event that such request is made.

Bill read third time.

MOTION TO RE-REFER ASSEMBLY BILL NUMBER EIGHT HUNDRED TWENTY-EIGHT.

Senator Harper moved, seconded by Senators Bush and Rochester, that Assembly Bill No. 828 be re-referred to Committee on Municipal Corporations.

AYES AND NOES DEMANDED.

A roll call was demanded by Senators Rich, Riley and Allen on Senator Harper's motion to re-refer Assembly Bill No. 828 to Committee on Municipal Corporations.

The roll was called, and Senator Harper's motion carried by the following vote:

AYES—Senators Baker, Breed, Bush, Carter, Cassidy, Christian, Clock, Crittenden, Deuel, Evans, Harper, Hays, Inman, Jones, McCormack, McKinley, Mixer, Moran, Rich, Riley, Rochester, Schottky, Slater, and Wagy—24.

NOES—Senators Allen, Cleveland, Fellom, Maloney, Nelson, Swing, Treacy, Tubbs, and Williams—9.

Assembly Bill No. 350—An act to amend section 602 of the Code of Civil Procedure, relating to challenges of jurors for cause.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Assembly Bill No. 350 passed by the following vote:

AYES—Senators Allen, Baker, Breed, Bush, Carter, Cassidy, Christian, Cleveland, Clock, Crittenden, Evans, Fellom, Harper, Hays, Inman, Jones, Maloney, McCormack, McKinley, Mixer, Moran, Nelson, Rochester, Schottky, Sharkey, Slater, Swing, Treacy, Tubbs, Wagy, and Williams—31.

NOES—None.

Title read and approved.

Bill ordered transmitted to the Assembly.

Assembly Bill No. 1100—An act amending section 6 of an act entitled "An act authorizing the establishment of municipal courts, prescribing their constitution, regulation, government, procedure and jurisdiction, and providing for the election and appointment of the judges, clerks and other attaches of such courts, their terms of office, qualification and compensation and for the selection of jurors therein," approved May 23, 1925, and as amended and approved April 6, 1929, relating to municipal courts.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Assembly Bill No. 1100 passed by the following vote:

AYES—Senators Baker, Breed, Cassidy, Cleveland, Clock, Crittenden, Deuel, Duval, Edwards, Evans, Fellom, Harper, Hays, Ingels, Maloney, McCormack, McKinley, Mixer, Moran, Nelson, Rich, Riley, Schottky, Sharkey, Slater, Swing, Treacy, Tubbs, Wagy, and Williams—30.

NOES—Senators Allen, Bush, Jones, and Rochester—4.

Title read and approved.

Bill ordered transmitted to the Assembly.

Assembly Bill No. 242—An act to amend sections 2187, 2240 and 2255 of the Political Code, relating to county settlements with the State for maintenance of inmates in institutions and of pupils at the California School for the Deaf and the California School for the Blind.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Assembly Bill No. 242 passed by the following vote:

AYES—Senators Allen, Baker, Breed, Bush, Cassidy, Christian, Cleveland, Clock, Crittenden, Edwards, Evans, Fellom, Harper, Hayes, Inman, Jones, Maloney, McCor-

mack, Mixer, Nelson, Riley, Rochester, Schottky, Sharkey, Slater, Treacy, Tubbs, Wagy, and Williams—29.

NOES—Senators Deuel, Moran, and Rich—3.

Title read and approved.

Bill ordered transmitted to the Assembly.

Assembly Bill No. 628—An act relating to the extermination of rats by mosquito abatement districts.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Assembly Bill No. 628 passed by the following vote:

AYES—Senators Allen, Baker, Breed, Cassidy, Christian, Cleveland, Clock, Crittenden, Deuel, Duval, Edwards, Fellom, Harper, Hays, Inman, Jones, Maloney, McCormack, Mixer, Moran, Nelson, Rich, Riley, Rochester, Schottky, Sharkey, Slater, Treacy, Tubbs, Wagy, and Williams—32.

NOES—None.

Title read and approved.

Bill ordered transmitted to the Assembly.

Assembly Bill No. 629—An act to amend section 7*b* of chapter 584, Statutes of 1915, entitled "An act to provide for the formation, government, operation and dissolution of mosquito abatement districts in any part of the State, to facilitate the extermination of mosquitoes, flies and other insects; and to provide for the assessment, levy, collection and disbursement of taxes therein," approved May 29, 1915, as amended, relating to mosquito abatement district tax levies.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Assembly Bill No. 629 passed by the following vote:

AYES—Senators Allen, Baker, Breed, Cassidy, Christian, Cleveland, Clock, Crittenden, Deuel, Duval, Edwards, Fellom, Harper, Maloney, Mixer, Moran, Nelson, Rich, Riley, Schottky, Sharkey, Swing, Treacy, Tubbs, Wagy, and Williams—26.

NOES—Senators Hays, McCormack, and Rochester—3.

Title read and approved.

Bill ordered transmitted to the Assembly.

Assembly Bill No. 1307—An act to add a new section to the Penal Code, to be numbered 367*b*, relating to the printing, publishing or sale of copyrighted musical compositions.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Assembly Bill No. 1307, passed by the following vote:

AYES—Senators Baker, Breed, Cassidy, Christian, Clock, Crittenden, Deuel, Duval, Edwards, Fellom, Harper, Hays, Maloney, McCormack, Mixer, Moran, Nelson, Rich, Riley, Rochester, Schottky, Sharkey, Slater, Swing, Treacy, Tubbs, Wagy, and Williams—28.

NOES—None.

Title read and approved.

Bill ordered transmitted to the Assembly.

Assembly Bill No. 152—An act to amend sections 2 and 3 of chapter 431, Statutes of 1921, entitled "An act to provide for the filing of names, marks or other devices used to indicate ownership, providing

for certain benefits therefrom, and prescribing penalties for violating the provisions hereof; repealing an act (approved March 21, 1911) entitled "An act to protect the owners of bottles, boxes, siphons and kegs used in the sale of olives, olive oil, salad oil, soda waters, mineral or aerated water, porter, ale, cider, ginger ale, milk, cream, small beer, lager beer, weiss beer, white beer or other beverages, repealing 'An act to protect the owners of bottles, boxes, siphons, and kegs used in the sale of soda waters, mineral or aerated waters, porter, ale, cider, ginger ale, milk, cream, small beer, lager beer, weiss beer, beer, white beer, or other beverages,' approved March 31, 1891, also repealing an act to amend an act entitled 'An act to protect the owners of bottles, boxes, siphons, and kegs, used in the sale of soda waters, mineral and aerated waters, porter, ale, cider, ginger ale, milk, cream, small beer, lager beer, weiss beer, beer, white beer or other beverages (approved March 31, 1891) by adding thereto a new section after section 4 thereof, relating to deposits, to be numbered as section 5 of said act, by renumbering section 5 of said act as section 6 thereof, and amending the same relating to assignments, and by renumbering section 6 of said act as section 7 thereof,' approved March 5, 1903," approved May 26, 1921, relating to the unlawful use of containers.

On motion of Senator Nelson, Assembly Bill No. 152 was ordered re-referred to Committee on Agriculture and Live Stock.

Assembly Bill No. 1020—An act to amend sections 1 to 7 inclusive of "An act to provide for the filing of names, marks or other devices used to indicate ownership, providing for certain benefits therefrom, and prescribing penalties for violating the provisions hereof; repealing an act (approved March 21, 1911) entitled 'An act to protect the owners of bottles, boxes, siphons and kegs used in the sale of olives, olive oil, salad oil, soda waters, mineral or aerated water, porter, ale, cider, ginger ale, milk, cream, small beer, lager beer, weiss beer, white beer or other beverages, repealing 'An act to protect the owners of bottles, boxes, siphons, and kegs used in the sale of soda water, mineral or aerated waters, porter, ale, cider, ginger ale, milk, cream, small beer, lager beer, weiss beer, beer, white beer, or other beverages,'" approved March 31, 1891, also repealing an act to amend an act entitled "An act to protect the owners of bottles, boxes, siphons, and kegs, used in the sale of soda waters, mineral and aerated waters, porter, ale, cider, ginger ale, milk, cream, small beer, lager beer, weiss beer, beer, white beer or other beverages (approved March 31, 1891) by adding thereto a new section after section 4 thereof, relating to deposits, to be numbered as section 5 of said act, by renumbering section 5 of said act as section 6 thereof, and amending the same relating to assignments, and by renumbering section 6 of said act as section 7 thereof," approved March 5, 1903," approved May 26, 1921," relating to containers.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Assembly Bill No. 1020 passed by the following vote:

AYES—Senators Allen, Baker, Breed, Bush, Cassidy, Christian, Clock, Crittenden, Deuel, Duval, Edwards, Fellom, Hays, Maloney, McCormack, Mixter, Moran, Nelson, Rich, Riley, Rochester, Sharkey, Slater, Swing, Treney, Tubbs, Waggy, and Williams—28.

NOES—None.

AMENDMENT TO TITLE.

The following amendment to the title was offered, and its adoption moved, by Senator Nelson:

AMENDMENT NUMBER ONE.

In line 1 of the title of the printed bill, as amended, strike out the word "of", and insert in lieu thereof a comma followed by the following: "of, and to add sections 10 and 11 to".

Amendment adopted.

Title, as amended, read and approved.

Bill ordered to print, and transmitted to the Assembly.

ASSEMBLY JOINT RESOLUTION No. 17.

Relative to memorializing and petitioning Congress to enact legislation transferring certain oil lands in Kern County, California, from the jurisdiction of the Navy Department to the jurisdiction of the Department of the Interior.

WHEREAS, On September 27, 1909, by Presidential Executive Order of that date, certain lands in Kern County, California, were withdrawn from entry and, by Presidential Executive Order of September 2, 1912, Naval Petroleum Reserve No. 2 was created therefrom embracing originally 31,181 acres, of which 19,620 acres were or have been patented to private parties, and 9,991 acres have been leased to private parties for operation and are being operated under the provisions of the General Leasing Act of February 25, 1920, (c. 85, 41 Stats. 450) and 570 acres remain unleased; and

WHEREAS, Section 35 of the said General Leasing Act provides that thirty-seven and one-half per cent (37½%) of all amounts derived by the federal government from bonuses, royalties and rentals on leased oil or gas lands or deposits within the public domain shall be paid, at stated intervals, by the Secretary of the Treasury to the state within the boundaries of which such leased lands or deposits are located, for the use by said state, or the subdivisions thereof, for the construction and maintenance of public roads or for the support of public schools or other public educational institutions, and that all moneys accruing to the federal government from bonuses, royalties and rentals from naval petroleum reserve lands shall be deposited in the United States treasury as "miscellaneous receipts"; and

WHEREAS, Neither the State of California, nor Kern County, California, nor the Navy Department of the United States, receives any benefit from or part of the amounts derived by the federal government from bonuses, royalties or rentals on said lands within said Naval Petroleum Reserve No. 2; now, therefore, be it

Resolved by the Assembly and the Senate of the State of California, jointly. That the Legislature of the State of California earnestly memorializes and petitions Congress to enact legislation transferring the aforesaid lands now within Naval Petroleum Reserve No. 2 from the jurisdiction of the Navy Department to the public domain under the jurisdiction of the Department of the Interior; and, be it further

Resolved, That a copy of this joint resolution be transmitted to the President of the United States, to the Vice President of the United States, and to each member of the Senate and the House of Representatives of the United States.

Resolution read.

The question being on the adoption of the resolution.

The roll was called, and Assembly Joint Resolution No. 17 adopted by the following vote:

AYES—Senators Allen, Baker, Bush, Cassidy, Christian, Clook, Crittenden, Deuel, Edwards, Evans, Felton, Harper, Hays, Maloney, McCormack, Minter, Nelson, Rich, Riley, Rochester, Sharkey, Slater, Swing, Tubbs, Waggy, and Williams—26.

NOES—None.

Assembly Joint Resolution No. 17 ordered transmitted to the Assembly.

Assembly Bill No. 62. An act to amend section 3831 and to repeal 3790 of the Political Code, relating to the collection of taxes.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Assembly Bill No. 62 passed by the following vote:

AYES—Senators Allen, Baker, Breed, Bush, Cassidy, Christian, Clock, Crittenden, Deuel, Duval, Edwards, Evans, Fellom, Hays, Ingels, Inman, Maloney, McCormack, McKinley, Mixer, Moran, Nelson, Rich, Riley, Schottky, Sharkey, Slater, Swing, Tubbs, and Williams—30.

NOES—None.

Title read and approved.

Bill ordered transmitted to the Assembly.

Assembly Bill No. 1886—An act to amend section 3673 of the Political Code, relating to the powers of a county board of equalization.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Assembly Bill No. 1886 passed by the following vote:

AYES—Senators Allen, Breed, Bush, Cassidy, Christian, Clock, Crittenden, Edwards, Evans, Fellom, Ingels, Inman, McCormack, McKinley, Mixer, Nelson, Rich, Riley, Rochester, Sharkey, Slater, Swing, Tubbs, and Williams—24.

NOES—None.

Title read and approved.

Bill ordered transmitted to the Assembly.

Assembly Bill No. 613—An act to amend section 6 of chapter 485 of the Statutes of 1927, entitled "An act to define collection agencies; to provide for the regulation, bonding, supervision and licensing thereof; to provide for the enforcement of said act and penalties for the violation thereof," approved May 14, 1927, as amended, relating to collection agencies.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Assembly Bill No. 613 passed by the following vote:

AYES—Senators Allen, Baker, Bush, Christian, Clock, Crittenden, Deuel, Duval, Evans, Fellom, Harper, Ingels, Inman, McCormack, McKinley, Mixer, Nelson, Riley, Rochester, Sharkey, Slater, Swing, and Williams—23.

NOES—None.

Title read and approved.

Bill ordered transmitted to the Assembly.

Assembly Bill No. 1680—An act to amend section 146a of the Penal Code, relating to falsely representing a public officer.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Assembly Bill No. 1680 passed by the following vote:

AYES—Senators Allen, Baker, Bush, Cassidy, Christian, Clock, Crittenden, Deuel, Duval, Edwards, Evans, Fellom, Harper, Ingels, Inman, McCormack, McKinley, Mixer, Moran, Nelson, Rochester, Schottky, Sharkey, Slater, Swing, Wagy, and Williams—27.

NOES—None.

Title read and approved.

Bill ordered transmitted to the Assembly.

Assembly Bill No. 1167—An act to add a new section to the Political Code to be numbered 363*q*, relating to the Department of Public Works
Bill read third time.

The question being on the passage of the bill.

The roll was called, and Assembly Bill No. 1167 passed by the following vote:

AYES—Senators Allen, Bush, Cleveland, Clock, Crittenden, Edwards, Evans, Fellom, Harper, Inman, McCormack, McKinley, Mixer, Moran, Nelson, Rich, Rochester, Schottky, Sharkey, Slater, Wagy, and Williams—22.

NOES—None.

Title read and approved.

Bill ordered transmitted to the Assembly.

Assembly Bill No. 1191—An act to amend sections 1184 and 1184*d* of the Code of Civil Procedure, relating to mechanics' liens.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Assembly Bill No. 1191 passed by the following vote:

AYES—Senators Allen, Baker, Bush, Cleveland, Clock, Crittenden, Deuel, Edwards, Fellom, Harper, Hays, Inman, McCormack, McKinley, Mixer, Moran, Nelson, Rich, Rochester, Schottky, Sharkey, Slater, Wagy, and Williams—24.

NOES—None.

Title read and approved.

Bill ordered transmitted to the Assembly.

Assembly Bill No. 652—An act to amend section 5 of an act of the Legislature of the State of California entitled "An act to provide for the formation of districts within municipalities for the acquisition or construction of public improvements, works and public utilities; for the issuance, sale and payment of bonds of such districts to meet the cost of such improvements; and for the acquisition or construction of such improvements," approved May 24, 1927, relating to the amount of bonds that may be issued by such districts.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Assembly Bill No. 652 passed by the following vote:

AYES—Senators Baker, Bush, Carter, Cleveland, Clock, Crittenden, Deuel, Edwards, Fellom, Harper, Hays, Maloney, McKinley, Moran, Nelson, Rich, Rochester, Schottky, Slater, Treacy, Wagy, and Williams—22.

NOES—None.

Title read and approved.

Bill ordered transmitted to the Assembly.

Assembly Bill No. 1474—An act to add a new section to an act entitled "An act to provide for the acquisition of, including the laying out, opening, extending, widening, straightening, and acquiring in any manner, in whole or in part, and for the improvement of and work upon public highways, roads, streets, avenues, boulevards, lanes, alleys, courts, places, parks, pleasure grounds, commons, and all public ways and other property and rights of way of the public, including any property over which possession and right of use have been obtained under the provisions of section 14 of article I of the constitution of the State of California, in whole or in part, whether lying entirely within unincorporated

territory of a county or the territory of a municipality, or lying within such unincorporated territory and one or more municipalities, or lying within two or more municipalities, or forming the exterior boundary of any municipality where the same joins unincorporated territory of a county or the territory of another municipality, whether partly or wholly within or without said boundary, and the establishment and change of grade thereof; and providing for the payment of the costs and expenses of such acquisitions and such work and improvements, and the issuance and effect of bonds therefor and the payment of such bonds by special assessment taxes raised in assessment districts established for that purpose, and the enforcement of such bonds and taxes; and providing for aid from counties and municipalities in such acquisitions, work and improvements; and providing for the establishment and administration of revolving funds to assist in the carrying out of such acquisitions, work and improvements," approved May 23, 1925, to be numbered 41a, relating to the payment of assessments with bonds or interest coupons.

On motion of Senator Harper, Assembly Bill No. 1474 was ordered re-referred to Committee on Municipal Corporations.

Assembly Bill No. 1904—An act to provide for a preliminary investigation, report and hearing upon proposed public improvements and acquisitions of property for public purposes where the cost of such improvements or acquisitions is to be paid in whole or part by special assessments, and to provide for the abandonment and barring of said proposed public improvements or acquisitions upon a majority protest.

On motion of Senator Harper, Assembly Bill No. 1904 was ordered re-referred to Committee on Municipal Corporations.

Assembly Bill No. 159—An act to amend sections 1357, 1358, 1359 and 1362 and repeal sections 1360 and 1361 of the Political Code, relating to absent voters.

On motion of Senator Fellom, Assembly Bill No. 159 was ordered re-referred to Committee on Elections.

Assembly Bill No. 1094—An act to amend section 5.540 of the School Code, relating to the employment of teachers.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Assembly Bill No. 1094 passed by the following vote:

AYES—Senators Allen, Baker, Breed, Bush Carter, Cassidy, Christian, Cleveland, Clock, Crittenden, Deuel, Duval, Edwards, Evans, Fellom, Harper, Hays, Ingels, Inman, Maloney, McCormack, McKinley, Moran, Nelson, Rich, Riley, Rochester, Schottky, Sharkey, Slater, Swing, Treacy, Wagy, and Williams—34.

NOES—None.

Title read and approved.

Bill ordered transmitted to the Assembly.

ASSEMBLY JOINT RESOLUTION No. 24.

Relative to acceptance of Greek flag presented to the State of California.

WHEREAS, The year 1930 marked 100 years of the independence of Greece; and
WHEREAS, During the struggle for independence the Greeks appealed to the United States for moral support; and

WHEREAS, President Monroe, Daniel Webster, Henry Clay, Edward Everett and Dr. Samuel Howe, raised their voices in the Senate of the United States and outside

of government owes, in behalf of the liberties of a people to whom the entire civilized world owes an everlasting debt of gratitude; and

WHEREAS, Last August American Legionnaires, with Athens to pay tribute to the memory of the American patriots who struggled for Greek independence, and attended the unveiling of a great memorial statue to their memory, erected by the contribution of great statesmen and in Greece; and

WHEREAS, The governors of the states of America, as a token of the continued friendship of the United States with Greece, sent to the Legionnaires each state its respective flags to be presented to the Greek Republic; and

WHEREAS, The Greek government, in gratitude for the loan of friendship has sent with the Legionnaires 48 Greek flags, one for each state, as a token of the love of the Greek people for the people of this great state of the United States;

WHEREAS, The 500,000 citizens of Greece, in 1921, were brought to an untimely and a cruel end in the form of government from which the fruits of our (American) constitution have been completely killed;

WHEREAS, During the past war the citizens of Greece were victimized on the number of 60,000 and distinguished themselves for valor and devotion to their adopted country; therefore, be it

Resolved by the Assembly and Senate, jointly. That the representatives of the people of the State of California accept with deep appreciation the Greek flag sent by the President of the Republic of Greece as a token of the common ideals that united the two republics during the recent war;

That the Greek flag be so arranged as to place the flag and deposit it in the Capitol and display it as an honor emblem;

That the Clerk of the Assembly be and is hereby requested to transmit a copy of this resolution to the President of the Greek Republic through the Greek minister at Washington.

Resolution read.

The question being on the adoption of the resolution.

The roll was called and Assembly Joint Resolution No. 24 adopted by the following vote:

AYES—Senators Allen, Baker, Breed, Bush, Carter, Cassidy, Christian, Crittenden, Deuel, Dwyer, Edwards, Evans, Fallon, Harbo, Hays, Igou, Jones, Jones, McInnis, McQuinn, McKinn, Moore, Nelson, Ross, Ross, Rochester, Sembray, Sharkey, Slater, Sprague, Tamm, Tamm, Tamm, Wagon and Williams—24.

NAWS—None.

Assembly Joint Resolution No. 24 ordered transmitted to the Assembly.

Assembly Bill No. 1959—An act to add sections 718c, 718d and 718e to the Civil Code, relating to leasing of municipal property.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Assembly Bill No. 1959 passed by the following vote:

AYES—Senators Allen, Baker, Breed, Bush, Carter, Cassidy, Christian, Cleveland, Deuel, Dwyer, Edwards, Evans, Fallon, Harbo, Hays, Igou, Jones, Jones, McInnis, McQuinn, McKinn, Moore, Nelson, Ross, Rochester, Sembray, Sharkey, Slater, Treacy, Tubbs, Wag, and Williams—21.

NAWS—None.

Title read and approved.

Bill ordered transmitted to the Assembly.

ASSEMBLY CONCURRENT RESOLUTION No. 45.

Relative to reports of the departmental management of the Grand Army of the Republic.

Resolved by the Assembly, the Senate concurring. That there shall be printed as a prime document 500 copies of the departmental reports of the departmental management of the Grand Army of the Republic for the year 1931, and of each subsequent departmental management, together with illustrations, copies of general orders of the department and of the office with 250 copies for the use of the Assembly and 250 copies for the use of the Senate. Annual cost not to exceed \$6000, payable from legislative printing appropriation.

Resolution read.

The question being on the adoption of the resolution.

The roll was called, and Assembly Concurrent Resolution No. 45 adopted by the following vote:

AYES—Senators Allen, Baker, Breed, Bush, Carter, Cassidy, Christian, Cleveland, Clock, Crittenden, Deuel, Duval, Edwards, Evans, Fellom, Harper, Hays, Inman, Jones, Maloney, McCormack, McKinley, Moran, Nelson, Rich, Riley, Rochester, Sharkey, Slater, Swing, Treacy, Tubbs, Waggy, and Williams—34.

NOES—None.

Assembly Concurrent Resolution No. 45 ordered transmitted to the Assembly.

MESSAGE FROM THE ASSEMBLY.

The following message from the Assembly was received and read:

ASSEMBLY CHAMBER, SACRAMENTO, May 15, 1931.

MR. PRESIDENT: I am directed to inform your honorable body that the Assembly on this day appointed as a Committee on Free Conference on Assembly Bill No. 785—An act to add a new article to chapter 3 of title I to part III of the Political Code, to be numbered Article IIa, embracing sections 360 to 630i, both inclusive, relating to a Department of Motor Vehicles and a California Highway Patrol and repealing sections 363k, 363l and 363m of the Political Code, and repealing section 30 of the California Vehicle Act, relating to the California Highway Patrol—the following Assemblymen: Hornblower, Hornold and Reindollar, to meet with a like committee from your honorable body.

ARTHUR A. OHNIMUS, Chief Clerk.
By C. W. BOOTH, Assistant Clerk.

REPORT OF COMMITTEE ON FREE CONFERENCE.

The following report of Committee on Free Conference was received and read:

SENATE CHAMBER, SACRAMENTO, May 15, 1931.

MR. PRESIDENT: Your Committee on Free Conference concerning Assembly Bill No. 785—An act to add a new article to chapter 3 of title I to part III of the Political Code, to be numbered article IIa, embracing sections 360 to 630i, both inclusive, relating to a Department of Motor Vehicles and a California Highway Patrol and repealing sections 363k, 363l and 363m of the Political Code, and repealing section 30 of the California Vehicle Act, relating to the California Highway Patrol—reports that it has met a like committee of the Assembly, consisting of Assemblymen Hornblower, Reindollar and Hornold, and reports that the Committee on Free Conference has agreed to recommend the following: That the Assembly concur in the Senate amendments, and that the bill be further amended as follows:

AMENDMENT NUMBER ONE.

In line 3 of the title of the printed bill, strike out "630i", and insert in lieu thereof the following: "360i".

AMENDMENT NUMBER TWO.

In lines 4 and 5 of the title of the printed bill, strike out "and a California highway patrol".

AMENDMENT NUMBER THREE.

In the last two lines of the title of the printed bill, strike out "California highway patrol", and insert in lieu thereof the following: "division of motor vehicles".

AMENDMENT NUMBER FOUR.

On page 2, lines 2 and 3, of the printed bill, strike out "The director shall be a member of the governor's council."

AMENDMENT NUMBER FIVE.

On page 2, line 27, of the printed bill, after "California", insert the following: "highway".

AMENDMENT NUMBER SIX.

On page 4, lines 34 and 35, of the printed bill, strike out "as provided in this subdivision", and insert in lieu thereof the following: "by the chief of the California highway patrol in accordance with the state civil service act".

INGELS,
DUVAL,
SWING,

Senate Committee on Free Conference.

HORNBLOWER,
REINDOLLAR,
HORNOLD,

Assembly Committee on Free Conference.

The question being on the adoption of the report and the amendments.

The roll was called, and the report of the Committee on Free Conference and the amendments adopted by the following vote:

AYES—Senators Allen, Breed, Bush, Cassidy, Christian, Cleveland, Crittenden, Donel, Duval, Edwards, Evans, Fellom, Harper, Inman, Maloney, McKinley, Moran, Nelson, Rich, Riley, Rochester, Schottky, Sharkey, Slater, Swing, Treacy, Tubbs, and Waggy—28.

NOES—None.

REPORTS OF STANDING COMMITTEES—RESUMED.

The following report of standing committee was received and read:

ON PUBLIC CHARITIES AND CORRECTIONS.

SENATE CHAMBER, SACRAMENTO, May 15, 1931.

MR. PRESIDENT: Your Committee on Public Charities and Corrections, to which was referred Senate Bill No. 43—An act to amend section 3 of chapter 529, Statutes of 1929, entitled "An act to provide for needy blind persons, not inmates of any institution supported in whole or in part by the State or any of its political subdivisions, making appropriation therefor and prescribing penalties for the violation of the provisions of the act," approved May 28, 1929, relating to who may receive benefits of the act—has had the same under consideration, and respectfully reports the same back, without recommendation.

Committee membership—5.

MORAN, Chairman.

MESSAGE FROM THE ASSEMBLY.

The following message from the Assembly was received and read:

ASSEMBLY CHAMBER, SACRAMENTO, May 15, 1931.

MR. PRESIDENT: I am directed to inform your honorable body that the Assembly on this day appointed as a Committee on Free Conference on Assembly Bill No. 476—An act to add section 6a to chapter 176, Statutes of 1919, entitled "An act providing for the prevention and suppression of forest fires," approved May 2, 1919, relating to arrests and appearances on charges of violating forest or fire laws—the following Assemblymen: Golden, Reindollar and Patterson, to meet with a like committee from your honorable body.

ARTHUR A. OHNIMUS, Chief Clerk.
By C. W. BOOTH, Assistant Clerk.

CONSIDERATION OF DAILY FILE.

THIRD READING OF ASSEMBLY BILLS—RESUMED.

Assembly Bill No. 363—An act to amend section 4242 of the Political Code, relating to the salaries, fees and expenses of officers in counties of the thirteenth class.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Assembly Bill No. 363 passed by the following vote:

AYES—Senators Allen, Baker, Breed, Bush, Carter, Cassidy, Christian, Cleveland, Cook, Crittenden, Donel, Edwards, Fellom, Harper, Inman, Maloney, McCormack, McKinley, Mixer, Nelson, Rich, Riley, Rochester, Schottky, Sharkey, Slater, Treacy, Tubbs, and Williams—29.

NOES—None.

Title read and approved.

Bill ordered transmitted to the Assembly.

Assembly Bill No. 955—An act to amend section 22 of "An act authorizing the establishment of municipal courts, prescribing their constitution, regulation, government, procedure and jurisdiction, and providing for the election and appointment of the judges, clerks and other attaches of such courts, their terms of office, qualification and

compensation and for the selection of jurors therein," approved May 23, 1925, relating to municipal courts.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Assembly Bill No. 955 passed by the following vote:

AYES—Senators Allen, Baker, Breed, Bush, Carter, Cassidy, Cleveland, Clock, Crittenden, Edwards, Fellom, Harper, Hays, Ingels, Inman, Jones, Maloney, McCormack, McKinley, Mixter, Moran, Rich, Riley, Schottky, Sharkey, Slater, Swing, Treacy, Tubbs, Wagy, and Williams—31.

NOES—None.

Title read and approved.

Bill ordered transmitted to the Assembly.

Assembly Bill No. 671—An act to add a new section to the School Code to be numbered 4385, relating to the publication of information regarding school affairs by school boards.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Assembly Bill No. 671 passed by the following vote:

AYES—Senators Allen, Baker, Breed, Bush, Carter, Cassidy, Christian, Cleveland, Clock, Crittenden, Deuel, Evans, Fellom, Harper, Hays, Ingels, Inman, Jones, Maloney, McCormack, McKinley, Mixter, Moran, Rich, Rochester, Schottky, Sharkey, Slater, Swing, Treacy, Tubbs, and Williams—32.

NOES—None.

Title read and approved.

Bill ordered transmitted to the Assembly.

Assembly Bill No. 1224—An act to amend section 817 of the Penal Code, relating to peace officers.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Assembly Bill No. 1224 passed by the following vote:

AYES—Senators Allen, Baker, Breed, Bush, Carter, Cassidy, Christian, Cleveland, Clock, Crittenden, Deuel, Edwards, Fellom, Harper, Hays, Ingels, Inman, Jones, Maloney, McCormack, McKinley, Mixter, Moran, Rich, Riley, Schottky, Sharkey, Slater, Swing, Treacy, Tubbs, and Williams—32.

NOES—None.

Title read and approved.

Bill ordered transmitted to the Assembly.

Assembly Bill No. 1763—An act to amend section 737b of the Political Code, relating to the salary of the superior judge in and for the county of Alpine.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Assembly Bill No. 1763 passed by the following vote:

AYES—Senators Allen, Breed, Bush, Carter, Cassidy, Christian, Cleveland, Clock, Crittenden, Edwards, Fellom, Harper, Hays, Ingels, Inman, Jones, Maloney, McCormack, McKinley, Mixter, Moran, Rich, Riley, Slater, Swing, Treacy, Tubbs, and Williams—28.

NOES—Senator Rochester—1.

Title read and approved.

Bill ordered transmitted to the Assembly.

Assembly Bill No. 1941—An act to amend section 2290 of the Political Code, relating to children of parents who have been committed to a State hospital or to prison.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Assembly Bill No. 1941 passed by the following vote:

AYES—Senators Allen, Breed, Bush, Cassidy, Christian, Cleveland, Clock, Crittenden, Deuel, Edwards, Evans, Fellom, Harper, Hays, Ingels, Inman, Jones, Maloney, McCormack, McKinley, Mixer, Moran, Rich, Rochester, Sharkey, Slater, Treacy, Tubbs, and Williams—29.

NOES—None.

Title read and approved.

Bill ordered transmitted to the Assembly.

Assembly Bill No. 542—An act to amend section 2924 of the Civil Code, relating to making certain transfers a mortgage and defining the manner in which a power of sale contained in a mortgage or deed of trust may be exercised, and to add a new section thereto to be numbered 2924*b*, relating to sales under mortgages, deeds of trust and other transfers of interest in property.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Assembly Bill No. 542 refused passage by the following vote:

AYES—Senators Carter, Fellom, McKinley, Nelson, Rochester, Sharkey, Swing, Treacy and, Tubbs—9.

NOES—Senators Allen, Breed, Bush, Cassidy, Christian, Cleveland, Crittenden, Deuel, Duval, Edwards, Evans, Harper, Hays, Ingels, Inman, Maloney, McCormack, Mixer, Moran, Rich, Riley, Schottky, Slater, and Waggy—24.

Assembly Bill No. 17—An act to add section 189 to the Code of Civil Procedure, relating to justices' court records, papers, and exhibits.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Assembly Bill No. 17 passed by the following vote:

AYES—Senators Allen, Breed, Bush, Carter, Cassidy, Christian, Cleveland, Crittenden, Deuel, Duval, Edwards, Evans, Fellom, Harper, Hays, Ingels, Maloney, McKinley, Mixer, Moran, Riley, Rochester, Schottky, Sharkey, Slater, Swing, Treacy, Tubbs, Waggy, and Williams—30.

NOES—None.

Title read and approved.

Bill ordered transmitted to the Assembly.

Assembly Bill No. 771—An act to amend sections 24 and 38 of the State Bar Act, relating to the admission of applicants.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Assembly Bill No. 771 passed by the following vote:

AYES—Senators Allen, Breed, Carter, Cassidy, Cleveland, Crittenden, Deuel, Evans, Fellom, Inman, Maloney, McCormack, McKinley, Moran, Riley, Rochester, Schottky, Sharkey, Slater, Swing, Treacy, Tubbs, and Waggy—23.

NOES—Senators Baker, Christian, Clock, Harper, Hays, Ingels, and Mixer—7.

Title read and approved.

Bill ordered transmitted to the Assembly.

Assembly Bill No. 331—An act to amend section 347*b* of the Penal Code, relative to alcoholic solutions containing deleterious or poisonous substances.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Assembly Bill No. 331 passed by the following vote:

AYES—Senators Allen, Baker, Breed, Carter, Cassidy, Cleveland, Clock, Crittenden, Deuel, Duval, Evans, Fellom, Harper, Hays, Ingels, Maloney, McCormack, McKinley, Mixter, Moran, Riley, Rochester, Schottky, Sharkey, Slater, Swing, Treacy, and Wagy—28.

NOES—None.

Title read and approved.

Bill ordered transmitted to the Assembly.

Assembly Bill No. 661—An act to add a new section to the "California Vehicle Act," to be numbered 51½, relating to the display of registration plates.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Assembly Bill No. 661 refused passage by the following vote:

AYES—Senators Breed, Carter, Clock, Crittenden, Inman, Maloney, Rochester, Schottky, Swing, and Wagy—10.

NOES—Senators Allen, Cassidy, Cleveland, Deuel, Duval, Evans, Fellom, Harper, Hays, Ingels, McCormack, McKinley, Mixter, Moran, Riley, Sharkey, Slater, Treacy, and Tubbs—19.

Assembly Bill No. 739—An act to amend sections 1 and 5 of an act entitled "An act to provide indemnity to persons erroneously convicted of felonies in the State of California," approved May 24, 1913, relating to the indemnification of persons erroneously convicted.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Assembly Bill No. 739 passed by the following vote:

AYES—Senators Allen, Breed, Bush, Carter, Cassidy, Clock, Evans, Fellom, Harper, Ingels, Inman, Maloney, McCormack, McKinley, Mixter, Moran, Riley, Rochester, Schottky, Sharkey, Slater, Treacy, Tubbs, and Wagy—24.

NOES—Senator Hays—1.

Title read and approved.

Bill ordered transmitted to the Assembly.

Assembly Bill No. 131—An act to amend section 537 of the Penal Code, relating to defrauding proprietors of hotels, inns, restaurants, boarding houses, lodging houses, furnished apartment houses, or furnished bungalow courts.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Assembly Bill No. 131 refused passage by the following vote:

AYES—Senators Carter, Clock, Evans, and Rochester—4.

NOES—Senators Allen, Baker, Breed, Bush, Cassidy, Christian, Cleveland, Deuel, Duval, Fellom, Harper, Hays, Ingels, Inman, Maloney, McCormack, McKinley, Moran, Nelson, Rich, Riley, Slater, Treacy, Tubbs, Wagy, and Williams—26.

Assembly Bill No. 901—An act to amend section 197 of the Penal Code, defining justifiable homicide.

On motion of Senator Evans, Assembly Bill No. 901 was ordered re-referred to Committee on Judiciary.

Assembly Bill No. 1428—An act to add a new section to the Civil Code, to be numbered 712, relating to restrictions.

On motion of Senator McKinley, Assembly Bill No. 1428 was ordered re-referred to Committee on Judiciary.

Assembly Bill No. 1914—An act to amend section 6 of an act entitled "An act concerning the water front of the City and County of San Francisco," approved March 16, 1878, as amended, relating to the powers of the Board of State Harbor Commissioners.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Assembly Bill No. 1914 passed by the following vote:

AYES—Senators Allen, Baker, Breed, Christian, Cleveland, Crittenden, Evans, Fellom, Harper, Hays, Ingels, Maloney, McCormack, McKinley, Mixter, Moran, Rich, Riley, Rochester, Schottky, Sharkey, Slater, Treacy, Tubbs, Waggy, and Williams—26.

NOES—None.

Title read and approved.

Bill ordered transmitted to the Assembly.

Assembly Bill No. 1379—An act to amend sections 5, 6, 7 and 8 of an act entitled "An act to license canners, curers, preservers and packers of fish and handlers of crustaceans and mollusks, and providing a revenue therefrom for the conservation, propagation and restoration of fish in the State of California, and providing for a record of fish caught or received, and providing penalties for the violation of the provisions thereof, and repealing all acts or parts of acts in conflict therewith," approved May 28, 1917.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Assembly Bill No. 1379 passed by the following vote:

AYES—Senators Allen, Bush, Cleveland, Cloek, Crittenden, Deuel, Evans, Fellom, Harper, Hays, Ingels, Inman, Jones, Maloney, McCormack, McKinley, Mixter, Moran, Nelson, Rochester, Slater, Swing, Treacy, Tubbs, and Waggy—25.

NOES—None.

Title read and approved.

Bill ordered transmitted to the Assembly.

Assembly Bill No. 1821—An act to amend section 2322.13 of the Political Code, relating to the office of agricultural commissioner in counties of the thirteenth class.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Assembly Bill No. 1821 passed by the following vote:

AYES—Senators Allen, Bush, Cassidy, Cleveland, Crittenden, Deuel, Duval, Evans, Fellom, Harper, Hays, Ingels, Inman, Jones, Maloney, McCormack, McKinley,

Mixter, Moran, Nelson, Riley, Rochester, Schottky, Sharkey, Slater, Tubbs, Wagy, and Williams—28.
NOES—None.

Title read and approved.

Bill ordered transmitted to the Assembly.

Assembly Bill No. 1873—An act to create the Inverness Game Refuge, to provide for the preservation and protection of animal life therein, and to prescribe penalties.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Assembly Bill No. 1873 refused passage by the following vote:

AYES—Senators Allen, Carter, Crittenden, Duval, Inman, Jones, Maloney, McCormack, Mixter, Riley, Sharkey, Slater, Treacy, and Williams—14.

NOES—Senators Baker, Breed, Bush, Cassidy, Christian, Cleveland, Clock, Duval, Edwards, Evans, Fellom, Harper, Hays, Ingels, McKinley, Moran, Nelson, Rich, Rochester, Schottky, Tubbs, and Wagy—22.

Assembly Bill No. 392—An act to amend section 634 of the Penal Code, relating to the protection of fish and game.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Assembly Bill No. 392 passed by the following vote:

AYES—Senators Allen, Baker, Breed, Bush, Carter, Cassidy, Christian, Clock, Crittenden, Duval, Edwards, Evans, Fellom, Harper, Ingels, Inman, Jones, Maloney, McCormack, McKinley, Mixter, Moran, Nelson, Rich, Riley, Rochester, Schottky, Sharkey, Slater, Treacy, Tubbs, Wagy, and Williams—34.

NOES—None.

Title read and approved.

Bill ordered transmitted to the Assembly.

Assembly Bill No. 718—An act authorizing the conveyance to the county of Los Angeles, State of California, of lands and rights of way for road purposes along, in, through or across property of the State known as the Norwalk State Hospital grounds.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Assembly Bill No. 718 passed by the following vote:

AYES—Senators Allen, Baker, Breed, Bush, Carter, Cassidy, Christian, Cleveland, Clock, Crittenden, Duval, Edwards, Evans, Fellom, Harper, Ingels, Inman, Maloney, McCormack, McKinley, Mixter, Moran, Nelson, Rich, Riley, Rochester, Schottky, Sharkey, Slater, Treacy, Tubbs, Wagy, and Williams—33.

NOES—None.

Title read and approved.

Bill ordered transmitted to the Assembly.

Assembly Bill No. 893—An act to amend the Political Code by adding thereto a new section, numbered 1963*b*, relating to the retirement of commissioned officers.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Assembly Bill No. 893 passed by the following vote:

AYES—Senators Allen, Baker, Breed, Bush, Carter, Cassidy, Christian, Cleveland, Clock, Crittenden, Deuel, Edwards, Evans, Fellom, Harper, Inman, Maloney, McCormack, Mixter, Moran, Nelson, Rich, Riley, Rochester, Schottky, Sharkey, Slater, Treacy, Tubbs, Wagy, and Williams—31.

NOES—None.

Title read and approved.

Bill ordered transmitted to the Assembly.

Assembly Bill No. 672—An act to amend section 628a of the Penal Code, relating to the protection of fish.

Bill read third time.

Senator Evans demanded the previous question.

The question being: Shall the main question be now put?

Demand sustained.

The question being on the passage of the bill.

The roll was called, and Assembly Bill No. 672 passed by the following vote:

AYES—Senators Allen, Baker, Breed, Cassidy, Christian, Cleveland, Clock, Crittenden, Deuel, Edwards, Fellom, Ingels, Maloney, McCormack, Mixter, Moran, Nelson, Rich, Riley, Rochester, Slater, Treacy, Tubbs, and Williams—24.

NOES—Senators Bush, Carter, Duval, Evans, Harper, Hays, Inman, McKinley, Schottky, Sharkey, and Wagy—11.

Title read and approved.

Bill ordered transmitted to the Assembly.

Assembly Bill No. 386—An act to amend section 11 of an act entitled "An act to regulate the sale and issuance of licenses to hunt, take, pursue or kill wild birds or mammals, and/or to angle for, take, catch or kill game fishes for purposes other than sale or profit in order to provide revenue therefrom for fish and game preservation, protection and restoration; defining game fishes; providing a penalty for the violation of this act and repealing all acts and parts of acts inconsistent or in conflict with this act," approved May 27, 1927.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Assembly Bill No. 386 passed by the following vote:

AYES—Senators Allen, Baker, Breed, Bush, Carter, Cassidy, Cleveland, Clock, Crittenden, Deuel, Duval, Edwards, Evans, Fellom, Harper, Hays, Ingels, Inman, Jones, Maloney, McKinley, Mixter, Moran, Nelson, Rich, Riley, Rochester, Schottky, Sharkey, Slater, Treacy, Tubbs, Wagy, and Williams—34.

NOES—None.

Title read and approved.

Bill ordered transmitted to the Assembly.

Assembly Bill No. 1857—An act appropriating money to pay the claim of Lehmaier, Schwartz & Company, Inc., against the State of California.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Assembly Bill No. 1857 passed by the following vote:

AYES—Senators Allen, Baker, Breed, Bush, Cassidy, Christian, Cleveland, Clock, Crittenden, Deuel, Duval, Edwards, Fellom, Harper, Hays, Ingels, Inman, Maloney,

McCormack, McKinley, Mixer, Moran, Nelson, Riley, Rochester, Schottky, Sharkey, Treacy, Tubbs, Wagy, and Williams—31.

NOES—None.

Title read and approved.

Bill ordered transmitted to the Assembly.

Assembly Bill No. 29—An act to amend sections 1012 and 1013 of the Code of Civil Procedure, and to add section 1013*a* thereto, relating to service by mail.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Assembly Bill No. 29 passed by the following vote:

AYES—Senators Allen, Baker, Breed, Bush, Carter, Cassidy, Christian, Cleveland, Crittenden, Deuel, Duval, Edwards, Evans, Fellom, Harper, Hays, Ingels, Inman, Maloney, McCormack, McKinley, Mixer, Moran, Rochester, Sharkey, Slater, Treacy, Tubbs, Wagy, and Williams—30.

NOES—None.

Title read and approved.

Bill ordered transmitted to the Assembly.

Assembly Bill No. 37—An act to amend section 1461*a* of the Penal Code, relating to procedure in misdemeanor cases filed in municipal courts.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Assembly Bill No. 37 passed by the following vote:

AYES—Senators Allen, Baker, Breed, Bush, Carter, Cassidy, Christian, Clock, Crittenden, Deuel, Edwards, Evans, Fellom, Harper, Hays, Ingels, Maloney, McCormack, McKinley, Mixer, Moran, Nelson, Rich, Riley, Rochester, Sharkey, Slater, Treacy, Tubbs, Wagy, and Williams—31.

NOES—None.

Title read and approved.

Bill ordered transmitted to the Assembly.

Assembly Bill No. 40—An act to add a new section to the Penal Code, to be numbered 1428*a*, relating to minutes in municipal courts.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Assembly Bill No. 40 passed by the following vote:

AYES—Senators Allen, Baker, Breed, Cassidy, Christian, Clock, Crittenden, Deuel, Duval, Edwards, Evans, Fellom, Harper, Hays, Ingels, Maloney, McCormack, McKinley, Mixer, Moran, Nelson, Rich, Riley, Rochester, Sharkey, Slater, Treacy, Tubbs, Wagy, and Williams—30.

NOES—None.

Title read and approved.

Bill ordered transmitted to the Assembly.

Assembly Bill No. 1326—An act to amend section 2979 of the Political Code, relating to continuance of revolving fund, appropriating and adding supplemental amount thereto, providing for the uses and expenditure of such fund, and county obligations thereunder.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Assembly Bill No. 1326 passed by the following vote:

AYES—Senators Allen, Baker, Breed, Bush, Carter, Cassidy, Christian, Crittenden, Deuel, Edwards, Evans, Fellom, Harper, Hays, Ingels, Inman, Maloney, McCormack, McKinley, Moran, Nelson, Rich, Riley, Sharkey, Slater, Treacy, Tubbs, Wagy, and Williams—29.

NOES—None.

Title read and approved.

Bill ordered transmitted to the Assembly.

Assembly Bill No. 1908—An act to repeal section 13a of chapter 795, Statutes of 1927, entitled "An act to regulate and license the business of producing, refining or distributing gasoline, distillate and other motor vehicle fuels, providing for the collection and disposition of license taxes, and adopting those provisions, not inconsistent herewith, of an act entitled 'An act to regulate and license the business of producing, refining or distributing gasoline, distillate and other motor vehicle fuels, providing for the collection and disposition of license taxes, prescribing penalties for violation of the provisions of said act, and repealing all acts and parts of acts inconsistent herewith,' approved May 30, 1923, as amended and approved May 23, 1925," as amended, relating to a revolving fund for the State Highway Commission.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Assembly Bill No. 1908 passed by the following vote:

AYES—Senators Allen, Baker, Breed, Bush, Carter, Cassidy, Christian, Cleveland, Deuel, Duval, Edwards, Evans, Fellom, Harper, Hays, Ingels, Maloney, McCormack, McKinley, Mixer, Moran, Nelson, Rich, Slater, Treacy, Tubbs, Wagy, and Williams—28.

NOES—None.

Title read and approved.

Bill ordered transmitted to the Assembly.

RESOLUTION.

The following resolution was offered:

By Committee on Contingent Expenses:

Resolved, That the Controller be and he is hereby ordered and directed to draw his warrant upon the Contingent Fund of the Senate in the sum of \$210 in favor of the Secretary of the Senate to pay the item set forth below, and the Treasurer is hereby ordered and directed to pay the same. The Secretary of the Senate is instructed to furnish to the Controller vouchers covering the item set forth below:

Hon. Senator	\$210 00
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INGELS, Chairman.
MALONEY.
WILLIAMS.

Resolution read.

Senator Ingels moved the adoption of the resolution.

The question being on the adoption of the resolution.

The roll was called, and the resolution adopted by the following vote:

AYES—Senators Allen, Breed, Carter, Cassidy, Christian, Cleveland, Clock, Crittenden, Deuel, Duval, Edwards, Fellom, Harper, Hays, Ingels, Inman, Jones, Maloney, McCormack, McKinley, Mixer, Moran, Rich, Treacy, Wagy, and Williams—26.

NOES—Senators Nelson, and Tubbs—2.

MOTION TO WITHDRAW ASSEMBLY BILL.

Senator Allen moved that Assembly Bill No. 1217 be withdrawn from Committee on Finance, and placed on file.

The question being on Senator Allen's motion to withdraw Assembly Bill No. 1217 from Committee on Finance, and placed on file.

The roll was called, and Senator Allen's motion lost by the following vote:

AYES—Senators Allen, Carter, Cassidy, Christian, Denel, Fellom, Harper, Inman, Jones, Maloney, Mixter, Riley, Schottky, Sharkey, and Tubbs—15.

NOES—Senators Baker, Breed, Bush, Cleveland, Clock, Crittenden, Duval, Edwards, Evans, Hays, Ingels, McCormack, McKinley, Moran, Nelson, Rich, Slater, Waggy, and Williams—19.

MESSAGES FROM THE ASSEMBLY.

The following messages from the Assembly were received and read:

ASSEMBLY CHAMBER, SACRAMENTO, May 15, 1931.

MR. PRESIDENT: I am directed to inform your honorable body that the Assembly on this day adopted the report of the Committee on Free Conference concerning Assembly Bill No. 785—An act to add a new article to chapter 3 of title 1 to part 111 of the Political Code, to be numbered article 11a, embracing sections 360 to 369i, both inclusive, relating to a Department of Motor Vehicles and a California Highway Patrol and repealing sections 363k, 363l and 363m of the Political Code, and repealing section 30 of the California Vehicle Act, relating to the California Highway Patrol.

ARTHUR A. OHNIMUS, Chief Clerk.

By C. W. BOOTH, Assistant Clerk.

Also:

ASSEMBLY CHAMBER, SACRAMENTO, May 15, 1931.

MR. PRESIDENT: I am directed to inform your honorable body that the Assembly on this day respectfully receded from its amendments to Senate Bill No. 900—An act to amend the California Vehicle Act approved May 30, 1923, and as amended, by amending sections 99, 100, 100¹, 101, 102, 103, 104, 106, 108, 110, 111, 111¹, 130, adding thereto new sections to be numbered 106¹, 111¹, 111², 111³, relating to the use, operation and equipment of motor vehicles operated upon the public highways, requiring lights, reflex mirrors, light indicators, prohibiting certain lights, the sale thereof, the sale of motor vehicles equipped with unlawful lights, regarding the method and requirements for the testing of lights and signals, the approval thereof, authorizing the establishment of official head lamp and brake adjusting stations, and the enforcement of said act.

ARTHUR A. OHNIMUS, Chief Clerk.

By C. W. BOOTH, Assistant Clerk.

Senate Bill No. 900 ordered to enrollment.

Also:

ASSEMBLY CHAMBER, SACRAMENTO, May 15, 1931.

MR. PRESIDENT: I am directed to inform your honorable body that the Assembly on this day adopted the report of the Committee on Free Conference concerning Assembly Bill No. 397—An act to add two new sections to be numbered 587 and 1515 to the Probate Code, relating to dedication of real property for street or highway purposes by executors, administrators and guardians.

ARTHUR A. OHNIMUS, Chief Clerk.

By C. W. BOOTH, Assistant Clerk.

Also:

ASSEMBLY CHAMBER, SACRAMENTO, May 15, 1931.

MR. PRESIDENT: I am directed to inform your honorable body that the Assembly on this day concurred in Senate amendments to Assembly Bill No. 322—An act to amend section 158 of the Code of Civil Procedure, relating to judges of the superior court:

Also: Assembly Bill No. 363—An act to amend section 4242 of the Political Code, relating to the salaries, fees and expenses of officers in counties of the thirteenth class:

Also: Assembly Bill No. 955—An act to amend section 736b and repeal section 736c of the Political Code, relating to salaries of judges of the superior court and to make an appropriation to cover increases in the payments by the State therefor.

ARTHUR A. OHNIMUS, Chief Clerk.

By A. W. ENGELKE, Assistant Clerk.

Also:

ASSEMBLY CHAMBER, SACRAMENTO, May 15, 1931.

MR. PRESIDENT: I am directed to inform your honorable body that the Assembly on this day concurred in Senate amendments to Assembly Bill No. 242—An act to amend sections 2187, 2240 and 2255 of the Political Code, relating to maintenance of inmates in institutions and of pupils at the California School for the Deaf and the California School for the Blind;

Also: Assembly Bill No. 1020—An act to amend sections 1 to 7, inclusive, of "An act to provide for the filing of names, marks or other devices used to indicate ownership, providing for certain benefits therefrom, and prescribing penalties for violating the provisions hereof; repealing an act (approved March 21, 1911) entitled 'An act to protect the owners of bottles, boxes, siphons and kegs used in the sale of olives, olive oil, salad oil, soda waters, mineral or aerated water, porter, ale, cider, ginger ale, milk, cream, small beer, lager beer, weiss beer, white beer or other beverages, repealing "An act to protect the owners of bottles, boxes, siphons, and kegs used in the sale of soda waters, mineral or aerated waters, porter, ale, cider, ginger ale, milk, cream, small beer, lager beer, weiss beer, beer, white beer, or other beverages," approved March 31, 1891, also repealing an act to amend an act entitled "An act to protect the owners of bottles, boxes, siphons, and kegs, used in the sale of soda waters, mineral and aerated waters, porter, ale, cider, ginger ale, milk, cream, small beer, lager beer, weiss beer, beer, white beer or other beverages (approved March 31, 1891) by adding thereto a new section after section 4 thereof, relating to deposits, to be numbered as section 5 of said act, by renumbering section 5 of said act as section 6 thereof, and amending the same relating to assignments, and by renumbering section 6 of said act as section 7 thereof," approved March 5, 1903," approved May 26, 1921, relating to containers.

ARTHUR A. OHNIMUS, Chief Clerk.
By A. W. ENGELKE, Assistant Clerk.

Also:

ASSEMBLY CHAMBER, SACRAMENTO, May 15, 1931.

MR. PRESIDENT: I am directed to inform your honorable body that the Assembly on this day concurred in Senate amendments to Assembly Bill No. 1314—An act amending section 7 of an act entitled "An act providing for the formation, government and operation of harbor districts for the improvement or development of harbors, the calling and conducting of elections in such districts, the issuance and disposal of the bonds thereof, and the assessment and levy of taxes for the payment of such bonds, principal and interest, and for the ordinary expenses of such districts";

Also: Assembly Bill No. 1931—An act to amend sections 3897 and 3897a of the Political Code, and to add a new section thereto to be numbered 3897b, relating to the termination of the right of redemption of tax deeded lands, the disposition thereof and the sale by the State of tax deeded property for a public purpose;

Also: Assembly Bill No. 350—An act to amend section 602 of the Code of Civil Procedure, relating to challenges of jurors for cause;

Also: Assembly Bill No. 1959—An act to add sections 718c, 718d and 718e to the Civil Code, relating to leasing of municipal property.

ARTHUR A. OHNIMUS, Chief Clerk.
By A. W. ENGELKE, Assistant Clerk.

REPORTS OF STANDING COMMITTEES—RESUMED.

The following reports of standing committees were received and read:

ON ENGROSSMENT, ENROLLMENT AND PRINTING.

SENATE CHAMBER, SACRAMENTO, May 15, 1931.

MR. PRESIDENT: Your Committee on Engrossment, Enrollment and Printing has examined Senate Bill No. 560—An act to amend sections 15 and 15a of the "Juvenile Court Law," relating to persons free from parental control and citations to be served in proceedings under the act—and reports that the same has been correctly enrolled, and presented to the Governor on the fifteenth day of May, at three o'clock p.m.

RILEY, Chairman.

Also:

MR. PRESIDENT: Your Committee on Engrossment, Enrollment and Printing has examined Senate Bill No. 812—An act to amend section 3489 of, and to add section 3489b to the Political Code, relating to the reorganization of, and the inclusion of lands in, swamp land or reclamation districts;

Also: Senate Bill No. 808—An act to amend sections 1094 and 1096 of the Political Code, relating to elections;

Also: Senate Bill No. 881—An act to amend section 4273 of the Political Code, relating to compensation of county and township officers in counties of the forty-fourth class;

Also: Senate Bill No. 939—An act to add a new section to the Political Code to be numbered 695, relating to a Bureau of Publications and Documents in the Department of Finance;

And reports that the same have been correctly enrolled and presented to the Governor on the fifteenth day of May, at three o'clock p.m.

RILEY, Chairman.

Also:

MR. PRESIDENT: Your Committee on Engrossment, Enrollment and Printing has examined Senate Bill No. 689—An act to add a new section to the Political Code to be numbered 3480c, providing, under the supervision of the State Reclamation Board for the formulation and carrying out of the plans to reorganize, refund and adjust the finances and obligations of reclamation districts;

Also: Senate Bill No. 702—An act to repeal chapter 353, Statutes of 1913, entitled "An act to define investment companies, investment brokers, and agents; to provide for the regulation, supervision and licensing thereof; to provide penalties for the violation thereof; to create the office of Commissioner of Corporations, and making an appropriation therefor," approved May 28, 1913;

Also: Senate Bill No. 740—An act to amend section 4253 and to repeal section 4252a of the Political Code, relating to compensation of county and township officers in counties of the twenty-fourth class;

Also: Senate Bill No. 759—An act to amend section 71 of an act entitled "An act to provide for the organization of the Railroad Commission, to define the powers and duties and the rights, remedies, powers and duties of public utilities and their officers, and the rights and remedies of patrons of public utilities, and to provide penalties for offenses by public utilities, their officers, agents and employees and by other persons and corporations, creating the 'Railroad Commission Fund' and appropriating the moneys therein to carry out the provisions of this act, and repealing title XV of part IV of division I of the Civil Code and all acts and parts of acts inconsistent with the provisions of this act," approved April 23, 1915, as amended; And reports that the same have been correctly enrolled, and presented to the Governor on the fifteenth day of May, at three o'clock p.m.

RILEY, Chairman.

Also:

MR. PRESIDENT: Your Committee on Engrossment, Enrollment and Printing has examined Senate Bill No. 187—An act to fix the fees to be paid to referees, appraisers or commissioners appointed by the court in condemnation proceedings;

Also: Senate Bill No. 227—An act to amend section 1188 of the Political Code, relating to independent nominations;

Also: Senate Bill No. 308—An act to provide for the formation, management and dissolution of county fire protection districts composed of lands within one or more counties and annexations to such districts; to set forth the powers of such districts and to provide for levying and collecting taxes on property in such districts to defray the expenses thereof;

Also: Senate Bill No. 329—An act to revise the title and to amend sections 2, 3, 4, 5, 6, and 9 of chapter 847, Statutes of 1927, known as the California Apiary Inspection Act, approved May 31, 1927, as amended, relating to the regulation of apiaries;

Also: Senate Bill No. 359—An act to amend sections 1, 2, 3, 5 and 14 of chapter 216, Statutes of 1929, entitled "An act to regulate the sale, possession, distribution and use of habit forming narcotic and other dangerous drugs and substances, and providing penalties for the violation thereof," relating to narcotic drugs;

And reports that the same have been correctly enrolled, and presented to the Governor on the fifteenth day of May, at three o'clock p.m.

RILEY, Chairman.

Also:

MR. PRESIDENT: Your Committee on Engrossment, Enrollment and Printing has examined Senate Bill No. 387—An act to amend sections 1357, 1358, 1359, 1360, 1361 and 1362 of the Political Code, relating to absent voters;

Also: Senate Bill No. 417—An act to amend section 4 of chapter 378 of the Statutes of 1915, entitled "An act to provide a central bureau for the preservation of records of marriages, births, and deaths, and to provide for the registration of all births and deaths, the establishment of registration districts under the superintendence of the State Bureau of Vital Statistics; the issuance and registration of burial and disinterment permits and certificates of births and deaths; the appointment of State and local registrars of vital statistics; to prescribe the powers and duties of registrars, coroners, physicians, undertakers, sextons, and other persons in relation to such registration and to fix penalties for violation of this act; to create the officers of State and local registrars of vital statistics, to provide for the salary and fees of same; to repeal all acts and parts of acts in conflict herewith," approved May 19, 1915, as amended, relating to who shall be ex officio local registrars;

Also: Senate Bill No. 448—An act to amend section 1142 of the Political Code, relating to boards of election, appointment and duties of election officers;

Also: Senate Bill No. 549—An act to add three new sections to be numbered 2a, 11a, and 13a to chapter 267, Statutes of 1923, entitled "An act to regulate and license the business of producing, refining or distributing gasoline, distillate and other motor vehicle fuels, providing for the collection and disposition of license taxes, prescribing penalties for violation of the provisions of said act, and repealing all acts and parts of acts inconsistent herewith," approved May 30, 1923, as amended, relating to the license taxes of unauthorized distributors and revolving funds for the State Board of Equalization and the Department of Public Works, Division of Highways, and relating also to the refund provisions of the act;

And reports that the same have been correctly enrolled, and presented to the Governor on the fifteenth day of May, at three o'clock p.m.

RILEY, Chairman.

Also:

MR. PRESIDENT: Your Committee on Engrossment, Enrollment and Printing has examined Senate Bill No. 566—An act to amend section 537 of the Civil Code, relating to liability for damage done fixtures and cables of a telegraph, telephone or electric power corporation and fixtures and pipe lines of a gas corporation;

Also: Senate Bill No. 577—An act defining the obligations of any person, company, association or corporation owning or operating any street or interurban railroad or railway track or tracks upon public highways, roads, streets, avenues, boulevards, lanes, alleys, courts, places, public ways, or other property or rights of way of the public in connection with paving, repaving, repairing, macadamizing, remacadamizing or otherwise improving thereof; requiring any such person, company, association or corporation to restore pavements disturbed by it and to put its track and track structures in good operating condition; superseding all acts inconsistent therewith and repealing all other acts and parts of acts in conflict therewith;

Also: Senate Bill No. 584—An act to amend sections 2, 3, 4, 5, 6, 7, 8, 9, 10, 12, 12a, 13, 14, 15, 16, 18, 19, 20, 21, and to add a new section to be numbered 24 to chapter 845, Statutes 1927, "An act to regulate the occupations and practices of hairdressers and cosmeticians, cosmetologists, and the branches of cosmetology; to create the State Board of Cosmetology, and to provide for the issuance by said board of certificates of registration and licenses entitling the holders thereof to engage in and to teach such occupations and practices; to insure the better education of hairdressers and cosmeticians; to provide for rules regulating the proper conduct and sanitation of cosmetological establishments, schools of cosmetology, and places where the occupations of hairdressers and cosmeticians are practiced; prescribing penalties for the violation of the provisions of this act," approved by the Governor, May 31, 1927;

And reports that the same have been correctly enrolled, and presented to the Governor on the fifteenth day of May, at three o'clock p.m.

RILEY, Chairman.

Also:

MR. PRESIDENT: Your Committee on Engrossment, Enrollment and Printing has examined Senate Bill No. 731—An act defining cemetery and the various words and terms used in connection therewith, providing for the permanency of cemeteries by limiting their operation to corporations of unlimited existence, authorizing the operation of cemeteries for or without profit, prohibiting crematories without provision for completing final interment of the cremated remains, providing for the acquisition of cemetery property, the dedication thereof to cemetery purposes, declaring dedication supreme until removed by decree of court, exempting dedicated cemetery property from condemnation and from public improvement assessment, declaring liens subject to dedication, providing for the sale of dedicated cemetery property for interment purposes, authorizing its sale subject to conditions and restrictions imposed by owner, defining the property rights of plot owners and the alienable and inalienable character of burial plots, providing for joint ownership and joint ownership representation, authorizing the establishing and enforcing of rules and regulations for cemetery government, authorizing perpetual care and the establishment of irreducible perpetual care funds, providing how perpetual care shall be administered, providing how and in what securities perpetual care funds shall be invested, authorizing the sale through court proceeding of surplus land and other space in cemeteries without perpetual care for purpose of providing a perpetual care fund therefor, authorizing special care of cemetery property and the administration of funds contributed therefor, specifying upon whom the right to control the disposition of remains and the duty of interring devolves, authorizing the payment for burial plot and memorial out of estate, requiring records to be made and kept of the final disposition of all remains and of all removals thereof, prohibiting vandalism and prescribing punishment therefor, providing method for removal of dedication through court proceedings, conferring police power upon sextons and superintendents, making sales under misrepresentations a misdemeanor, recognizing and adopting by reference that certain legislative act relating to abandonment of cemeteries and parts thereof, approved June 5, 1923.

and amendment thereto, exempting certain religious, community and public cemeteries from operation of act, defining scope of act, repealing the Rural Cemetery Corporation Act adopted in 1859, and all acts amendatory and supplementary thereof, repealing sections 608, 609, 610, 611, 612, 613, 614, 615, 616 and 617 of the Civil Code, repealing sections 292, 294 and 296 of the Penal Code, repealing all acts and parts of acts in conflict therewith, and declaring the constitutionality of the act and all parts thereof—and reports that the same has been correctly enrolled, and presented to the Governor on the fifteenth day of May, at three o'clock p.m.

RILEY, Chairman.

Also:

MR. PRESIDENT: Your Committee on Engrossment, Enrollment and Printing has examined Senate Bill No. 760—An act to amend chapter 586 of the Statutes of 1913, known as the "Water Commission Act," approved June 16, 1913, as amended, by amending section 36f thereof, relating to the adjudication of appropriative water rights and by adding thereto a new section to be numbered 36g, relating to modification of court decrees as to quantities of water awarded;

Also: Senate Bill No. 932—An act to amend section 452c of the Civil Code, relating to mutual benefit and life associations, minimum membership thereof, time in which such membership shall be obtained, notification of commissioner in event membership falls below minimum, disposition of association in event of failure to obtain membership within required time limit, and time limit within which corporations organized under the provisions of chapter IV, title II, part IV, division I of the Civil Code shall obtain and maintain required minimum membership;

Also: Senate Bill No. 933—An act to amend sections 4041.5, 4041.6 and 4041.21 of the Political Code, relating to the powers of boards of supervisors;

Also: Senate Bill No. 937—An act to amend section 1980 of the Civil Code, relating to contracts for personal service;

Also: Senate Bill No. 946—An act to amend section 141½ of the "California Vehicle Act," approved May 30, 1923, relating to liability of an owner or driver or person responsible for the operation of a vehicle, for the injury or death of a guest;

And reports that the same have been correctly enrolled, and presented to the Governor on the fifteenth day of May, at three o'clock p.m.

RILEY, Chairman.

Also:

MR. PRESIDENT: Your Committee on Engrossment, Enrollment and Printing has examined Senate Bill No. 53—An act relating to the liability in damages of officers of municipalities, counties, cities and counties, school districts, and the State of California, in the case of injuries to persons or property resulting from the defective or dangerous condition of public streets, highways, bridges, buildings, works or property, and alleged to be due to the negligence or carelessness of such officers; prescribing the duties of claimants in such cases, and authorizing the State and such public or quasi public corporations to take out and pay for insurance to protect their officers against such liability;

Also: Senate Bill No. 239—An act to repeal sections 2.1197 and 2.1198 of the School Code, and to amend section 2.961 thereof, relating to the appointments of trustees by superintendents of schools of counties to fill vacancies in school district governing boards;

Also: Senate Bill No. 241—An act to repeal sections 3.120 and 3.121 of the School Code, relating to the admission of children to kindergarten;

Also: Senate Bill No. 242—An act to amend section 3.331 of the School Code, relative to the payment of tuition and transportation of high school pupils attending high school in an adjoining state;

Also: Senate Bill No. 243—An act to amend section 3.339 of the School Code, relating to the transportation of high school pupils;

Also: Senate Bill No. 244—An act to repeal section 3.637 of the School Code, relating to the admission of deaf children to schools established for the deaf;

And reports that the same have been correctly enrolled, and presented to the Governor on the fifteenth day of May, at three o'clock p.m.

RILEY, Chairman.

Also:

MR. PRESIDENT: Your Committee on Engrossment, Enrollment and Printing has examined Senate Bill No. 245—An act to amend section 2.1152 of the School Code, relating to the organization of junior college district governing boards;

Also: Senate Bill No. 248—An act to amend section 2.101 of the School Code, relating to petitions for the changing of school district boundaries;

Also: Senate Bill No. 372—An act to add a new section to the Political Code, to be numbered 4041.24a, relating to the withdrawal of county records;

Also: Senate Bill No. 641—An act to amend section 197 of the Penal Code, defining justifiable homicide;

Also: Senate Bill No. 642—An act to amend section 2 of chapter 339, Statutes of 1923, entitled "An act to control and regulate the possession, sale and use of persons, pistols and other firearms capable of being concealed upon the person; to prohibit the manufacture, sale, possession or carrying of certain other dangerous weapons within this State; to provide for registering all sales of pistols, revolvers or other firearms capable of being concealed upon the person; to prohibit the carrying of concealed firearms except by lawfully authorized persons; to provide for the construction and shipment of such weapons in certain cases; to prohibit the ownership, use, or possession of any of such weapons by certain classes of persons; to prescribe penalties for violation of this act and increased penalties for repeated violations hereof; to authorize, in proper cases, the granting of licenses or permits to carry firearms concealed upon the person; to provide for licensing retail dealers in such firearms and regulating sales thereunder; and to repeal chapter 145 of California Statutes of 1917, relating to the same subject," relating to penalties for violations of this act.

And reports that the same have been correctly enrolled, and presented to the Governor on the fifteenth day of May, at three o'clock p.m.

RILEY, Chairman.

Also:

MR. PRESIDENT: Your Committee on Engrossment, Enrollment and Printing has examined Senate Bill No. 684—An act to add a new section to the Penal Code to be numbered 53764, relating to the defrauding of owners of automobiles:

Also: Senate Bill No. 688—An act to amend section 35 of an act entitled "An act to provide for the organization and government of drainage districts, for the drainage of agricultural lands other than swamp and overflowed lands, and to provide for the acquisition or construction thereby of works for the drainage of the lands contained within such districts," approved March 20, 1903, as amended, and relating to refunding bonds of such districts:

Also: Senate Bill No. 827—An act to amend section 4.730 of the School Code, and to repeal sections 4.731 and 4.732, relating to the duty of the Superintendent of Public Instruction to make certain reports to the State Controller;

Also: Senate Bill No. 830—An act to amend the title of article VI of chapter I of part IV of division V of the School Code and to amend sections 4.750 and 4.751 thereof, relating to the average daily attendance in school district;

Also: Senate Bill No. 832—An act to amend sections 4.871, 4.872, 4.873, 4.874, 4.875, 4.890, 4.891, 4.892, 4.893, 4.894, 4.895 and 4.896, of the School Code and to repeal sections 4.876, 4.897, 4.899, 4.900, 4.921, 4.925, 4.926 and 4.927 thereof, relating to the apportionment of State and county funds to high school districts; And reports that the same have been correctly enrolled, and presented to the Governor on the fifteenth day of May, at three o'clock p.m.

RILEY, Chairman.

Also:

MR. PRESIDENT: Your Committee on Engrossment, Enrollment and Printing has examined Senate Bill No. 840—An act to amend section 4 of chapter 277 of the Statutes of 1907, entitled "An act to create a fund to be known as the United States Forest Reserve Fund and to provide for the payment out of such fund to the treasurers of the several counties entitled thereto of certain moneys received from the government of the United States, and also to regulate the manner of expenditure by the counties of the moneys so paid," approved March 18, 1907, as amended, relating to the apportionment of moneys received by counties from the United States Forest Reserve Fund:

Also: Senate Bill No. 861—An act to amend section 1265 of the Political Code, relating to compensation of county and township officers in counties of the thirty-sixth class:

Also: Senate Bill No. 828—An act to amend section 4.741 of the School Code, relating to the determination of the units of average daily attendance in schools closed by boards of health or public disaster:

Also: Senate Bill No. 947—An act to amend section 1510 of the Penal Code relating to the duties of the coroner:

Also: Senate Bill No. 950—An act to amend article IX of chapter I of part III of division IV of the School Code, embracing sections 4.380 to 4.384, inclusive, and to repeal chapter 709, Statutes of 1929, all relating to financial reports of school districts:

And reports that the same have been correctly enrolled, and presented to the Governor on the fifteenth day of May, at three o'clock p.m.

RILEY, Chairman.

Also:

MR. PRESIDENT: Your Committee on Engrossment, Enrollment and Printing has examined Senate Bill No. 561—An act to amend section 204 of the Code of Civil Procedure, relating to jury lists:

Also: Senate Bill No. 507—An act to amend section 626 of the Penal Code, relating to the protection of game;

Also: Senate Bill No. 711—An act to amend section 2322x10 of the Political Code, relating to the office of agricultural commissioner in counties of the tenth class;

Also: Senate Bill No. 712—An act to amend section 19x10 of the Juvenile Court Law, relating to probation officers in counties of the tenth class;

Also: Senate Bill No. 732—An act to amend sections 2, 3, 4, 6, 7, 8, 9, 10, 11 and 12 of, and to add new sections numbered 9a and 10a, to chapter 791, Statutes of 1929, entitled "An act providing for the registration of contractors, and defining the term contractors; providing the method of obtaining licenses to engage in the business of contracting, and fixing the fees for such licenses; providing the method of suspension and cancellation of such licenses; and prescribing the punishment for violation of the provisions of this act," approved June 13, 1929, relating to the powers and duties of the Registrar of Contractors and proceedings for revocation of licenses;

And reports that the same have been correctly enrolled, and presented to the Governor on the fifteenth day of May, at three o'clock p.m.

RILEY, Chairman.

Also:

MR. PRESIDENT: Your Committee on Engrossment, Enrollment and Printing has examined Senate Bill No. 737—An act to amend section 2322x24 of the Political Code, relating to the office of agricultural commissioner in counties of the twenty-fourth class;

Also: Senate Bill No. 739—An act to amend section 16x24 of the Weights and Measures Act, relating to sealers of weights and measures in counties of the twenty-fourth class;

Also: Senate Bill No. 752—An act to amend section 626c of the Penal Code, relating to the protection of game;

Also: Senate Bill No. 780—An act to amend section 2322x14 of the Political Code, relating to the office of agricultural commissioner in counties of the fourteenth class;

Also: Senate Bill No. 869—An act to amend section 2322x27 of the Political Code, relating to the office of agricultural commissioner in counties of the twenty-seventh class;

And reports that the same have been correctly enrolled, and presented to the Governor on the fifteenth day of May, at three o'clock p.m.

RILEY, Chairman.

Also:

MR. PRESIDENT: Your Committee on Engrossment, Enrollment and Printing has examined Senate Bill No. 874—An act to amend section 2322x38 of the Political Code, relating to the office of agricultural commissioner in counties of the thirty-eighth class;

Also: Senate Bill No. 876—An act to add section 9a38 to the act entitled "An act to provide for the establishment and maintenance of county free libraries in the State of California, and repealing 'An act entitled "An act to provide county library systems," approved April 12, 1909, and all acts and parts of acts in conflict with this act,'" approved February 25, 1911, as amended, relating to librarians in counties of the thirty-eighth class;

Also: Senate Bill No. 877—An act to amend section 4267 of the Political Code, relating to compensation of county and township officers in counties of the thirty-eighth class;

Also: Senate Bill No. 878—An act to amend section 16x38 of the "Weights and Measures Act," relating to sealers of weights and measures in counties of the thirty-eighth class;

Also: Senate Bill No. 880—An act to amend section 2322x44 of the Political Code, relating to the office of agricultural commissioner in counties of the forty-fourth class;

And reports that the same have been correctly enrolled, and presented to the Governor on the fifteenth day of May, at three o'clock p.m.

RILEY, Chairman.

Also:

MR. PRESIDENT: Your Committee on Engrossment, Enrollment and Printing has examined Senate Bill No. 882—An act to amend section 19x44 of the Juvenile Court Law, relating to probation officers in counties of the forty-fourth class;

Also: Senate Bill No. 883—An act to amend section 16x44 of the Weights and Measures act, relating to sealers of weights and measures in counties of the forty-fourth class;

Also: Senate Bill No. 884—An act to amend section 19x42 of the Juvenile Court Law, relating to probation officers in counties of the forty-second class;

Also: Senate Bill No. 885—An act to amend section 2322¹/₂ of the Political Code, relating to the office of agricultural commissioner in counties of the forty-second class;

Also: Senate Bill No. 886—An act to amend section 16¹/₂ of the "Weights and Measures Act," relating to sealers of weights and measures in counties of the forty-second class;

Also: Senate Bill No. 887—An act to amend section 4271 and to repeal section 4267^a of the Political Code, relating to compensation of county and township officers in counties of the forty-second class;

And reports that the same have been correctly enrolled, and presented to the Governor on the fifteenth day of May, at three o'clock p.m.

RILEY, Chairman.

Also:

MR. PRESIDENT: Your Committee on Engrassment, Enrollment and Printing has examined Senate Bill No. 890—An act to amend section 626^m of the Penal Code, relating to hunting and fishing at night—and reports that the same has been correctly enrolled, and presented to the Governor on the fifteenth day of May, at three o'clock p.m.

RILEY, Chairman.

Also:

MR. PRESIDENT: Your Committee on Engrassment, Enrollment and Printing has examined Senate Bill No. 15—An act to amend sections 737^z and 737ⁿ of the Political Code, relating to salary of the judge of the superior court in and for the counties of Mono and Inyo;

Also: Senate Bill No. 26—An act to provide for the payment of not less than the general prevailing rate of wages on public works, and not less than the general prevailing rate of wages for legal holiday and overtime work on public works, providing for the ascertainment of such general prevailing rate by the public body awarding the contract and its insertion in the contract and call for bids for the contract, providing for the keeping of records of the wages paid all workers engaged in public work and the inspection of such records by the proper public officials, providing for a forfeiture for each calendar day, or portion thereof, any worker is paid less than the said rate and for a stipulation to this effect in the contract, and providing other penalties for violation of the provisions thereof;

Also: Senate Bill No. 41—An act appropriating money to pay the claim of Joseph E. Painter against the State of California;

Also: Senate Bill No. 54—An act to amend section 11 of chapter 247, Statutes of 1913, entitled "An act to provide for the acquisition, installation, construction, reconstruction, extension, repair and maintenance by municipalities of water works, electric power works, gas works, lighting works, and other public works and utilities; for the assessment of the cost and expenses thereof upon the property benefited; and for the issuance of improvement bonds to represent such assessments, and to repeal an act entitled 'An act to provide for the lighting of public streets, lanes, alleys, courts and places in municipalities, and for the assessment of the costs and expenses thereof upon the property benefited thereby,' approved March 21, 1905," approved June 6, 1913, relating to redemption of property sold; And reports that the same have been correctly enrolled, and presented to the Governor on the fifteenth day of May, at three o'clock and ten minutes p.m.

RILEY, Chairman.

Also:

MR. PRESIDENT: Your Committee on Engrassment, Enrollment and Printing has examined Senate Bill No. 129—An act to repeal title I and title II of part IV of division III of the Civil Code; to repeal sections 1083, 1136, 1140, 1141, 1142, 3049, 3078, 3079, 3080, 3308, 3309, 3310, 3311, 3312, 3313, and 3314 of said code; to amend sections 1135, 1612, 1613, 1624, 1689, and 3387 of said code; to add a new title I of part IV of division III of said code in place thereof consisting of sections 1721 to 1800, both inclusive; and to add a new section to said code to be known as section 1624^a, all relating to sale of goods; to amend section 36 of said code relating to disaffirmance by minor; to amend section 658 of said code relating to real property; to amend section 660 of said code relating to fixtures; to add a new section to said code to be known as section 35^a, relating to minors, and to make the law of sale of goods in the State of California uniform with the law of other states;

Also: Senate Bill No. 137—An act to amend section 157 of the Code of Civil Procedure, relating to the qualifications of judges of the superior court;

Also: Senate Bill No. 236—An act to repeal section 1.13 of the School Code, relating to the attendance of Indian children upon public schools;

Also: Senate Bill No. 259—An act to amend the title and sections 2, 3, 4, and 6 of an act entitled "An act creating a commission to codify, consolidate, revise or compile the Statutes of California and to report thereon to the Legislature at the forty-ninth session thereof," approved June 10, 1929, further defining the powers and duties of the California Code Commission and making an appropriation therefor;

Also: Senate Bill 373—An act to amend section 4 of an act entitled "An act to define collection agencies; to provide for the regulation, bonding, supervision and licensing thereof; to provide for the enforcement of said act and penalties for violation thereof," approved May 14, 1927, as amended;

And reports that the same have been correctly enrolled, and presented to the Governor on the fifteenth day of May, at three o'clock p.m.

RILEY, Chairman.

Also:

MR. PRESIDENT: Your Committee on Engrossment, Enrollment and Printing has examined Senate Bill No. 384—An act to repeal articles I, II, III, IV, V and IX, embracing respectively, sections 2.670 to 2.674, both inclusive, of the School Code; sections 2.680 to 2.684, both inclusive, sections 2.690 to 2.693, both inclusive, sections 2.700 to 2.710, both inclusive, sections 2.720 to 2.728, both inclusive, section 2.760, all of chapter XI of part I of division II of the School Code; to repeal article II, embracing sections 2.1130 to 2.1133, both inclusive, of chapter V of part II of division II of the School Code; to repeal sections 2, 3, and 4 of chapter 433 of the Statutes of 1929, entitled "An act relating to the formation, suspension and support of junior college districts and the powers of governing boards thereof," approved May 23, 1929; to repeal chapter 194 of the Statutes of 1929, entitled "An act relating to the governing boards of union, joint union, county and joint county junior college districts," approved April 30, 1929; to repeal article II, embracing sections 3.370 to 3.375, both inclusive, of chapter VI of part III of division III of the School Code; to repeal article VIII, embracing sections 2.750 to 2.753, both inclusive, of chapter XI of part I of division II of the School Code; to add new articles to chapter XI of part I of division II of the School Code to be known as articles I, II, and IX, embracing respectively sections 2.670 to 2.677, both inclusive; sections 2.680 to 2.689, both inclusive; section 2.760; to add a new article to chapter V of part II of division II of the School Code to be known as article II, embracing sections 2.1130 and 2.1131; to add new sections to the School Code to be numbered 4.943 and 4.944; and to amend sections 2.740, 2.741, 2.742, 2.1121, 2.1140, 2.1150, 2.1160, 2.1170, 4.941 and 4.942, all relating to the formation, suspension, reestablishment, lapsation, government and support of junior college districts;

Also: Senate Bill No. 390—An act to amend section 1203 of the Penal Code, relating to probation of persons arrested for crime, after plea or verdict of guilty and the suspending of the imposition or execution of sentence during the term of probation or the imposition of jail sentence or fine or both or other conditions to fit the crime in connection with probation, and the disposition of such accusation after full compliance with the terms of probation and providing for the creation of offices of adult probation officer, assistant adult probation officer and deputy adult probation officer and fixing their compensation and duties and providing for adult probation boards in said counties and cities and counties;

And reports that the same have been correctly enrolled, and presented to the Governor on the fifteenth day of May, at three o'clock p.m.

RILEY, Chairman.

Also:

MR. PRESIDENT: Your Committee on Engrossment, Enrollment and Printing has examined Senate Bill No. 478—An act to amend section 1161a of the Code of Civil Procedure, relating to recovery of possession of real property;

Also: Senate Bill No. 520—An act to amend section 5 of chapter 845, Statutes of 1929, entitled "An act to establish salesrooms and industrial workshops for the blind, providing for the management, government and administration thereof, and making an appropriation for the establishment of a revolving fund therefor," relating to the Industrial Workshop Revolving Fund;

Also: Senate Bill No. 578—An act to amend the title of and to revise that certain act entitled "An act providing for the creation, organization and government of joint highway districts composed of two or more counties of the State of California," approved April 5, 1917, as amended;

Also: Senate Bill No. 605—An act to amend section 1329 of the Penal Code, relating to fees of witnesses when from without the county, or without the State of California;

Also: Senate Bill No. 644—An act to amend section 182 of the Penal Code, relating to criminal conspiracy, compelling witnesses to give evidence respecting the same and exempting them from punishment for any crime with respect to which said evidence was given;

And reports that the same have been correctly enrolled, and presented to the Governor on the fifteenth day of May, at three o'clock p.m.

RILEY, Chairman.

Also:

MR. PRESIDENT: Your Committee on Engrossment, Enrollment and Printing has examined Senate Bill No. 829—An act to amend section 4.280 of the School Code, relating to the powers and duties of governing boards of school districts;

Also: Senate Bill No. 851—An act to amend sections 4360, 4361, 4362, 4363, 4364, 4372 and 4410 of the School Code, and to add thereto new sections to be numbered 4371, 4373 and 4376, to repeal chapter IV, embracing sections 4460 to 4501, both inclusive, chapter V, embracing sections 4510 to 4520, both inclusive, chapter VI, embracing sections 4530 to 4582, and chapter chapter VII, embracing sections 4590 to 4626, both inclusive, of part III of division IV of the School Code; to repeal section 4441 and sections 4450 to 4455, both inclusive, of the School Code; to repeal chapter 397 of the Statutes of 1929 entitled "An act relating to maximum rates of tax for school district purposes," approved May 22, 1929, and to repeal chapter 282 of the Statutes of 1929 entitled "An act providing for the use of kindergarten funds for building, furnishing and equipping buildings for the accommodation of three-year-olds," approved May 14, 1929.

Also: Senate Bill No. 952—An act to amend section 1228 of the Penal Code, relating to capital punishment;

Also: Senate Bill No. 962—An act to provide for the organization, government, powers and functions of flood control and flood water conservation districts;

And reports that the same have been correctly enrolled, and presented to the Governor on the fifteenth day of May, at three o'clock p.m.

RILEY, Chairman

REPORT OF COMMITTEE ON FREE CONFERENCE

The following report of Committee on Free Conference was received and read:

SENATE CHAMBER, SACRAMENTO, MAY 15, 1931

MR. PRESIDENT: Your Committee on Free Conference concerning Assembly Bill No. 476—An act to provide for the salaries and expenses of the Building and Loan Commissioner, his attorney, deputies, examiners, accountants, appraisers and other assistants; to provide for the disposition of moneys in the "Building and Loan Inspection Fund" created by chapter 354 of the Statutes of 1911, as amended; and of moneys collected under the Building and Loan Association Act; and otherwise relating to the Building and Loan Commissioner, his assistants and employees, and to the regulation of building and loan associations—reports that it has met a like committee of the Assembly, consisting of Assemblymen Golden, Patterson and Reindollar, and reports that the Committee on Free Conference has agreed to recommend the following: That the Assembly concur in the Senate amendments.

RICH,
JONES,
EDWARDS.

Senate Committee on Free Conference.

REINDOLLAR,
GOLDEN,
PATTERSON.

Assembly Committee on Free Conference.

The question being on the adoption of the report:

The roll was called, and the report of the Committee on Free Conference adopted by the following vote:

AYES—Senators Allen, Baker, Breed, Bush, Carter, Cassidy, Christian, Cleveland, Clock, Crittenden, Denel, Edwards, Evans, Fellom, Harper, Hays, Ingels, Maloney, McKinnis, Murray, Nelson, Nelson, R. L., Rose, Senators, Senator, Shatt, Tolson, W. L., and W. L., 30.

NOTES: None.

CONSIDERATION OF DAY 1111

THIRD READING OF ASSEMBLY BILLS—(RESUMED).

Assembly Bill No. 1311—An act to amend sections 1103, 1105, 1106 of the Political Code, relating to registration of electors and conduct of elections.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Assembly Bill No. 1311 passed by the following vote:

AYES—Senators Allen, Baker, Breed, Bush, Carter, Cassidy, Christian, Cleveland, Clock, Crittenden, Denel, Edwards, Evans, Fellom, Harper, Hays, Ingels, Inman,

Jones, Maloney, McCormack, McKinley, Mixer, Moran, Nelson, Rich, Riley, Rochester, Sharkey, Slater, Treacy, Tubbs, Waggy, and Williams—24.
 NOES—None.

Title read and approved.

Bill ordered transmitted to the Assembly.

COMMUNICATION.

The following communication was received, and ordered printed in the Journal:

By Senator Sharkey:

Report of the Joint Committee on Oil Industries of the Senate and Assembly in Reference to the Investigation of the Oil Industry.

The Joint Committee on Oil Industries of the Senate and Assembly has concluded the investigation of the oil industry in California and after consideration of the statements of the various representatives of the companies who appeared before it submits herewith its findings and recommendations.

The hearing was held in the Senate Chamber on the eighteenth day of March, 1931, beginning at the hour of eight o'clock and ten minutes p.m., pursuant to the following resolution:

WHEREAS, This committee has received reports of violent fluctuations in the sale price of gasoline, evidencing a disturbed condition in the gasoline market; and

WHEREAS, The records of the State of California indicate large delinquencies by many distributors in the payment of the gasoline tax imposed by the State of California upon distributors; now, therefore, be it

Resolved, That this committee do and it hereby does institute an investigation of the matters hereinabove set forth with a view of determining the connection between the same, if any, or other causes, so far as they may be determined, and of recommending such legislation as may seem desirable; be it further

Resolved, That the chairman of this committee summon such officials of the various gasoline distributing companies in the State of California as may in his judgment seem desirable and fix the time and place of meeting; be it further

Resolved, That this committee request the Committee on Oil Industries of the Assembly of the State of California to sit with this committee in all proceedings hereunder.

Your chairmen had sent notices to the various oil companies operating in California and had requested that they appear before the joint committee and give testimony. Members of the joint committee present at the hearing were as follows:

Senate Committee on Oil Industries: Senator Sharkey, chairman; Senators Clock, Duval, Edwards, Harper, Maloney, Moran, Waggy.

Assembly Committee on Oil Industries: Assemblyman Oliva, chairman; Assemblymen Craig, Easley, Emmett, Morrison, Parkman, Patterson, Scudder, Wilber.

The following persons named in the order of their appearance made statements and were interrogated by members of the joint committee:

A. L. Weil, chairman of the public relations committee of the California Oil and Gas Association, attorney for the General Petroleum Corporation of California, and other companies.

L. P. St. Clair, president, Union Oil Company of California.

J. A. Brown, president, General Petroleum Corporation of California.

C. E. Olmstead, vice president and general manager of the Texas Company.

G. E. Kennedy, director of sales of the Standard Oil Company of California.

L. D. Jurs, vice president of the Associated Oil Company.

A. R. Bradley, of the Shell Oil Company.

George M. Spicer, attorney for the Ramsey Petroleum Corporation, and other oil companies.

George Macris, representing the Wilshire Oil Company, Incorporated, The Ambassador Petroleum Company, the Bandini Petroleum Company, The Commodore Petroleum Company, The Wilshire Annex Oil Company, and the Reliance Oil Company.

C. R. McColum, representing the receiver of the Richfield Oil Company and the Pacific Western Oil Company.

Assemblyman Jespersen.

John R. Elliott, representing the Thompson Petroleum Company and affiliated companies, and vice president of the Independent Petroleum Association of California.

Robert M. Pease, representing the Independent Petroleum Association.

Daniel W. Pauley, the Petrol Corporation.

H. L. Donegan, representing the Rio Grande Oil Company.

Also:

MR. PRESIDENT: Your Committee on Conservation, to which was referred Assembly Bill No. 314—An act to dissolve Reclamation District No. 798, of Santa Barbara County, California:

Also: Assembly Bill No. 773—An act to amend section 1 of chapter 286, Statutes of 1927, entitled "An act authorizing the Department of Finance to appropriate waters in connection with the utilization and conservation of the water resources of the State in the development of a general or coordinated plan; authorizing the State Department of Finance to release or assign such appropriations; authorizing the State Department of Finance to request other departments of the State or State officers to furnish service or assistance to make investigations in connection with the development of a general or coordinated plan for the utilization or conservation of the water resources of the State," approved April 29, 1927; Has had the same under consideration, and respectfully reports the same back without recommendation.

Committee membership—7.

EVANS, Chairman.

Also:

MR. PRESIDENT: Your Committee on Conservation, to which was referred Senate Bill No. 170—An act to amend sections 1, 2 and 3 of, and to add a new section to be numbered 4½ to chapter 101, Statutes of 1907, entitled "An act to prevent the waste and flow of water from artesian wells, and prescribing penalties therefor, and defining waste and artesian wells," approved March 6, 1907, as amended, relating to prevention of waste of water from artesian wells:

Also: Senate Bill No. 225—An act to add a new section to the Political Code, numbered 4041a, relating to the powers of boards of supervisors to provide for conservation and the prevention of waste of underground waters:

Also: Senate Bill No. 252—An act to amend section 19 of chapter 303, Statutes of 1921, entitled "An act to reserve all minerals in State lands; to provide for examination, classification and report on the mineral and other character of State lands; to provide for the granting of permits and leases to prospect for and take any such minerals; to provide for the rents and royalties to be paid, and granting certain preference rights; to provide for the making of rules, regulations and contracts necessary to carry out the purposes of this act; and repealing acts or parts of acts in conflict herewith; providing for an appropriation to defray the cost of administering this act," approved May 25, 1921, as amended, directing that certain moneys be paid into the Seashore Parks Fund:

Has had the same under consideration, and respectfully reports the same back without recommendation.

Committee membership—7.

EVANS, Chairman.

ON MILITARY AFFAIRS.

SENATE CHAMBER, SACRAMENTO, May 15, 1931.

MR. PRESIDENT: Your Committee on Military Affairs, to which was referred Senate Bill No. 535—An act making an appropriation for the education of children of those who were killed in action or who died from other causes while serving in the armed forces of the United States during the World War, from April 6, 1917, to July 2, 1921, and providing for the expenditure thereof—has had the same under consideration, and respectfully reports the same back without recommendation.

Committee membership—11.

HAYS, Chairman.

ON FEDERAL RELATIONS.

SENATE CHAMBER, SACRAMENTO, May 14, 1931.

MR. PRESIDENT: Your Committee on Federal Relations, to which was referred Senate Joint Resolution No. 2—Relative to memorializing Congress to propose an amendment to the United States constitution repealing the eighteenth amendment;

Also: Senate Joint Resolution No. 8—Relative to the Eagles' Bill for the Stabilization of Employment:

Also: Senate Joint Resolution No. 9—Relative to the desirability of an International Conference to be arranged by the United States for the consideration of the world's silver problem:

Also: Senate Joint Resolution No. 13—Relative to the water project of California and inviting the Committee on Irrigation and Reclamation of the United States Senate to visit California, and inspect and investigate said project;

Has had the same under consideration, and respectfully reports the same back without recommendation.

Committee membership—5.

SCHOTTKY, Chairman.

ON AGRICULTURE AND LIVE STOCK.

SENATE CHAMBER, SACRAMENTO, May 15, 1931.

MR. PRESIDENT: Your Committee on Agriculture and Live Stock, to which was referred Assembly Bill No. 596—An act to regulate the practice of structural pests

control has had the same under consideration, and respectfully reports the same back without recommendation.

Committee membership—13.

DUVAL, Chairman.

ON ROADS AND HIGHWAYS.

SENATE CHAMBER, SACRAMENTO, May 15, 1931.

MR. PRESIDENT: Your Committee on Roads and Highways, to which was referred Senate Bill No. 386—An act to provide that the State highways or State highway system, as established by the laws of the State shall include a portion of those city streets or avenues in municipalities which, by their natural course, form a continuation or connecting link of said highways or system; requiring that such portion be paved, repaired or otherwise improved by the State out of the Motor Vehicle Fuel Fund, or such other funds that may be available; and providing the terms and conditions under which municipalities and the State may cooperate in the work;

Also: Senate Bill No. 431—An act to authorize and direct the Department of Public Works to acquire necessary rights of way and to construct and maintain a right of way, which is hereby declared to constitute and be a State highway, extending from Modesto, in Stanislaus County, to San Jose, in Santa Clara County;

Also: Senate Bill No. 467—An act declaring the public highway extending from Fresno, in Fresno County, to Tracy, in San Joaquin County, and running through Mendota, Dos Palos, Newman and Crows Landing, to Tracy, to be a State highway, and making an appropriation for the survey and acquisition of rights of way of such road;

Also: Senate Bill No. 579—An act to amend section 1 of chapter 228, Statutes of 1923, entitled "An act to provide for the incorporation and organization and management of bridge and highway districts and to provide for the acquisition and construction by said districts of highways, bridges and approaches thereto, and for the acquisition of all property necessary therefor, and also to provide for the issuance and payment of bonds by said districts, for the levying of taxes and the collection of tolls by said districts and for the annexation of additional territory thereto," approved May 15, 1923, as amended;

Also: Senate Bill No. 637—An act providing for the taking over by the State of California of a certain road in the county of Sierra, and declaring the same to be a State highway and for the maintenance and improvement of the same as a State road or State highway, and authorizing the board of supervisors of Sierra County to convey said road to the State of California;

Has had the same under consideration, and respectfully reports the same back without recommendation.

Committee membership—14.

EDWARDS, Chairman.

Also:

MR. PRESIDENT: Your Committee on Roads and Highways, to which was referred Senate Bill No. 923—An act to amend chapter 794, Statutes of 1927, entitled "An act to provide for the acquisition of rights of way for and the construction, maintenance and improvement of State highways, classifying the highways in the State system and allocating and directing the expenditure of funds for the construction, maintenance and improvement of State highways,";

Also: Senate Bill No. 924—An act to amend chapter 794, Statutes of 1927, entitled "An act to provide for the acquisition of rights of way for and the construction, maintenance and improvement of State highways, classifying the highways in the State system and allocating and directing the expenditure of funds for the construction, maintenance and improvement of State highways," approved May 26, 1927;

Also: Senate Bill No. 892—An act declaring the policy of the State of California relative to toll bridges and creating a board to be known as California Toll Bridge Authority and providing for membership thereof and specifying its duties and powers; also authorizing California Toll Bridge Authority to authorize and direct the Department of Public Works of the State of California to build, purchase, condemn or otherwise acquire for and in the name of the State of California toll bridges and other toll highway crossings and approaches thereto across waters, bays, arms of bays, straits, rivers and streams in California, both navigable and unnavigable or across any stream that is a boundary line between California and any other state, and to acquire franchises, rights, privileges, easements or other property, either real or personal, used or to be used in connection with any such bridges; also authorizing the Department of Public Works to make recommendations to the California Toll Bridge Authority relative to the acquisition or construction of any toll bridge or toll highway crossing and to submit preliminary estimates of the cost of such acquisition or construction and the amount of revenue bonds required to be issued for such purpose; also authorizing California Toll Bridge Authority to issue and sell revenue bonds to provide funds for the acquisition or construction of toll bridges or other toll highway crossings secured as to the redemption thereof and the interest thereon only by the tolls or other revenues received from such

bridge or bridges or other highway crossings and to prescribe the terms and conditions of such bonds; also authorizing the issuance and sale of such revenue bonds for the payment of interest during the period of actual construction of such bridge or other highway crossing and for a period of six months thereafter; also providing for the manner in which such bonds shall be issued and signed and the manner of sale and redemption thereof and the payment of interest thereon; also authorizing said California Toll Bridge Authority to charge and fix the rates of toll on such bridges or other highway crossings and regulating the amount thereof; also authorizing the Department of Public Works of the State of California to operate and maintain all such toll bridges or other toll highway crossings and to collect tolls thereon; also authorizing the Department of Public Works to acquire by eminent domain any toll bridge or bridges or other toll highway crossing or approaches thereto, real estate, personal property, franchises, rights, privileges or easements appurtenant thereto or appropriated to a public use by any person, firm or private corporation or otherwise and defining the procedure therefor; also providing that bonds issued and sold by California Toll Bridge Authority shall not constitute or be a debt or general obligation of the State and shall be secured only by the tolls or other revenues collected from the operation of such bridges or other highway crossings and shall be paid from such tolls or revenues made available by this act; also authorizing any city, county, city and county, incorporated city or town, or joint highway district to advance or contribute money, rights of way, labor, materials or other property in aid of the acquisition, construction, operation or maintenance of any such bridge or highway crossing and to issue and sell general obligation bonds for such purpose; also authorizing the California Toll Bridge Authority to enter into agreements with any such political subdivisions for the repayment of contributions or advances; and providing the time and manner of making such repayments; also providing for the eliminations of toll charges on bridges or other highway crossings acquired and constructed under this act; also defining the limits within which other competitive bridges or other highway crossings or free ferries may be constructed or operated; and also authorizing the recital of the terms of such limitations in bonds issued hereunder; also creating and establishing certain funds and regulating the manner in which moneys may be withdrawn therefrom; also prescribing the manner in which any city, county, city and county, incorporated bridge and highway district, or joint highway district may acquire or construct toll bridges or other toll highway crossings; also authorizing California Toll Bridge Authority to make agreements with steam and electric or other railroad or transportation companies for the use of portions of toll bridges or other highway crossings acquired or constructed under this act; also providing for the manner in which contracts shall be let for the building of bridges or other highway crossings; also empowering the Department of Public Works to designate certain county roads as State highways; also authorizing the acquisition or construction of tubes or tunnels in connection with such bridges or other highway crossings; also authorizing casualty insurance, indemnity bonds or accident insurance on bridges and other highway crossings constructed under this act; also giving, dedicating and setting apart rights of way through, over, on and across State property for the construction of such toll bridges or other toll highway crossings; also appropriating \$50,000 for the purpose of establishing a revolving fund and providing for the use thereof and the manner of reimbursements thereto;

Has had the same under consideration, and respectfully reports the same back without recommendation.

Committee membership—14.

EDWARDS, Chairman.

Also:

MR. PRESIDENT: Your Committee on Roads and Highways, to which was referred Senate Bill No. 638—An act providing for the taking over by the State of California of a certain road in the county or counties of Nevada and Sierra, and declaring the same to be a State highway and for the maintenance and improvement of the same as a State road or State highway, and authorizing the board or boards of supervisors of Nevada County and Sierra County to convey said road to the State of California;

Also: Senate Bill No. 645—An act declaring and establishing a secondary State highway along the Russian River arterial through Cotati, Sebastopol, Forestville, Guerneville, Monte Rio and Jenner and from Petaluma through Lakeville in the county of Sonoma;

Also: Senate Bill No. 663—An act making an appropriation for the construction of the Big Oak Flat and Yosemite Road in Tuolumne and Mariposa counties, and to provide that such appropriation be available when matched by federal appropriation;

Also: Senate Bill No. 819—An act to amend section 151 of the California Vehicle Act, relating to the straying of live stock upon public highways;

Also: Senate Bill No. 909—An act declaring and establishing a State highway from Lone Pine in Inyo County to Baker in San Bernardino County, via Keeler, Darwin, Death Valley, Death Valley Junction, and Shoshone;

Also: Senate Bill No. 910—An act declaring and establishing a State highway from Lone Pine through Mount Whitney area, both in Inyo County, to Porterville, in Tulare County;

Also: Senate Bill No. 921—An act declaring and establishing a State highway between Bakersfield and Mojave in Kern County;

Has had the same under consideration, and respectfully reports the same back without recommendation.

Committee membership—14.

EDWARDS, Chairman.

Also:

MR. PRESIDENT: Your Committee on Roads and Highways, to which was referred Senate Bill No. 5—An act declaring and establishing a State highway from the Golden Gate Bridge, in the county of Marin, to Ferndale in the county of Humboldt, and following the coast line through the counties of Marin, Sonoma, Mendocino and Humboldt, and to be designated and known as the Shoreline Highway;

Also: Senate Bill No. 16—An act providing for the construction of a State highway leading from the town of Middletown, in the county of Lake, to the town of Upper Lake, in said county, via Adams Springs, Kelseyville and Lakeport, all in said county and State of California, and the taking over by the State of California of the public highways between said points;

Also: Senate Bill No. 71—An act relating to the Piute Pass Highway and to making a survey, location, and estimate of cost of the highway to be known as the Piute Pass Highway, extending from a point on the south fork of the San Joaquin River at Florence Lake, Fresno County, to North Lake on the north fork of Bishop Creek, Inyo County;

Also: Senate Bill No. 104—An act authorizing and directing the Department of Public Works to acquire necessary rights of way and to construct and maintain a highway, which is hereby declared to constitute and be a State highway, from the city of Sonora, Tuolumne County, to Mariposa, county of Mariposa, California;

Also: Senate Bill No. 341—An act to revise chapter 52, Statutes of 1917, entitled "An act providing for the creation, organization and government of joint highway districts composed of two or more counties of the State of California," approved April 5, 1917, as amended;

Also: Senate Bill No. 360—An act establishing a certain addition to the State highway and classifying same as a secondary highway;

Has had the same under consideration, and respectfully reports the same back without recommendation.

Committee membership—14.

EDWARDS, Chairman.

Also:

MR. PRESIDENT: Your Committee on Roads and Highways, to which was referred Assembly Bill No. 708—An act to amend section 365 of the Political Code, relating to the acquisition of city streets as a part of State highways, has had the same under consideration, and respectfully reports the same back without recommendation.

Committee membership—14.

EDWARDS, Chairman.

Also:

MR. PRESIDENT: Your Committee on Roads and Highways, to which was referred Senate Constitutional Amendment No. 1—A resolution to propose to the people of the State of California an amendment to the constitution of the State, adding to article XVI thereof a new section, to be numbered 6, relating to elimination of grade crossings, has had the same under consideration, and respectfully reports the same back without recommendation.

Committee membership—14.

EDWARDS, Chairman.

ON AGRICULTURE AND LIVE STOCK.

SENATE CHAMBER, SACRAMENTO, May 15, 1931.

MR. PRESIDENT: Your Committee on Agriculture and Live Stock, to which was referred Senate Bill No. 918—An act to amend section 9 of chapter 829, Statutes of 1929, entitled the "Bovine Tuberculosis Law," approved June 17, 1929, relating to the tuberculin testing of bovine animals;

Also: Senate Bill No. 927—An act to provide for the establishment of local market milk control boards, and giving to each board power to regulate the prices of milk in the city or town for which it was established, and to prescribe conditions under which milk may be distributed in such city or town;

Has had the same under consideration, and respectfully reports the same back without recommendation.

Committee membership—13; committee vote: Ayes—10; absent—3.

DUVAL, Chairman.

Also:

MR. PRESIDENT: Your Committee on Agriculture and Live Stock, to which was referred Senate Bill No. 400—An act to provide for the removal or destruction of abandoned or neglected orchard trees, vines, shrubs, or parts thereof, or agricultural crops which are infested or infected with injurious pests;

Also: Senate Bill No. 569—An act regulating the sale of bananas;

Also: Senate Bill No. 670—An act to amend section 35, chapter 865, Statutes of 1927, entitled the "California Fruit, Nut and Vegetable Standardization Act of 1927," relating to standards for sweet potatoes;

Also: Senate Bill No. 699—An act regulating the boring or drilling of wells for water;

Also: Senate Bill No. 735—An act to amend sections 3, 7, 8, 10, 12 and 13 of chapter 802, Statutes of 1927, entitled the "California Terminal Weighing Act," approved May 27, 1927, and to add thereto new sections to be numbered 12a and 14a, relating to the weighing of agricultural and other products;

Also: Senate Bill No. 745—An act to amend section 2 and the title and to repeal section 1 of chapter 448, Statutes of 1929, entitled "An act to provide relief for owners of crops damaged by protected game animals," approved May 24, 1929; Has had the same under consideration, and respectfully reports the same back without recommendation.

Committee membership—13; committee vote: Ayes—10; absent—3.

DUVAL, Chairman.

ON INSURANCE.

SENATE CHAMBER, SACRAMENTO, May 15, 1931.

MR. PRESIDENT: Your Committee on Insurance, to which was referred Senate Bill No. 95—An act for the regulation and control of fraternal benefit societies, and repealing all acts or parts of acts inconsistent or in conflict with this act;

Also: Senate Bill No. 96—An act to amend sections 1, 2 and 3 of chapter 682, Statutes of 1911, entitled "An act for the regulation and control of fraternal benefit societies," approved May 1, 1911, as amended;

Also: Senate Bill No. 97—An act to amend section 5 of chapter 682, Statutes of 1911, entitled "An act for the regulation and control of fraternal benefit societies," approved May 1, 1911;

Also: Senate Bill No. 98—An act to amend section 6 and repeal section 7 of chapter 682, Statutes of 1911, entitled "An act for the regulation and control of fraternal benefit societies," approved May 1, 1911, as amended;

Also: Senate Bill No. 99—An act to amend section 8 of chapter 682, Statutes of 1911, entitled "An act for the regulation and control of fraternal benefit societies," approved May 1, 1911;

Also: Senate Bill No. 101—An act to amend sections 9, 10 and 11 of chapter 682, Statutes of 1911, entitled "An act for the regulation and control of fraternal benefit societies," approved May 1, 1911;

Also: Senate Bill No. 216—An act to add section 596c to the Political Code, relating to fire losses covered by insurance; Has had the same under consideration, and respectfully reports the same back without recommendation.

Committee membership—11.

TUBBS, Chairman.

Also:

MR. PRESIDENT: Your Committee on Insurance, to which was referred Senate Bill No. 217—An act to amend section 633e of the Political Code, relating to insurance adjusters;

Also: Senate Bill No. 218—An act to amend section 1 of, and to add section 12a to chapter 267, Statutes of 1909, entitled "An act to establish a standard form of fire insurance policy and to prevent variations therefrom, excepting under certain stated conditions and restrictions," approved March 18, 1909, relating to appraisers and appraisements under fire insurance policies;

Also: Senate Bill No. 226—An act to amend section 623 of the Political Code, relating to the deposit of security for taxes and claims on policies with the Insurance Commissioner;

Also: Senate Bill No. 487—An act to amend section 602a of the Political Code, relating to liability reserves of insurance companies and to the powers and duties of the Insurance Commissioner;

Also: Senate Bill No. 488—An act to add a new section to the Political Code, to be numbered 602c, relating to risks and premiums on liability insurance policies, the powers and duties of the Insurance Commissioner, and the regulation, supervision and control of insurance companies, their agents, employees and brokers; and fixing penalties for the violation thereof;

Also: Senate Bill No. 626—An act to amend section 602 of the Political Code, relating to the determination of insolvency of insurance corporations;

Has had the same under consideration, and respectfully reports the same back without recommendation.

Committee membership—11.

TUBBS, Chairman.

Also:

MR. PRESIDENT: Your Committee on Insurance, to which was referred Senate Bill No. 628—An act to amend sections 37 and 40 of chapter 176, Statutes of 1913, known as the "Workmen's Compensation Insurance and Safety Act," approved May 26, 1913, as amended, relating to fixation of rates for workmen's compensation insurance;

Also: Senate Bill No. 629—An act to amend section 602*b* of the Political Code, relating to the filing of classifications of risks and premium rates, the reporting of the furnishing of information by the Industrial Accident Commission to the State Insurance Commission and to the requiring of filing of an annual report of its loss experience by every insurance carrier;

Also: Senate Bill No. 703—An act to add section 623*i* to the Political Code, relating to security for unearned premiums by insurance companies;

Also: Senate Bill No. 899—An act to amend the "Workmen's Compensation, Insurance and Safety Act of 1913";

Also: Senate Bill No. 904—An act to repeal section 623 of the Political Code, relating to bonds of insurance companies;

Also: Senate Bill No. 905—An act to amend section 453*j* of the Civil Code, relating to contracts of insurance upon the assessment plan;

Has had the same under consideration, and respectfully reports the same back without recommendation.

Committee membership—11.

TUBBS, Chairman.

ON ELECTIONS.

SENATE CHAMBER, SACRAMENTO, May 14, 1931.

MR. PRESIDENT: Your Committee on Elections, to which was referred Assembly Bill No. 150—An act to amend sections 5 and 7 of chapter 690, Statutes of 1913, entitled the Direct Primary Law, as amended, prohibiting persons becoming candidates of more than one party;

Also: Assembly Bill No. 272—An act to amend section 30 of chapter 690, Statutes of 1913, entitled "An act to provide for and regulate primary elections, and provide a method for choosing the delegates for political parties to State conventions and for nominating officers of President and Vice President of the United States, and providing for the election of party county central committees, and to repeal the act approved April 7, 1913, known as the Direct Primary Law and also to repeal the act approved December 24, 1911, amending sections 1, 3, 5, 7, 10, 13, 22, 23, and 24 of the said Direct Primary Law, and also to repeal all other acts or parts of acts inconsistent with or in conflict with the provisions of this act," approved June 16, 1913, as amended, relating to statement of expenses by candidates, and excluding candidates for certain offices;

Also: Assembly Bill No. 274—An act to amend chapter 350, Statutes of 1907, entitled "An act to regulate the conduct of election campaigns, and repealing an act entitled 'An act to promote the purity of elections by regulating the conduct thereof, and to support the principle of free suffrage by prohibiting certain acts and practices in relation thereto, and providing for the punishment thereof,' approved February 23, 1893," approved March 19, 1907, as amended, by adding thereto a new section designated section 2, excluding from the operation of said act candidates for certain offices;

Also: Assembly Bill No. 527—An act to amend section 1188 of the Political Code, relating to independent nominations;

Also: Assembly Bill No. 584—An act to amend sections 1, 3, 4, 5, 10, 12, 13, 22, 23, 24, 25 and 30 of the Direct Primary Law, relating to primary elections;

Has had the same under consideration, and respectfully reports the same back without recommendation.

Committee membership—11.

FELLOW, Chairman.

Also:

MR. PRESIDENT: Your Committee on Elections, to which was referred Assembly Bill No. 1227—An act to add a new section, to be numbered section 5*a*, to chapter 350, Statutes of 1907, entitled "An act to regulate the conduct of election campaigns, and repealing an act entitled 'An act to promote the purity of elections by regulating the conduct thereof, and to support the principle of free suffrage by prohibiting certain acts and practices in relation thereto, and providing for the punishment thereof,' approved February 23, 1893," approved March 19, 1907, as amended, relating to campaign expenditures and providing that a candidate for public office who incurs unpaid campaign expenses in excess of the legal limit set forth in the said act, shall be liable to any person, firm, association or corporation whose claim he or she is unable to meet because of the provisions of this law, for the amount

that would be due such person, firm, association or corporation were it not for the provisions of this act, as a civil penalty for having exceeded the legal limit, and providing for the enforcement of such penalty;

Also: Assembly Bill No. 1254—An act to amend section 1197c of the Political Code, relating to ballots;

Also: Assembly Bill No. 1547—An act amending section 4021a of the Political Code, and adding sections 4021b, 4021c, 4021d, 4021e, 4021f, 4021g, 4021h, 4021i, 4021j, 4021k, 4021l, 4021m, 4021n, 4021o, 4021p, 4021q and 4021r, relating to the recall of county officers;

Also: Assembly Bill No. 1896—An act to amend sections 5 and 6 of the Direct Primary Law, relative to primary elections;

Also: Assembly Constitutional Amendment No. 25—A resolution to propose to the people of the State of California an amendment to the constitution of said State by amending section 3 of article IV thereof, relating to the election and term of office of members of the Assembly;

Has had the same under consideration, and respectfully reports the same back without recommendation.

Committee membership—11.

FELLOM, Chairman.

Also:

MR. PRESIDENT: Your Committee on Elections, to which was referred Senate Bill No. 4—An act to amend sections 5 and 7 of chapter 690, Statutes of 1913, entitled the Direct Primary Law, as amended, prohibiting persons becoming candidates of more than one party;

Also: Senate Bill No. 63—An act to amend section 30 of chapter 690, Statutes of 1913, entitled "An act to provide for and regulate primary elections, and provide a method for choosing the delegates for political parties to State conventions and for nominating electors of President and Vice President of the United States, and providing for the election of party county central committees, and to repeal the act approved April 7, 1911, known as the Direct Primary Law and also to repeal the act approved December 24, 1911, amending sections 1, 3, 5, 7, 10, 13, 22, 23, and 24 of the said Direct Primary Law, and also to repeal all other acts or parts of acts inconsistent with or in conflict with the provisions of this act," approved June 16, 1913, as amended, relating to statement of expenses by candidates, and excluding candidates for certain offices;

Also: Senate Bill No. 64—An act to amend chapter 350, Statutes of 1907, entitled "An act to regulate the conduct of election campaigns, and repealing an act entitled 'An act to promote the purity of elections by regulating the conduct thereof, and to support the privilege of free suffrage by prohibiting certain acts and practices in relation thereto, and providing for the punishment thereof,' approved February 23, 1893," approved March 19, 1907, as amended, by adding thereto a new section designated section 21, excluding from the operation of said act candidates for certain offices;

Also: Senate Bill No. 65—An act to amend section 24 of chapter 690, Statutes of 1913, entitled "An act to provide for and regulate primary elections, and providing a method for choosing the delegates for political parties to State conventions and for nominating electors of President and Vice President of the United States, and providing for the election of party county central committees, and to repeal an act approved April 7, 1911, known as the Direct Primary Law, and also to repeal an act approved December 24, 1911, amending sections 1, 3, 5, 7, 10, 12, 13, 22, 23, and 24 of the said Direct Primary Law, and also to repeal all other acts or parts of acts inconsistent with or in conflict with the provisions of this act," approved June 16, 1913, as amended, relating to party conventions, membership and organization of State central committees and county central committees;

Has had the same under consideration, and respectfully reports the same back without recommendation.

Committee membership—11.

FELLOM, Chairman.

ON OIL INDUSTRIES.

SENATE CHAMBER, SACRAMENTO, May 15, 1931.

MR. PRESIDENT: Your Committee on Oil Industries, to which was referred Senate Bill No. 251—An act to amend sections 8 and 24 of chapter 303, Statutes of 1921, entitled "An act to reserve all minerals in State lands; to provide for examination, classification, and report on the mineral and other character of State lands; to provide for the granting of permits and leases to prospect for and take any such minerals; to provide for the returns and royalties to be paid, and granting certain preference rights; to provide for the making of rules, regulations, and contracts necessary to carry out the purposes of this act; and repealing acts or parts of acts in conflict herewith; providing for an appropriation to defray the cost of administering this act," approved May 25, 1921, as amended, relating to the leasing of tide, tidewater, overflowed and submerged lands, and the beds of navigable rivers or lakes;

Also: Senate Bill No. 364—An act to amend section 8d. of chapter 718, Statutes of 1915, entitled "An act establishing and creating a department of the State Mining Bureau for the protection of the natural resources of petroleum and gas from waste and destruction through improper operations in production; providing for the appointment of a State Oil and Gas Supervisor; prescribing his duties and powers; fixing his compensation; providing for the appointment of deputies and employees; providing for their duties and compensation; providing for the inspection of petroleum and gas wells; requiring all persons operating petroleum and gas wells to make certain reports; providing procedure for arbitration of departmental rulings; creating a fund for the purposes of the act; providing for assessment of charges to be paid by operators and providing for the collection thereof; and making an appropriation for the purposes of this act," approved June 10, 1915, as added by chapter 535, Statutes of 1929, relating to procedure upon complaint of undue waste;

Also: Senate Bill No. 818—An act enlarging and amending the powers and duties of the Railroad Commission of California with reference to the conservation, transportation, storage and purchase of crude petroleum and its products in this State; and making an appropriation for the purposes of this act;

Also: Senate Bill No. 956—An act requiring the filing of a bond or making of a deposit to cover labor risk on oil wells, and prescribing means for the enforcement hereof;

Has had the same under consideration, and respectfully reports the same back without recommendation.

Committee membership—8.

SHARKEY, Chairman.

ON UNIVERSITIES AND TEACHERS COLLEGES.

SENATE CHAMBER, SACRAMENTO, May 14, 1931.

MR. PRESIDENT: Your Committee on Universities and Teachers Colleges, to which was referred Assembly Bill No. 501—An act for the establishment in the city of Sacramento, county of Sacramento, State of California, of a technical school to be known as the "California State College" and authorizing the use of Sacramento City Junior College buildings and grounds for such college;

Also: Assembly Bill No. 757—An act establishing a coordinated system of State colleges devoted to vocational and industrial higher education, creating a State College Board of Trustees, and prescribing the powers, duties, and functions of said board;

Has had the same under consideration, and respectfully reports the same back without recommendation.

Committee membership—9.

DEUEL, Chairman.

Also:

MR. PRESIDENT: Your Committee on Universities and Teachers Colleges, to which was referred Senate Bill No. 6—An act for the establishment in the city of Sacramento, county of Sacramento, State of California, of a technical school to be known as the "California State College" and making an appropriation therefor, and authorizing the use of Sacramento City Junior College buildings and grounds for such college;

Also: Senate Bill No. 257—An act for the enlargement of the functions of the State Teachers College of Fresno to include vocational and technical training and changing the name thereof to the "California State College of Fresno";

Also: Senate Bill No. 383—An act for the enlargement of the functions of the State Teachers College of San Diego to include vocational and technical training and changing the name thereof to the "California State College of San Diego";

Also: Senate Bill No. 424—An act to amend section 5.80 of the School Code, relating to courses of study in State teachers colleges;

Has had the same under consideration, and respectfully reports the same back without recommendation.

Committee membership—9.

DEUEL, Chairman.

ON EDUCATION.

SENATE CHAMBER, SACRAMENTO, May 15, 1931.

MR. PRESIDENT: Your Committee on Education, to which was referred Senate Bill No. 837—An act to repeal article V, embracing sections 4.320 to 4.334, both inclusive, of chapter I of part III of division IV of the School Code, relating to claims against school district funds;

Also: Senate Bill No. 292—An act to amend sections 4.1001, 4.1022, 4.1024, 4.1026, 4.1091, 4.1113, 4.1118, 4.1211, 4.1233, 4.1238, 4.1301, 4.1323 and 4.1325 of the School Code, relating to bonds of school districts;

Also: Senate Bill No. 437—An act to amend sections 4.383 and 4.384 of the School Code;

Has had the same under consideration, and respectfully reports the same back without recommendation.

Committee membership—14.

SLATER, Chairman.

Also:

MR. PRESIDENT: Your Committee on Education, to which was referred Assembly Bill No. 277—An act to repeal section 4.771 of the School Code and to add a new section thereto to be numbered 4.282 providing for the expenditure of balances remaining in school district funds;

Also: Assembly Bill No. 433—An act to amend section 3.3 of the School Code, relating to types of schools;

Also: Assembly Bill No. 756—An act to amend section 5.615 of the School Code and to repeal section 5.614 thereof, relating to the expenses of joint teachers institutes;

Also: Assembly Bill No. 1052—An act to repeal chapter I, embracing sections 6.740 to 6.743, both inclusive, of part III of division VI of the School Code and to add a new section thereto, to be numbered 6.752, relating to the use of school buildings and grounds;

Also: Assembly Bill No. 1086—An act to add a new section to the School Code to be numbered 1.395, relating to the duties of employers of minors who are subject to compulsory attendance upon continuation education classes;

Also: Assembly Bill No. 1267—An act to repeal article II of chapter II of part III of division III of the School Code, embracing section 3.240, to repeal section 3.231 thereof and to amend section 3.230 thereof, all relating to the establishment and lapsing of junior high schools;

Has had the same under consideration, and respectfully reports the same back without recommendation.

Committee membership—14.

SLATER, Chairman.

Also:

MR. PRESIDENT: Your Committee on Education, to which was referred Senate Bill No. 664—An act to add a new chapter to part V of division III of the School Code of the State of California, relating to the powers of the boards of supervisors with regard to the expenses of education in their several counties;

Also: Senate Bill No. 667—An act to repeal chapter V of part III of division V of the School Code, relating to teachers' institutes;

Also: Senate Bill No. 784—An act to add a new article to chapter II of part IV of division II of the School Code, to be known as article VIII, embracing sections 2.1470 to 2.1476, both inclusive, establishing a Bureau of Vocational Education in the State Department of Education and making an appropriation therefor;

Also: Senate Bill No. 785—An act to add a new article to chapter I, part III of division IV of the School Code to be known as article XI, embracing sections 4.400, 4.401 and 4.402, relating to school district estimates and budgets;

Also: Senate Bill No. 846—An act to amend sections 4.700 and 4.710 of the School Code, and to repeal sections 4.701, 4.702, 4.703 and 4.704 thereof, relating to apportionments of State and county funds to school districts;

Also: Senate Bill No. 856—An act to amend the School Code of California;

Also: Senate Bill No. 940—An act to amend sections 5.500 and 5.502 of the School Code, relating to classification of persons in positions requiring certification qualifications;

Has had the same under consideration, and respectfully reports the same back without recommendation.

Committee membership—14.

SLATER, Chairman.

Also:

MR. PRESIDENT: Your Committee on Education, to which was referred Senate Bill No. 352—An act providing for the registration of music teachers and defining the term "music teacher"; providing the method of obtaining licenses to engage in the business of music teaching, and fixing the fees for such licenses; providing the method of suspension and cancellation of such licenses; and prescribing the punishment for violation of the provisions of this act;

Also: Senate Bill No. 379—An act to amend the School Code of the State of California by amending sections 2.877, 4.1010, 4.1100, 4.1220 and 4.1310, relating to school bond elections;

Also: Senate Bill No. 395—An act to amend sections 3.354 and 3.411 of the School Code, relating to minimum requirements for graduation from junior college courses of study;

Also: Senate Bill No. 451—An act to add a new article to chapter I of part V of division II of the School Code, to be known as article VII, empowering and directing the Superintendent of Public Instruction to decide all questions of law

arising under the School Code or under the rules and regulations of the State Board of Education;

Also: Senate Bill No. 495—An act to add sections 2,1223, 6,313, 6,314, 6,315, 6,316, 6,523, 6,541 *to*, and to amend sections 6,254, 6,523, 6,260, 6,262 and 6,296 of the School Code, relating to the public school system;

Also: Senate Bill No. 619—An act to repeal section 1879 of the Political Code, relating to the offering of bribes to members of boards of education and boards of school trustees;

Has had the same under consideration, and respectfully reports the same back without recommendation.

Committee membership—14.

SLATER, Chairman.

ON ELECTIONS.

SENATE CHAMBER, SACRAMENTO, May 14, 1931.

MR. PRESIDENT: Your Committee on Elections, to which was referred Senate Bill No. 103—An act to amend section 1360 and 1361 of the Political Code, relating to the time of receiving and canvassing ballots;

Also: Senate Bill No. 173—An act to amend section 1125 of the Code of Civil Procedure, relating to costs in election contests;

Also: Senate Bill No. 313—An act to amend section 12 of chapter 690, Statutes of 1913, entitled the "Direct Primary Law," relating to form of ballots;

Also: Senate Bill No. 232—An act to add sections 4*a*, 4*b*, 4*c*, 4*d*, 4*e*, 4*f*, 4*g*, 4*h*, 4*i*, 4*j* and 4*k* *to* and to amend sections 5, 7, 10, 12 and 24 of the Direct Primary Law;

Also: Senate Bill No. 466—An act to amend sections 1280, 1281*a* and to repeal sections 1267, 1268, 1278, and 1281 of the Political Code, relating to the canvass of election returns;

Also: Senate Bill No. 576—An act to amend sections 1 and 10, and to add two new sections to be numbered sections 3*a*, and 3*b*, to chapter 137, Statutes of 1915, entitled the "Presidential Primary Act," relating to presidential electors;

Has had the same under consideration, and respectfully reports the same back without recommendation.

Committee membership—11.

FELLOW, Chairman.

ON REVISION OF CRIMINAL LAW AND PROCEDURE.

SENATE CHAMBER, SACRAMENTO, May 14, 1931.

MR. PRESIDENT: Your Committee on Revision of Criminal Law and Procedure, to which was referred Senate Bill No. 640—An act to add a new section to the Penal Code, numbered 487*a*, relating to the commission of a series of petit thefts by the same person;

Also: Senate Bill No. 643—An act to add a new section to the Penal Code to be numbered 1183, relating to evidence admissible upon the hearing of a motion for new trial;

Also: Senate Bill No. 656—An act to amend section 1382 of the Penal Code, relating to dismissal of criminal actions;

Also: Senate Bill No. 657—An act to amend section 1205 of the Penal Code, relating to fines and imprisonment;

Also: Senate Bill No. 658—An act to amend section 182 of the Penal Code, relating to criminal conspiracy;

Also: Senate Bill No. 679—An act to amend section 1239 of the Penal Code, relating to appeals in criminal actions;

Also: Senate Bill No. 660—An act to amend section 995 of the Penal Code, declaring the grounds for setting aside an indictment or information;

Also: Assembly Bill No. 902—An act to add a new section to the Penal Code, to be numbered 487*a*, relating to the commission of a series of petit thefts by the same person;

Has had the same under consideration, and respectfully reports the same back without recommendation.

Committee membership—9.

ROCHESTER, Chairman.

Also:

MR. PRESIDENT: Your Committee on Revision of Criminal Law and Procedure, to which was referred Senate Bill No. 602—An act providing for the disposition of exhibits filed with the court in criminal cases and for the withdrawal of such exhibits both before, during or after trial;

Also: Senate Bill No. 603—An act to amend section 476 of the Penal Code, relating to the making, passing, uttering and publishing of fictitious bills, notes and checks, and providing the penalty therefor;

Also: Senate Bill No. 604—An act to add a new section to the Penal Code, to be numbered 969*d*, to provide that exemplified copies of the judgment of conviction, together with exemplified copies of official records of State penitentiaries or reforma-

ories of sister states, or of federal penitentiaries, shall constitute prima facie evidence of a prior conviction;

Also: Senate Bill No. 608—An act to amend section 1093 of the Penal Code, relating to the order of trial in criminal cases;

Also: Senate Bill No. 609—An act to provide a method of suppression of bucket shops by injunction;

Also: Senate Bill No. 611—An act to amend section 182 of the Penal Code, defining criminal conspiracy;

Also: Senate Bill No. 615—An act to amend section 596 of the Penal Code, relating to the administering of poison to animals and the malicious exposing of poisonous substance with intent that the same shall be taken or swallowed by animals;

Has had the same under consideration, and respectfully reports the same back without recommendation.

Committee membership—9.

ROCHESTER, Chairman.

Also:

MR. PRESIDENT: Your Committee on Revision of Criminal Law and Procedure, to which was referred Senate Bill No. 68—An act to amend sections 269 and 274 of the Code of Civil Procedure, relating to phonographic reporters;

Also: Senate Bill No. 115—An act to amend sections 37, 128, 190, 219, 246, 1213, 1284 and 1285, and to repeal sections 1217 to 1230, inclusive, of the Penal Code, relating to the punishment for crime and doing away with the death penalty;

Also: Senate Bill No. 117—An act to amend section 146 of the Penal Code, relating to public officers;

Also: Senate Bill No. 118—An act to amend section 1525 of the Penal Code, relating to search warrants;

Also: Senate Bill No. 321—An act to amend section 384 of the Penal Code, relating to fires;

Also: Senate Bill No. 496—An act to amend section 459 of the Penal Code, relating to burglary;

Also: Senate Bill No. 601—An act to add a new section to the Penal Code, to be numbered 969c, to provide a method for the exemplification of copies of official records of the penitentiaries or reformatories of sister states, or of federal penitentiaries, to authorize the admission of such records in evidence in criminal cases; Has had the same under consideration, and respectfully reports the same back without recommendation.

Committee membership—9.

ROCHESTER, Chairman.

ON DRAINAGE, SWAMP AND OVERFLOWED LANDS.

SENATE CHAMBER, SACRAMENTO, May 15, 1931.

MR. PRESIDENT: Your Committee on Drainage, Swamp and Overflowed Lands, to which was referred Senate Bill No. 206—An act to amend section 2 of chapter 774, Statutes of 1927, entitled the "Sacramento and San Joaquin Drainage District Refunding Act," relating to the operation and maintenance of certain flood control works;

Also: Senate Bill No. 269—An act to amend section 3489a of the Political Code, relating to the changing of boundaries of, and exclusion of land from reclamation districts;

Also: Senate Bill No. 271—An act to amend section 42 of chapter 520, Statutes of 1919, entitled "An act to authorize the issuance and sale of bonds of the Sacramento and San Joaquin drainage district based upon assessments levied by the Reclamation Board upon lands in said district," approved May 27, 1919, as amended, by amending section 42 thereof, relating to installments to pay the interest and principal on bonds;

Has had the same under consideration, and respectfully reports the same back without recommendation.

Committee membership—5.

MCCORMACK, Chairman.

ON HOSPITALS AND ASYLUMS.

SENATE CHAMBER, SACRAMENTO, May 15, 1931.

MR. PRESIDENT: Your Committee on Hospitals and Asylums, to which was referred Assembly Bill No. 897—An act to amend section 1026a of the Penal Code, relating to determination of sanity—has had the same under consideration, and respectfully reports the same back without recommendation.

Committee membership—6.

BUSH, Chairman.

Also:

MR. PRESIDENT: Your Committee on Hospitals and Asylums, to which was referred Senate Bill No. 20—An act to amend section 1374, and to add a new section

to be numbered section 1375, to the Penal Code, relating to expenses of maintenance in the State hospitals of persons charged with crime;

Also: Senate Bill No. 14—An act to amend section 2167*b* of the Political Code, relating to the residence and cost of maintenance of psychopathic parole patients;

Also: Senate Bill No. 432—An act to make an appropriation for the purchase of additional land for the Norwalk State Hospital;

Has had the same under consideration, and respectfully reports the same back without recommendation.

Committee membership—6.

BUSH, Chairman.

ON OIL INDUSTRIES.

SENATE CHAMBER, SACRAMENTO, May 15, 1931.

MR. PRESIDENT: Your Committee on Oil Industries, to which was referred Assembly Bill No. 1212—An act to amend an act entitled "An act to reserve all minerals in State lands; to provide for examination, classification and report on the mineral and other character of State lands; to provide for the granting of permits and leases to prospect for and take any such minerals; to provide for the rents and royalties to be paid, and granting certain preference rights; to provide for the making of rules, regulations and contracts necessary to carry out the purposes of this act; and repealing acts or parts of acts in conflict herewith; providing for an appropriation to defray the cost of administering this act," as approved May 25, 1921, and as amended June 1, 1923, January 17, 1929, and May 28, 1929, by amending the title and sections 1, 3, 4, 5, 7, 8, 9, 10, 11, 12, 13, 14, 15, 17, 18, and 19 thereof, relating to the reservation to the State of all coal, oil, oil shale, gas, phosphate, sodium and other mineral deposits in lands belonging to the State, and providing for the development and production of such minerals under a system of permits and leases authorizing prospecting for, mining and removing such deposits from State lands and providing a procedure for the granting of such permits and leases and the administration and supervision of the prospecting for, mining and removing of such deposits by permits and leases of the State, prohibiting certain practices in connection with such prospecting for, mining and removal, providing penalties therefor, providing for the powers of the Chief of the Division of State Lands relative to said lands and relative to prospecting for, mining and removing of minerals therefrom, and by ratifying permits and leases issued prior to March 15, 1931, and by repealing sections 17*a*, 18*a*, 20, 23, 24 and 25 thereof, relating to certain powers and duties of the officers of the State relative to State lands and mineral deposits therein, and prohibiting prospecting for, mining and removing minerals from certain State lands;

Also: Assembly Bill No. 427—An act to amend section 19 of chapter 303, Statutes of 1921, entitled "An act to reserve all minerals in State lands; to provide for examination, classification and report on the mineral and other character of State lands; to provide for the granting of permits and leases to prospect for and take any such minerals; to provide for the rents and royalties to be paid, and granting certain preference rights; to provide for the making of rules, regulations and contracts necessary to carry out the purposes of this act; and repealing acts or parts of acts in conflict herewith; providing for an appropriation to defray the cost of administering this act," approved May 25, 1921, as amended, directing that certain moneys be paid into the Seashore Parks Fund;

Has had the same under consideration, and respectfully reports the same back without recommendation.

Committee membership—8.

SHARKEY, Chairman.

ON FISH AND GAME.

SENATE CHAMBER, SACRAMENTO, May 15, 1931.

MR. PRESIDENT: Your Committee on Fish and Game, to which was referred Assembly Bill No. 382—An act to amend section 628*f* of the Penal Code, relating to the protection of fish and game;

Also: Assembly Bill No. 1395—An act to amend section 626*a*1 of the Penal Code, relating to the protection of game;

Also: Assembly Bill No. 1431—An act to revise an act entitled "An act to regulate the vocation of fishing and to provide therefrom revenue for the propagation, restoration and conservation of fish in the waters of the State of California," approved March 13, 1909, as amended;

Has had the same under consideration, and respectfully reports the same back without recommendation.

Committee membership—15.

ALLEN, Vice Chairman.

Also:

MR. PRESIDENT: Your Committee on Fish and Game, to which was referred Senate Bill No. 453—An act to amend section 5 of, and to add new sections numbered 5*a* and 5*b* to, chapter 551, Statutes of 1919, entitled "An act to conserve the

fish supply in California by empowering the Fish and Game Commission to regulate and control the handling of fish and other fishery products for the purpose of preventing deterioration or waste; to establish grades to which the fish or other fishery products offered for delivery to canners or preservers or to the fresh fish market must conform; to make regulations to insure the proper handling and delivery of fish or fishery products to canners, preservers or fresh fish dealers; to regulate and control the use of fish or other fishery products for reduction purposes, and to provide penalties for any violation of any of the provisions of this act," approved May 25, 1919, as amended, relating to the deterioration, waste and reduction of fish and fishery products;

Also: Senate Bill No. 347—An act to amend sections 4, 9, and 15 of chapter 517, Statutes of 1917, entitled "An act to provide for the protection of fur-bearing mammals, defining fur-bearing mammals, providing for a license for hunting or trapping such fur-bearing mammals and requiring reports to be filed with the Fish and Game Commission," approved May 18, 1917, as amended;

Has had the same under consideration, and respectfully reports the same back without recommendation.

Committee membership—15.

ALLEN, Vice Chairman.

Also:

MR. PRESIDENT: Your Committee on Fish and Game, to which was referred Senate Bill No. 907—An act to amend section 626½ of the Penal Code, relating to the protection of game;

Also: Senate Bill No. 746—An act to amend sections 6 and 9 of chapter 209, Statutes of 1911, entitled "An act to authorize and regulate the possession, use, transportation and sale of trout or other fish, by persons engaged in the business of propagating and rearing such fish, and by persons who transport such fish, and by persons who purchase fish so reared," relating to identification marks;

Also: Senate Bill No. 224—An act to add section 629b to the Penal Code, relating to the protection of fish;

Also: Senate Bill No. 754—An act to amend section 626c of the Penal Code, relating to the protection of game;

Also: Senate Bill No. 348—An act to provide for the identification, types and use of traps, devices or snares for the capture of mammals;

Has had the same under consideration, and respectfully reports the same back without recommendation.

Committee membership—15.

ALLEN, Vice Chairman.

Also:

MR. PRESIDENT: Your Committee on Fish and Game, to which was referred Senate Bill No. 543—An act to amend sections 3 and 5 of chapter 551, Statutes of 1919, entitled, "An act to conserve the fish supply in California by empowering the Fish and Game Commission to regulate and control the handling of fish or other fishery products for the purpose of preventing deterioration or waste; to establish grades to which the fish or other fishery products offered for delivery to canners or preservers or to the fresh fish markets must conform; to make regulations to insure the proper handling and delivery of fish or fishery products to canners, preservers or fresh fish dealers; to regulate and control the use of fish or other fishery products for reduction purposes, and to provide penalties for any violation of any of the provisions of this act," approved May 25, 1919, as amended, relating to the use of sardines in reduction plants, the percentage of waste allowed and the powers of the Fish and Game Commission;

Also: Senate Bill No. 146—An act to amend sections 626f and 626i of the Penal Code, relating to the protection of game;

Also: Senate Bill No. 716—An act to add section 1a to chapter 517, Statutes of 1917, entitled "An act to provide for the protection of fur-bearing mammals, providing for a license for hunting or trapping such fur-bearing mammals and requiring reports to be filed with the Fish and Game Commission," relating to the protection of bear;

Also: Senate Bill No. 715—An act to amend section 7 of chapter 643, Statutes of 1917, entitled "An act to divide the State of California into fish and game districts and to repeal an act entitled 'An act to divide the State of California into fish and game districts and to repeal an act entitled "An act to divide the State of California into six fish and game districts," approved March 21, 1911, and all acts or parts of acts inconsistent herewith," approved May 15, 1915," approved May 28, 1917, as amended by chapter 690, Statutes of 1929, relating to the boundaries of fish and game districts 1 "B";

Also: Senate Bill No. 765—An act to amend section 626d of the Penal Code, relating to the protection of game;

Has had the same under consideration, and respectfully reports the same back without recommendation.

Committee membership—15.

ALLEN, Vice Chairman.

Also:

MR. PRESIDENT: Your Committee on Fish and Game, to which was referred Senate Bill No. 281—An act to amend section 629 of the Penal Code, relating to the installation of fish screens over mill races, irrigation ditches, pipes, flumes, tunnels and canals, for the payment of the expense of the construction, installation and maintenance thereof, and providing a penalty for the interference therewith;

Also: Senate Bill No. 314—An act to amend section 634 of the Penal Code, relating to the protection of fish and game;

Also: Senate Bill No. 307—An act to amend section 626 of the Penal Code, relating to the protection of game;

Also: Senate Bill No. 221—An act to amend sections 626, 626*d* and 626*j* of the Penal Code, relating to the preservation of game;

Also: Senate Bill No. 767—An act to amend section 626 of the Penal Code, relating to the protection of game;

Also: Senate Bill No. 912—An act to regulate the transportation, sale or possession, within the State of fish meal, fish flour, fish oil, canned, packed or processed fish or fishery products;

Also: Senate Bill No. 219—An act to amend section 626*f* of the Penal Code, relating to the protection of game;

Has had the same under consideration, and respectfully reports the same back without recommendation.

Committee membership—15.

ALLEN, Vice Chairman.

ON PUBLIC UTILITIES.

SENATE CHAMBER, SACRAMENTO, May 15, 1931.

MR. PRESIDENT: Your Committee on Public Utilities, to which was referred Senate Bill No. 135—An act providing for the supervision and regulation of the business of transportation of property by motor vehicle as a common carrier for compensation over any public highway in this State; defining highway transportation companies and providing for the regulation and supervision thereof by the Railroad Commission; providing for the enforcement of the provisions of this act and for the punishment of violations thereof; providing rules of evidence for the application of the provisions of this act; and repealing an act entitled "An act providing for the supervision and regulation of the transportation of persons and property for compensation over any public highway by automobiles, jitney buses, auto trucks, stages and auto stages; defining transportation companies and providing for the supervision and regulation thereof by the Railroad Commission; providing for the enforcement of the provisions of this act and for the punishment of violations thereof; and repealing all acts inconsistent with the provisions of this act," approved May 10, 1917, chapter 213, Statutes 1917, page 330, and all acts amendatory thereof; and repealing all acts inconsistent with the provisions of this act;

Also: Senate Bill No. 275—An act to prohibit the sale of certain articles and appliances by certain public utilities, municipal corporations, districts, or public corporations;

Also: Senate Bill No. 391—An act to prohibit the expenditure of money or the giving or offering of money, reward or thing of value by any public utility corporation for political purposes;

Also: Senate Bill No. 436—An act to regulate the operation of gas-electric locomotives and cars of common carriers by rail;

Also: Senate Bill No. 572—An act to regulate the hours of labor of employees on street railways, electric and elevated railways; providing penalties for the violation of its provisions and repealing all acts or parts of acts in conflict with this act;

Has had the same under consideration, and respectfully reports the same back without recommendation.

Committee membership—11.

CARTER, Chairman.

Also:

MR. PRESIDENT: Your Committee on Public Utilities, to which was referred Senate Concurrent Resolution No. 14—Relative to the relief of persons engaged in agricultural pursuits—has had the same under consideration, and respectfully reports the same back without recommendation.

Committee membership—11.

CARTER, Chairman.

Also:

MR. PRESIDENT: Your Committee on Public Utilities, to which was referred Assembly Bill No. 1097—An act making an appropriation for the enforcement by the Railroad Commission of certain provisions of the Public Utilities Act;

Also: Assembly Bill No. 892—An act to promote safety of employees and provide assistance in case of injury from electric current in the doing of repair work or con-

struction work on electric poles, wires, cables, machinery, appliances or equipment; providing for the employment of a crew of not less than two men who have had sufficient experience to do the work properly and understand necessary safety measures in protecting each other in case of accident in the doing of such work; and providing a penalty for the violation thereof;

Has had the same under consideration, and respectfully reports the same back without recommendation.

Committee membership—11.

CARTER, Chairman.

ON REAPPORTIONMENT.

SENATE CHAMBER, SACRAMENTO, May 15, 1931.

MR. PRESIDENT: Your Committee on Reapportionment, to which was referred Senate Bill No. 102—An act to amend section 117 of the Political Code, relating to the division of the State into congressional districts and defining and establishing such districts;

Also: Senate Bill No. 176—An act to amend section 117 of the Political Code, relating to congressional districts;

Also: Senate Bill No. 700—An act to amend section 117 of the Political Code, relating to the division of the State into congressional districts and defining and establishing such districts;

Also: Senate Bill No. 727—An act to amend section 117 of the Political Code, relating to the division of the State into congressional districts and defining and establishing such districts;

Has had the same under consideration, and respectfully reports the same back without recommendation.

Committee membership—15.

McKINLEY, Chairman.

Also:

MR. PRESIDENT: Your Committee on Reapportionment, to which was referred Assembly Bill No. 300—An act to amend section 117 of the Political Code, relating to congressional districts—has had the same under consideration, and respectfully reports the same back without recommendation.

Committee membership—15.

McKINLEY, Chairman.

ON FINANCE.

SENATE CHAMBER, SACRAMENTO, May 12, 1931.

MR. PRESIDENT: Your Committee on Finance, to which was referred Senate Bill No. 7—An act making an appropriation to pay any assessment that may be imposed against the State of California under the provisions of an act entitled "An act providing for the creation, organization and government of joint highway districts composed of two or more counties of the State of California," approved April 5, 1917, and amendments thereto;

Also: Senate Bill No. 10—An act to amend section 736b and repeal section 736c of the Political Code, relating to salaries of judges of the superior court and to make an appropriation to cover increases in the payments by the State therefor;

Also: Senate Bill No. 94—An act making an appropriation to pay the claim of Herbert W. Furniss against the State of California;

Also: Senate Bill No. 100—An act making appropriations for the support of the government of the State of California and for several public purposes in accordance with the provisions of section 34 of article IV of the constitution of the State of California, approved and adopted by the people at the general election held November 7, 1922, declaring the urgency thereof, and providing that this act shall take effect immediately;

Also: Senate Bill No. 180—An act making an appropriation to pay the claim of F. A. Gries against the State of California;

Also: Senate Bill No. 192—An act creating the State Irrigation Bond Fund, providing how the money in such fund may be used, and making an appropriation therefor;

Also: Senate Bill No. 296—An act making an appropriation to pay the claim of John Wilson against the State of California;

Also: Senate Bill No. 297—An act making an appropriation to pay the claim of F. F. Hibberd against the State of California;

Also: Senate Bill No. 298—An act making an appropriation to pay the claim of W. C. Hunter against the State of California;

Also: Senate Bill No. 309—An act making an appropriation to pay the claim of Kenneth Hinckley against the State of California;

Also: Senate Bill No. 310—An act making an appropriation to pay the claim of Oscar O'Brien against the State of California;

Also: Senate Bill No. 327—An act appropriating money to pay the claim of Bernard C. Lynch, George J. Lynch, Hugh J. Lynch and John A. Lynch against the State of California;

Also: Senate Bill No. 338—An act making an appropriation for the encouragement of county agricultural fairs at San Francisco;

Also: Senate Bill No. 340—An act appropriating money for premiums at fairs or exhibits held by the ----- district agricultural association during the fiscal year 1931 and 1932;

Also: Senate Bill No. 346—An act directing the Regents of the University of California to gather data for studying and writing the history of the people of California, and making an appropriation therefor;

Also: Senate Bill No. 365—An act making an appropriation to pay the claim of Andrew Stewart against the State of California;

Also: Senate Bill No. 366—An act making an appropriation to pay the claim of Luis F. Wolter against the State of California;

Also: Senate Bill No. 370—An act to add a new article to chapter 3 of title I of part III of the Political Code to be numbered article II_n, embracing sections 378 to 378_m, inclusive, and to repeal article XI_o, of chapter 3 of title I of part III of the Political Code, relating to a Department of Commerce;

Also: Senate Bill No. 397—An act making an appropriation to pay the claim of Lorenzo Lucchetti against the State of California;

Also: Senate Bill No. 411—An act making an appropriation to pay the claim of Barr Bros. against the State of California;

Also: Senate Bill No. 412—An act making an appropriation to pay the claim of Chester W. Scott against the State of California;

Also: Senate Bill No. 455—An act to appropriate the sum of \$41,000 to carry out certain provisions of the California Meat Inspection Law;

Also: Senate Bill No. 524—An act appropriating money to pay the claim of J. Charles Jones against the State of California;

Also: Senate Bill No. 528—An act to create the California Water Resources Commission, to confer with the government of the United States of America regarding water development, to define the powers and duties of the commission and to make an appropriation therefor, to take effect immediately;

Also: Senate Bill No. 544—An act to amend section 1 of chapter 582, Statutes of 1911, entitled "An act to carry into effect the provisions of subdivision (e) of section 14 of article XIII of the constitution of the State of California as the said article was amended on the eighth day of November in the year 1910, in so far as the same relates to the State university; and also to provide for the permanent support and improvement of the University of California; and to that end making a continuing appropriation and creating an annual fund therefor; and repealing an act entitled "An act to provide for the permanent support and improvement of the University of California by the levy of a rate of taxation and the creation of a fund therefor, and to repeal an act approved February 14, 1887, entitled "An act to provide for the permanent support and improvement of the University of California by the levy of a rate of taxation and the creation of a fund therefor," and also to repeal an act approved February 27, 1897, entitled "An act to provide additional support and maintenance, and for the acquisition of necessary property and improvements of the University of California, by the levy of a rate of taxation, and the creation of a fund therefor," approved March 20, 1909.";

Also: Senate Bill No. 563—An act to promote the development of the California dried fruit industry and to prevent deception in the packing and sale of dried fruit by providing for the establishment and definition of standards for dried fruit, by authorizing the Director of Agriculture to provide for the certification of dried fruits;

Also: Senate Bill No. 624—An act making an appropriation to secure a site and erect a home for women veterans of the United States Army, Navy or Marine Corps;

Also: Senate Bill No. 625—An act making an appropriation for the enforcement by the Railroad Commission of certain provisions of the Public Utilities Act;

Also: Senate Bill No. 705—An act making an appropriation to pay the claim of Robert B. McClellan against the State of California;

Also: Senate Bill No. 809—An act to amend section 6 of, and to add a new section to be numbered section 64 to chapter 765, Statutes of 1927, entitled "California State Park Bond Act of 1927," approved May 25, 1927, creating the California State Park Revolving Fund, making appropriation for such fund and providing for its disbursement and replenishment;

Also: Senate Bill No. 926—An act making an appropriation for the purchase, maintenance and operation of an aeroplane for the use of the Governor of the State of California;

Also: Senate Bill No. 928—An act making an appropriation for the construction and equipment of a national guard armory at Salinas;

Also: Senate Bill No. 953—An act to add two new sections to be numbered sections 4 and 5, to an act entitled, "An act providing for a State park on Mission Bay in San Diego County and for the administration thereof," approved June 15,

1929, relating to the making of a survey of said State Park for the purpose of development and making an appropriation therefor;
Has had the same under consideration, and respectfully reports the same back without recommendation.

Committee membership—18.

SWING, Chairman.

ON FEDERAL RELATIONS.

SENATE CHAMBER, SACRAMENTO, May 14, 1931.

MR. PRESIDENT: Your Committee on Federal Relations, to which was referred Assembly Joint Resolution No. 23—Relative to recommending the closing of the international border at the point near Mexicali, Mexico, at six o'clock p.m. each day—Has had the same under consideration, and respectfully reports the same back without recommendation.

Committee membership—5.

SCHOTTKY, Chairman.

Also:

MR. PRESIDENT: Your Committee on Federal Relations, to which was referred Assembly Joint Resolution No. 2—Relative to urging the Congress of the United States to make adequate provision for the enforcement of the immigration laws;

Also: Assembly Joint Resolution No. 13—Relative to memorializing Congress to open the enlistment in the United States Army, in the United States Navy and in the United States Marine Corps to war time strength;

Also: Assembly Joint Resolution No. 15—Relative to the water project of California and inviting the Committee on Irrigation and Reclamation of the United States Senate to visit California, and inspect and investigate said project;

Has had the same under consideration, and respectfully reports the same back without recommendation.

Committee membership—5.

SCHOTTKY, Chairman.

ON PRISONS AND REFORMATORIES.

SENATE CHAMBER, SACRAMENTO, May 15, 1931.

MR. PRESIDENT: Your Committee on Prisons and Reformatories, to which was referred Assembly Bill No. 806—An act relating to the management of prison industries, the sale of their products to the departments and institutions of the State and its political subdivisions, the centralized control of their sales, the determination of styles, designs and qualities of products manufactured, the diversification of industries, the standardization of products and the publication of a catalog, and the publication of an annual report;

Also: Assembly Bill No. 805—An act providing for payments and credits to prisoners employed in State prisons and reformatories, defining the powers and duties of the State Board of Prison Directors in respect thereto and prescribing certain penalties and forfeitures;

Has had the same under consideration, and respectfully reports the same back without recommendation.

Committee membership—7.

PEDROTTI, Chairman.

Also:

MR. PRESIDENT: Your Committee on Prisons and Reformatories, to which was referred Senate Bill No. 174—An act providing employment for inmates of State prisons and reformatories; providing for appointment and compensation of a Superintendent of Prison Industries and providing rules and regulations for the carrying out of the provisions thereof—has had the same under consideration, and respectfully reports the same back without recommendation.

Committee membership—7.

PEDROTTI, Chairman.

ON PUBLIC MORALS.

SENATE CHAMBER, SACRAMENTO, May 15, 1931.

MR. PRESIDENT: Your Committee on Public Morals, to which was referred Senate Bill No. 234—An act providing for the submission to the people of the State of California the question as to retaining, repealing or modifying the eighteenth amendment as a part of the constitution of the United States;

Also: Senate Bill No. 295—An act to repeal chapter 80, Statutes of 1921, entitled "An act to enforce the provisions of article XVIII of the amendments to the constitution of the United States: prohibiting all acts or omissions prohibited by the Volstead Act; imposing duties on courts, prosecuting attorneys, sheriffs and other officers, and extending their jurisdiction; and providing for the disposition of fines and forfeitures," approved May 7, 1921;

Has had the same under consideration, and respectfully reports the same back without recommendation.

Committee membership—5; committee vote: Ayes—5.

RICH, Chairman.

ON CONSTITUTIONAL AMENDMENTS.

SENATE CHAMBER, SACRAMENTO, May 15, 1931.

MR. PRESIDENT: Your Committee on Constitutional Amendments, to which was referred Senate Constitutional Amendment No. 31—A resolution to propose to the people of the State of California an amendment of the constitution of said State by amending section 6 of article IX thereof, relating to the support of the school system;

Also: Senate Concurrent Resolution No. 17—Relative to an investigation to determine the effect of the open and closed season on trout in all landlocked waters in fish and game district 1½;

Has had the same under consideration, and respectfully reports the same back without recommendation.

Committee membership—9.

ALLEN, Chairman.

Also:

MR. PRESIDENT: Your Committee on Constitutional Amendments, to which was referred Senate Constitutional Amendment No. 2—A resolution to propose to the people of the State of California, an amendment to the constitution of said State by adding a new article thereto to be known as article XIII½, relating to revenue and taxation;

Also: Senate Constitutional Amendment No. 7—A resolution to propose to the people of the State of California, an amendment to the constitution of said State by amending section 16 of article XIII thereof, relating to bank and corporation taxes;

Also: Senate Constitutional Amendment No. 11—A resolution to propose to the people of the State of California an amendment to the constitution of the State of California, adding to article XIII thereof a new section to be numbered 1c, relative to revenue and taxation;

Also: Senate Constitutional Amendment No. 4—A resolution to propose to the people of the State of California an amendment to section 2 of article V of the constitution of said State, relating to the term of the Governor of the State of California;

Also: Senate Constitutional Amendment No. 12—A resolution to propose to the people of the State of California that the constitution of said State be amended by adding to article VI a new section to be numbered 26, relating to the terms of judicial officers;

Also: Senate Constitutional Amendment No. 5—A resolution to propose to the people of the State of California to enact a new section to the constitution to be known as article II, section 2½a, relating to voting;

Also: Senate Constitutional Amendment No. 14—A resolution to propose to the people of the State of California an amendment to the constitution of the State, amending section 2 of article IV of said constitution, relating to sessions of the Legislature, and abolishing the recess during regular sessions;

Also: Senate Constitutional Amendment No. 16—A resolution to propose to the people of the State of California an amendment to the constitution of said State by amending section 8 of article XI of the constitution, relating to the amendment of municipal charters;

Has had the same under consideration, and respectfully reports the same back without recommendation.

Committee membership—9.

ALLEN, Chairman.

Also:

MR. PRESIDENT: Your Committee on Constitutional Amendments, to which was referred Senate Constitutional Amendment No. 18—A resolution to propose to the people of the State of California, an amendment to the constitution of said State by amending section 9 of article IX thereof, relating to the election of the trustees of the University of California and to their terms;

Also: Senate Constitutional Amendment No. 19—A resolution to propose to the people of the State of California an amendment to the constitution of said State by amending section 8 of article XIII of the constitution, relating to taxation;

Also: Senate Constitutional Amendment No. 21—A resolution to propose to the people of the State of California an amendment to the constitution of said State by adding a new section thereto to be known and numbered 14½ of article V thereof, relating to appointments by the Governor;

Also: Senate Constitutional Amendment No. 24—A resolution to propose to the people of the State of California, an amendment to section 31, article IV, of the constitution of said State, relating to certain payments by the city of Glendale;

Also: Senate Constitutional Amendment No. 25—A resolution to propose to the people of the State of California, an amendment to the constitution of said State by adding a new article thereto to be numbered article XXV, relating to eminent domain proceedings and relating to the adjudication of water rights;

Also: Senate Constitutional Amendment No. 27—A resolution to propose to the people of the State of California an amendment to the constitution of said State by adding to article I thereof a new section to be numbered 1a, relative to equal rights for men and women;

Also: Senate Constitutional Amendment No. 30—A resolution to propose to the people of the State of California an amendment to the constitution of the State of California by adding a new section thereto to be numbered section 26 of article VI, relating to the nomination and election of judges;

Also: Senate Constitutional Amendment No. 32—A resolution to propose to the people of the State of California an amendment of the constitution of said State by amending section 24 of article VI thereof, relating to the salaries of judges of the Supreme Court and of the District Courts of Appeal, and providing when written opinions shall or may be filed;

Has had the same under consideration, and respectfully reports the same back without recommendation.

Committee membership—9.

ALLEN, Chairman.

Also:

MR. PRESIDENT: Your Committee on Constitutional Amendments, to which was referred Senate Constitutional Amendment No. 28—A resolution to propose to the people of the State of California an amendment to the constitution of the State by amending section 3 of article IX thereof, relating to the Superintendent of Public Instruction—has had the same under consideration, and respectfully reports the same back without recommendation.

Committee membership—9.

ALLEN, Chairman.

ON GOVERNMENTAL EFFICIENCY.

SENATE CHAMBER, SACRAMENTO, May 15, 1931.

MR. PRESIDENT: Your Committee on Governmental Efficiency, to which was referred Senate Bill No. 462—An act to provide for the deposit of moneys for cooperative forest protection and investigation;

Also: Senate Bill No. 469—An act to amend section 3714 of the Political Code of the State of California, relating to a budgetary system for counties and the levy of taxes therein;

Also: Senate Bill No. 473—An act to add a new section to the Political Code, to be numbered 880, relating to officers appointed by the Governor or by the Governor with the consent of the Senate, and their tenure of office;

Also: Senate Bill No. 480—An act relating to the escheat to the State of unclaimed moneys deposited with public utilities and providing for the collection, use and disposition thereof;

Also: Senate Bill No. 510—An act to revise the State Civil Service Act, relating to appointment to and tenure of office and employment under State authority and defining the powers and duties of the Civil Service Commission;

Has had the same under consideration, and respectfully reports the same back without recommendation.

Committee membership—11.

CRITTENDEN, Chairman.

ON MINES AND MINING.

SENATE CHAMBER, SACRAMENTO, May 13, 1931.

MR. PRESIDENT: Your Committee on Mines and Mining, to which was referred Senate Bill No. 627—An act to add two new sections to the Civil Code to be numbered 1426d $\frac{1}{2}$, and 1426d $\frac{3}{4}$, relating to discovery shafts on lode and placer mining locations;

Also: Senate Bill No. 744—An act to amend section 1 and 2 of chapter 186, Statutes of 1913, entitled "An act regulating the hours of employment in underground mines, underground workings, whether for the purpose of tunneling, making excavations or to accomplish any other purpose or design, or in smelting and reduction works," approved May 30, 1913, relating to the keeping of records of the hours worked, providing penalties for violation of the act, providing for the enforcement of the act by the Department of Industrial Relations and extending the benefits of the act to workers employed in sheds or buildings in lime and cement and plants where dust is created;

Has had the same under consideration, and respectfully reports the same back without recommendation.

Committee membership—7.

CASSIDY, Chairman.

ON FINANCE.

SENATE CHAMBER, SACRAMENTO, May 15, 1931.

MR. PRESIDENT: Your Committee on Finance, to which was referred Assembly Bill No. 153—An act to amend section 412 of the Political Code, relating to appointees of the Secretary of State;

Also: Assembly Bill No. 168—An act to amend section 5 of an act entitled "An act to establish a Legislative Counsel Bureau and making an appropriation therefor," approved May 23, 1913;

Also: Assembly Bill No. 249—An act to amend section 439 of the Political Code, relating to employees in Controller's office;

Also: Assembly Bill No. 329—An act making an appropriation to provide for the extermination of rough fish in Clear Lake, to take effect immediately;

Also: Assembly Bill No. 426—An act to add section 7½ to chapter 763, Statutes of 1927, entitled "An act to provide that the Department of Natural Resources, through the State Park Commission, shall have control of the State park system; to establish and define the State park system; to define certain powers and duties of the State Park Commissioner; to make an appropriation for carrying out the purposes of this act; and to establish a contingent fund and a revolving fund," approved May 25, 1927, relating to the Seashore Parks Fund, creating the same and providing for its use;

Also: Assembly Bill No. 543—An act making an appropriation to pay the claim of William H. Devlin and Ethel Faris Adams against the State of California;

Also: Assembly Bill No. 544—An act making an appropriation to pay the claim of Ethel Faris Adams against the State of California;

Also: Assembly Bill No. 668—An act to amend section 3700 of the Political Code, relating to the salaries of the members and secretary of the State Board of Equalization;

Also: Assembly Bill No. 703—An act to provide for and regulate the payment to the several counties of this State of certain moneys received from the government of the United States;

Also: Assembly Bill No. 710—An act making an appropriation to pay the claim of the heirs of James C. Flynn, deceased, against the State of California;

Also: Assembly Bill No. 749—An act appropriating to the Industrial Accident Commission the sum of \$15,336 in augmentation of the appropriation for the use and support of the Department of Industrial Relations to be used in an increase in payment of the salaries of referees;

Also: Assembly Bill No. 856—An act making an appropriation to pay the claim of Joseph E. Painter against the State of California;

Also: Assembly Bill No. 1103—An act to amend sections 18, 19 and 20 of an act entitled "An act to provide a central bureau for the preservation of records of marriages, births and deaths, and to provide for the registration of all births and deaths, the establishment of registration districts under the superintendence of the State Bureau of Vital Statistics; the issuance and registration of burial and disinterment permits and certificates of births and deaths; the appointment of State and local registrars of vital statistics; to prescribe the powers and duties of registrars, coroners, physicians, undertakers, sextons and other persons in relation to such registration and to fix penalties for violation of this act; to create the offices of State and local registrars of vital statistics, to provide for the salary and fees of same; to repeal all acts and parts of acts in conflict herewith," approved May 19, 1915, as amended, to require the State Registrar of Vital Statistics to furnish copies of death certificates to county clerks or county registrars of voters, and making an appropriation therefor;

Also: Assembly Bill No. 1134—An act to amend section 363a of the Political Code, relating to the Department of Public Works;

Also: Assembly Bill No. 1137—An act to provide for the investigation and study of the control and suppression of blackbirds, coots, linnets, horned larks and other birds or animals in relation to damage to agricultural crops and making an appropriation therefor;

Also: Assembly Bill No. 1215—An act authorizing the Director of Finance to contract for the exhibiting of California live stock;

Also: Assembly Bill No. 1399—An act creating an additional District Court of Appeal, to be known as the District Court of Appeal for the Fifth Appellate District, redividing the State into appellate districts, and providing for sessions of District Courts of Appeal by amending section 3 of chapter 691, Statutes of 1929, providing for the maintenance and operation of said court, and making an appropriation therefor;

Also: Assembly Bill No. 1497—An act to add a new section to the Political Code, to be numbered section 758a and to amend section 758 of the Political Code, relating to the creation and establishment of one additional division of the District Court of Appeal for the Second Appellate District and making an appropriation therefor;

Also: Assembly Bill No. 1950—An act making an appropriation for the use of the Judicial Counsel to be devoted to research;

Also: Assembly Bill No. 1955—An act to create a State Unemployment Commission to study the problem of unemployment and to propose remedies therefor and to make an appropriation therefor;

Also: Assembly Bill No. 1956—An act making an appropriation to be expended by the Governor in defraying expenses incident to the visit to California of the Committee on Irrigation and Reclamation of the Senate of the United States;

Also: Assembly Bill No. 1217—An act appropriating money for the purpose of the continuance of the geological and economic mineral survey of the State of California;

Also: Assembly Bill No. 1924—An act to amend section 655 of the Political Code, relating to the Department of Finance;

Has had the same under consideration, and respectfully reports the same back without recommendation.

Committee membership—18.

SWING, Chairman.

ON BUILDING AND LOAN ASSOCIATIONS.

SENATE CHAMBER, SACRAMENTO, May 15, 1931.

MR. PRESIDENT: Your Committee on Building and Loan Associations, to which was referred Senate Bill No. 588—An act to amend section 639 of the Civil Code, relating to arrearages in dues or loan installments of nonborrowing and borrowing shareholders or building and loan associations—has had the same under consideration, and respectfully reports the same back without recommendation.

Committee membership—11.

INMAN, Chairman.

Also:

MR. PRESIDENT: Your Committee on Building and Loan Associations, to which was referred Assembly Bill No. 944—An act to define building and loan associations and to regulate them and their organization, business, operation, consolidation and liquidation, and (without limiting the generality of the foregoing) also to do the following: to define and regulate the agents, salesmen and collectors of such associations, and to regulate their officers, directors and employees; to define, authorize, and regulate the issuance of shares, stock and investment certificates of such associations, and to prescribe the rights, remedies and liabilities of holders thereof, and to make such investment certificates legal investments for certain purposes; to prescribe the rights, powers, remedies, duties and liabilities of such associations and the rights and remedies of their creditors; to regulate the investments, loans and borrowings of such associations, and their accounts, reports, audits, statements and advertising; to create and continue the Bureau of Building and Loan Supervision and the office of Building and Loan Commissioner, provide for the salaries and expenses of such commissioner and his assistants and employees and define their rights, powers, remedies and duties; to provide penalties for offenses by such associations, their directors, officers, agents, salesmen, collectors and employees and by other persons and corporations; and to repeal title XVI of part IV of division I of the Civil Code, chapter 354 of the Statutes of 1911 and acts amendatory thereof and supplemental thereto, chapter 133 of the Statutes of 1927, and all other acts and parts of acts inconsistent herewith—has had the same under consideration, and respectfully reports the same back without recommendation.

Committee membership—11.

INMAN, Chairman.

ON REAPPORTIONMENT.

SENATE CHAMBER, SACRAMENTO, May 15, 1931.

MR. PRESIDENT: Your Committee on Reapportionment, to which was referred Senate Bill No. 936—An act to amend section 117 of the Political Code, relating to congressional districts—has had the same under consideration, and respectfully reports the same back without recommendation.

Committee membership—15.

McKINLEY, Chairman.

ON MOTOR VEHICLES.

SENATE CHAMBER, SACRAMENTO, May 15, 1931.

MR. PRESIDENT: Your Committee on Motor Vehicles, to which was referred Assembly Bill No. 1337—An act to add a new section to chapter 266, Statutes of 1923, known as the California Vehicle Act, approved May 30, 1923, as amended, to be known as section 151a, relating to the transportation of animals on motor vehicles—has had the same under consideration, and respectfully reports the same back without recommendation.

Committee membership—17.

BAKER, Chairman.

ON BANKING.

SENATE CHAMBER, SACRAMENTO, May 15, 1931.

MR. PRESIDENT: Your Committee on Banking, to which was referred Senate Bill No. 112—An act to amend section 61 of chapter 76, Statutes of 1909, entitled the "Bank Act," relating to the purchase, holding and sale of real and personal property by savings banks;

Also: Senate Bill No. 113—An act to amend section 4 of chapter 76, Statutes of 1923, entitled "An act to authorize and control the deposit in banks of money

belonging to or in the custody of the State and to repeal all acts or parts of acts in conflict with this act," approved April 12, 1923, as amended, relating to the security to be given for such deposits;

Also: Senate Bill No. 405—An act to amend section 4 of chapter 16, Statutes of 1923, entitled "An act to authorize and control the deposit in banks of money belonging to or in the custody of the State and to repeal all acts, or parts of acts in conflict with this act," and relating to security given upon deposit in banks of money belonging to or in the custody of the State;

Also: Senate Bill No. 406—An act to amend sections 4 and 5 of chapter 740, Statutes of 1927, entitled "An act to authorize and control the deposit in banks of money belonging to or in the custody of any county, city and county, city, town, municipality or other political subdivision within this State, and to repeal all acts or parts of acts in conflict with this act," relating to security to be given by banks upon deposit of public funds;

Also: Senate Bill No. 541—An act to amend an act entitled "An act to define and regulate the business of banking," approved March 1, 1909, as amended, designated the "Bank Act," by adding a new section thereto to be numbered 132a, relating to publishing of statements of condition by banks operating branch offices;

Also: Senate Bill No. 545—An act to amend section 28 of chapter 76, Statutes of 1909, entitled the "Bank Act," relating to the definition and regulation of the business of banking;

Also: Senate Bill No. 854—An act to amend chapter 522, Statutes of 1917, entitled "An act defining industrial loan companies, providing for their incorporation, powers and supervision";

Has had the same under consideration, and respectfully reports the same back without recommendation.

Committee membership—9.

JONES, Chairman.

ON MOTOR VEHICLES.

SENATE CHAMBER, SACRAMENTO, May 15, 1931.

MR. PRESIDENT: Your Committee on Motor Vehicles, to which was referred Senate Bill No. 758—An act to amend section 118 of the California Vehicle Act;

Also: Senate Bill No. 771—An act to amend section 73 of the "California Vehicle Act," approved May 30, 1923, as amended, relating to the issuance, revocation and suspension of licenses;

Also: Senate Bill No. 583—An act to amend section 29 of the California Vehicle Act, relating to the Division of Motor Vehicles;

Also: Senate Bill No. 579—An act to amend section 160 of chapter 266, Statutes of 1923, relating to patrol of highways;

Also: Senate Bill No. 527—An act to amend sections 154½ and 160 of the California Vehicle Act, approved May 30, 1923, as amended, relating to fines and forfeitures, change of venue as a matter of course, and the "City and County Major Highways Fund";

Also: Senate Bill No. 305—An act to amend sections 94 and 111½ of chapter 266, Statutes of 1923, entitled the "California Vehicle Act," relating to the mechanical condition of motor vehicles;

Also: Senate Bill No. 208—An act to amend section 89 of the California Vehicle Act, approved May 30, 1923, as amended, relating to the tire equipment of vehicles operated upon the public highways;

Also: Senate Bill No. 60—An act to amend section 8½ of the California Vehicle Act, relating to the definition of authorized emergency vehicles;

Also: Senate Bill No. 23—An act to amend section 154 of the California Vehicle Act, relating to appearance upon an arrest for misdemeanor;

Also: Senate Bill No. 22—An act to amend section 145 of the California Vehicle Act, relating to powers of legislative bodies of counties and cities;

Has had the same under consideration, and respectfully reports the same back without recommendation.

Committee membership—17.

BAKER, Chairman.

Also:

MR. PRESIDENT: Your Committee on Motor Vehicles, to which was referred Senate Bill No. 546—An act to amend the "California Vehicle Act" approved May 30, 1923, as amended by amending section 77 of said act relating to the registration fees to be paid upon registration of motor vehicles, trailers and semitrailers;

Also: Senate Bill No. 678—An act to safeguard the use of highways in this State by regulating the use thereof by private carriers for hire outside of incorporated cities, cities and counties, and towns; defining private carriers; providing for the issuance of permits for such carriers by the Division of Motor Vehicles of the Department of Public Works of the State of California; granting said division the right to prescribe the terms and conditions of such permits; and providing penalties for the violation of this act, and for the enforcement thereof;

Also: Senate Bill No. 893—An act to provide for the securing of payment by owners of private automobiles of damages for injuries to persons or property caused by the negligence of such owners, or their agents or presumptive agents, by requiring insurance, a surety bond, or a deposit of securities; to provide means and methods for the administration of said system of security; to substitute the rule of comparative negligence for contributory negligence in proceedings to recover damages for such injuries; to provide for the optional trial of claims against such security before a commissioner; to provide for the form of insurance policies required hereunder, for the classification of risks covered by such insurance and for the application of the minimum rating law to such insurance; to prescribe penalties for violations of this act, and making provision and an appropriation for the administration of this act;

Also: Senate Bill No. 770—An act to amend the California Vehicle Act by amending section 81, and by adding thereto new sections to be numbered 112½ and 159½, relating to penalties for nonpayment of fees, to the sale of gasoline or other fuel for motor vehicles to persons under the influence of intoxicating liquors and authorizing the Division of Motor Vehicles to pay for damages to vehicles caused by the transportation of persons injured in automobile accidents;

Has had the same under consideration, and respectfully reports the same back without recommendation.

Committee membership—17.

BAKER, Chairman.

Also:

MR. PRESIDENT: Your Committee on Motor Vehicles, to which was referred Senate Bill No. 585—An act to amend section 90 of chapter 266, Statutes of 1923, entitled the "California Vehicle Act," relating to the transportation of persons in trailers or semitrailers;

Also: Senate Bill No. 589—An act to amend section 42 of chapter 266, Statutes of 1923, entitled the "California Vehicle Act," relating to the number plates to be furnished by the division;

Also: Senate Bill No. 598—An act to amend section 77 of the California Vehicle Act approved May 30, 1923, as amended, relating to registration fees;

Also: Senate Bill No. 755—An act to repeal "An act providing for the supervision and regulation of the business of transportation of property by motor vehicle as a common carrier for compensation over any public highway in this State; defining highway transportation companies and providing for the regulation and supervision thereof by the Railroad Commission; providing for the enforcement of the provisions of this act and for the punishment of violations thereof; providing rules of evidence for the application of the provisions of this act; and repealing an act entitled 'An act providing for the supervision and regulation of the transportation of persons and property for compensation over any public highway by automobiles, jitney buses, auto trucks, stages and auto stages; defining transportation companies and providing for the supervision and regulation thereof by the Railroad Commission; providing for the enforcement of the provisions of this act and for the punishment of violations thereof; and repealing all acts inconsistent with the provisions of this act,' approved May 10, 1917, chapter 213, Statutes 1917, page 330, and all acts amendatory thereof; and repealing all acts inconsistent with the provisions of this act."

Also: Senate Bill No. 756—An act to amend section 85 of the California Vehicle Act;

Also: Senate Bill No. 757—An act to amend section 91 of the California Vehicle Act;

Has had the same under consideration, and respectfully reports the same back without recommendation.

Committee membership—17.

BAKER, Chairman.

ON ROADS AND HIGHWAYS.

SENATE CHAMBER, SACRAMENTO, May 15, 1931.

MR. PRESIDENT: Your Committee on Roads and Highways, to which was referred Assembly Concurrent Resolution No. 22—Relative to the investigation of the State highway system, and the inclusion of new roads within the secondary highway system;

Also: Assembly Concurrent Resolution No. 43—Relative to a study of the grade-crossing problem;

Has had the same under consideration, and respectfully reports the same back without recommendation.

Committee membership—14.

EDWARDS, Chairman.

ON GOVERNMENTAL EFFICIENCY.

SENATE CHAMBER, SACRAMENTO, May 15, 1931.

MR. PRESIDENT: Your Committee on Governmental Efficiency, to which was referred Senate Bill No. 24—An act to amend section 131 of the Code of Civil

Procedure, relating to the incidental expenses of probation officers and deputy probation officers;

Also: Senate Bill No. 27—An act to amend section 736 $\frac{1}{2}$ of the Political Code, prescribing the payment of compensation of judges of the superior court;

Also: Senate Bill No. 28—An act to amend section 736 of the Political Code, prescribing the payment of salaries of judges of the superior court;

Also: Senate Bill No. 132—An act to amend section 209 of the "California Real Estate Act," approved May 27, 1913, as amended, relating to reports on subdivided lands;

Also: Senate Bill No. 474—An act to add a new section to the Political Code, to be numbered 345, relating to the tenure of certain State officers;

Also: Senate Bill No. 497—An act to amend section 209 of chapter 605, Statutes of 1919, entitled the "California Real Estate Act," relating to colonization subdivisions;

Has had the same under consideration, and respectfully reports the same back without recommendation.

Committee membership—11.

CRITTENDEN, Chairman.

Also:

MR. PRESIDENT: Your Committee on Governmental Efficiency, to which was referred Assembly Concurrent Resolution No. 41, Relative to expressing an intention on the part of the State Legislature against the reduction of salaries of employees—has had the same under consideration, and respectfully reports the same back without recommendation.

Committee membership—11.

CRITTENDEN, Chairman.

Also:

MR. PRESIDENT: Your Committee on Governmental Efficiency, to which was referred Assembly Bill No. 1447—An act to amend section 368 of, and to add section 587 to the Political Code, both relating to sheriffs—has had the same under consideration, and respectfully reports the same back without recommendation.

Committee membership—11.

CRITTENDEN, Chairman.

Also:

MR. PRESIDENT: Your Committee on Governmental Efficiency, to which was referred Senate Bill No. 599—An act to define and regulate the practice of shorthand reporting; creating a State Board of Shorthand Reporting, and providing for its powers and duties; providing for the examination and certification of shorthand reporters, with the designation of "certified shorthand reporter"; providing for the reporting, taking, and certifying of depositions by certified shorthand reporters; and prescribing penalties for violations of this act;

Also: Senate Bill No. 618—An act to amend section 66 of the Code of Civil Procedure, and to provide for a permanent criminal department of the superior court, in the county of Los Angeles;

Also: Senate Bill No. 707—An act to add a new article to chapter III of title I of part III of the Political Code, to be numbered article 11p, embracing sections 378f to 378r, relating to a Department of Mines;

Also: Senate Bill No. 713—An act to add a new article to chapter III of title I of part III of the Political Code, to be numbered article 11q, embracing sections 379m to 379p, relating to a Department of Child Welfare;

Also: Senate Bill No. 714—An act to add a new article to chapter III of title I of part III of the Political Code, to be numbered article 11q, embracing sections 379 to 379c, relating to a Department of Oil;

Has had the same under consideration, and respectfully reports the same back without recommendation.

Committee membership—11.

CRITTENDEN, Chairman.

Also:

MR. PRESIDENT: Your Committee on Governmental Efficiency, to which was referred Senate Bill No. 769—An act to create an Automobile Accident Commission, to define its powers and provide for its organization;

Also: Senate Bill No. 821—An act to create a Department of Radio Supervision under the control of the Railroad Commission, providing for a Radio Director and his assistants; creating a fund for operating expenses, and providing a tax for the maintenance thereof;

Also: Senate Bill No. 823—An act to add section 66c to the Code of Civil Procedure, relating to the number of superior judges in and for the county of Sonoma;

Also: Senate Bill No. 896—An act to amend section 13 of chapter 267, Statutes of 1923, entitled "An act to regulate and license the business of producing, refining

or distributing gasoline, distillate and other motor vehicle fuels, providing for the collection and disposition of the proceeds of said act, and repealing all acts and parts of acts inconsistent herewith," approved May 30, 1923, as amended, and providing for the creation of the "Grade Separation Fund" and authorizing its expenditure in partially defraying the cost of the separation of grades at railroad crossings; Has had the same under consideration, and respectfully reports the same back without recommendation.

Committee membership—11.

CRITTENDEN, Chairman.

Also:

MR. PRESIDENT: Your Committee on Governmental Efficiency, to which was referred Senate Bill No. 511—An act to amend sections 348 to 359a, inclusive, of the Political Code, relating to administrative departments;

Also: Senate Bill No. 512—An act to amend section 7 of the State Civil Service Act, relating to appointments under the act, and to positions excepted therefrom;

Also: Senate Bill No. 513—An act to amend section 2 of the State Civil Service Act, relating to the State Civil Service Commission;

Also: Senate Bill No. 514—An act to amend section 5 of the State Civil Service Act, relating to the powers and duties of the Civil Service Commission;

Also: Senate Bill No. 519—An act to add a new section to the Political Code of the State of California to be numbered section 3692½, relating to the duties of the State Board of Equalization;

Has had the same under consideration, and respectfully reports the same back without recommendation.

Committee membership—11.

CRITTENDEN, Chairman.

Also:

MR. PRESIDENT: Your Committee on Governmental Efficiency, to which was referred Senate Bill No. 521—An act to add a new section to the Political Code to be numbered 363g, relating to the office of General Counsel in the Department of Public Works;

Also: Senate Bill No. 526—An act authorizing the establishment of county traffic courts, prescribing their constitution, regulation, government, procedure and jurisdiction, and providing for the election and appointment of the judges, clerks, and other attaches of such courts, their terms of office, qualifications and compensation, and for the selection of juries therein;

Also: Senate Bill No. 551—An act to amend sections 373e and 373f of the Political Code and to add new sections thereto numbered 373j to 373—, inclusive, creating in the Department of Natural Resources, a Marine and Commercial Fish Commission and defining its powers and duties;

Also: Senate Bill No. 559—An act to revise the Corporate Securities Act;

Also: Senate Bill No. 582—An act authorizing the Director of Finance to contract for the exhibiting of California live stock;

Also: Senate Bill No. 586—An act to add a new section to the Political Code to be numbered section 361k, creating the office of attorney for the State Department of Agriculture;

Has had the same under consideration, and respectfully reports the same back without recommendation.

Committee membership—11.

CRITTENDEN, Chairman.

Also:

MR. PRESIDENT: Your Committee on Governmental Efficiency, to which was referred Senate Bill No. 253—An act to add section 7½ to chapter 763, Statutes of 1927, entitled "An act to provide that the Department of Natural Resources, through the State Park Commission, shall have control of the State park system; to establish and define the State park system; to define certain powers and duties of the State Park Commissioner; to make an appropriation for carrying out the purposes of this act; and to establish a contingent fund and a revolving fund," approved May 25, 1927, relating to the Seashore Parks Fund, creating the same and providing for its use;

Also: Senate Bill No. 254—An act amending the Political Code by adding sections 690.10, 690.12, 690.14, and 690.16 thereto, relating to littoral, tide, and tide-water overflowed and submerged lands, defining the powers and duties of the Department of Finance in connection therewith, and making an appropriation for the purposes of this act;

Also: Senate Bill No. 303—An act to add a new section to the Political Code to be numbered 363g, relating to the Department of Public Works;

Also: Senate Bill No. 334—An act to amend section 364e of the Political Code, relating to a compensation for members of the Industrial Welfare Commission;

Also: Senate Bill No. 369—An act to amend section 359b of the Political Code, relating to the membership of the Governor's Council;
Has had the same under consideration, and respectfully reports the same back without recommendation.

Committee membership—11.

CRITTENDEN, Chairman.

Also:

MR. PRESIDENT: Your Committee on Governmental Efficiency, to which was referred Senate Bill No. 82—An act to amend sections 11 and 17 of chapter 853, Statutes of 1927, entitled "An act prescribing the terms upon which licenses or certificates of registration may be issued to practitioners of barbering, creating the State Board of Barber Examiners and declaring its powers and duties, prescribing penalties for violation hereof, and repealing all acts and parts of acts inconsistent herewith," approved May 31, 1927, as amended, relating to permits and licenses and fees therefor;

Also: Senate Bill No. 197—An act to provide for preserving and making available for public use as a permanent record all data, records, maps and reports made or collected pursuant to water resources investigations and studies heretofore made and authorized under chapter 889, Statutes of 1921; chapters 476 and 477, Statutes of 1925; chapter 809, Statutes of 1927; and chapters 656 and 832, Statutes of 1929, and making an appropriation therefor;

Also: Senate Bill No. 211—An act to amend section 7 and to add two new sections to be numbered 7a, 7b; to chapter 728, Statutes 1927, entitled "An act authorizing the establishment of municipal court," prescribing the constitution, regulation, government, procedure and jurisdiction, and providing for the election and appointment of the judges, clerks and other attaches of such court, their terms of office, qualifications and compensation, and for the selection of jurors therein, approved May 23, 1925, as amended, relating to the organization of municipal court, in cities or cities and counties of the first and one-half class, to provide for the number of judges, clerks, marshals, and other officers and attaches of such municipal court and their deputies, to fix compensation therefor;

Also: Senate Bill No. 222—An act to amend section 799 of the Political Code, relating to the official bond of notaries public;
Has had the same under consideration, and respectfully reports the same back without recommendation.

Committee membership—11.

CRITTENDEN, Chairman.

ON REVENUE AND TAXATION.

SENATE CHAMBER, SACRAMENTO, May 15, 1931.

MR. PRESIDENT: Your Committee on Revenue and Taxation, to which was referred Senate Bill No. 67—An act to amend section 4041.5 of the Political Code, relating to special county taxes;

Also: Senate Bill No. 69—An act to add a new section to the Political Code, to be numbered 3466a, relating to sales and leasing of lands sold and held by the district or county treasurer of the county as trustee of the bond fund;

Also: Senate Bill No. 116—An act to amend sections 3746, 3756 and 3817 of the Political Code, relating to penalties for failure to pay taxes;

Also: Senate Bill No. 119—An act to carry into effect the provisions of section 18 of article 13 of the constitution, and adding sections 366441, 366442, 366443 and 366444 to the Political Code, relating to taxation of ocean marine insurers;

Also: Senate Bill No. 127—An act to amend section 690 of the Code of Civil Procedure, relating to property exempt from execution or attachment;

Also: Senate Bill No. 136—An act to establish the rate of taxation of highway transportation companies as provided for in article XIII section 15 of the constitution of the State of California;

Also: Senate Bill No. 322—An act to amend section 17 of chapter 247, Statutes of 1913, entitled "An act to provide for the acquisition, installation, construction, reconstruction, extension, repair and maintenance by municipalities of waterworks, electric power works, gas works, lighting works, and other public works and utilities; for the assessment of the cost and expenses thereof upon the property benefited; and for the issuance of improvement bonds to represent such assessments, and to repeal an act entitled 'An act to provide for the lighting of public streets, lanes, alleys, courts and places in municipalities, and for the assessment of the costs and expenses thereof upon the property benefited thereby,' " chapter 419, Statutes of 1905, relating to the collection of such assessments by the county;

Also: Senate Bill No. 356—An act to amend section 2653 of the Political Code, relating to a property tax for road purposes;

Also: Senate Bill No. 378—An act to amend section 3664a of the Political Code, relating to taxation of public service and other corporations for the benefit of the State;

Also: Senate Bill No. 398—An act to amend section 3627a of the Political Code, relating to taxation of intangible personal property and providing a method of distributing the proceeds therefrom;

Also: Senate Bill No. 443—An act to amend section 1 of chapter 795, Statutes of 1927, entitled "An act to regulate and license the business of producing, refining or distributing gasoline, distillate and other motor vehicle fuels, providing for the collection and disposition of license taxes, and adopting those provisions, not inconsistent herewith, of an act entitled 'An act to regulate and license the business of producing, refining or distributing gasoline, distillate and other motor vehicle fuels, providing for the collection and disposition of license taxes, prescribing penalties for violation of the provisions of said act, and repealing all acts and parts of acts inconsistent herewith,' approved May 30, 1923, as amended and approved May 23, 1925, approved May 26, 1927, as amended, and to repeal sections 2653 and 2654 of the Political Code, relating to the date at which the amendments shall go into effect and imposing certain conditions thereto;

Also: Senate Bill No. 494—An act to provide for the levy, collection and payment of an income tax on individuals, estates and trusts, and to provide for the allocation of the revenue therefrom;

Also: Senate Bill No. 518—An act to add a new section to the Political Code, to be numbered 3664aaa, relating to the taxation of short line steam railroads, to take effect immediately;

Also: Senate Bill No. 550—An act to amend section 3718 of the Political Code, relating to taxes;

Also: Senate Bill No. 564—An act to amend section 11 of chapter 171, Statutes of 1923, entitled "An act to provide for the formation, government, operation, reorganization, dissolution and alteration of boundaries of sanitary districts in any part of the State, for the construction of sewers, septic tanks and other sanitary purposes; the acquisition of property thereby; the calling and conducting of elections in such districts; the assessment, levy, collection, custody and disbursement of taxes therein; the issuance and disposal of the bonds thereof and the determination of their validity and making provision for the payment of such bonds and the disposal of their proceeds; to empower sanitary boards to make and enforce sanitary regulations and providing penalties of violations thereof," approved May 17, 1923, as amended, relating to the collection of taxes;

Also: Senate Bill No. 631—An act providing for the collection of money advanced in payment of taxes on real property by co-owners;

Also: Senate Bill No. 959—An act adding section 3714b to the Political Code, relating to emergency reductions of county expenditures;

Also: Senate Bill No. 960—An act to amend section 3664aa of the Political Code, relating to the taxation of highway transportation companies;

Also: Senate Constitutional Amendment No. 10—A resolution proposing to transfer the cost and expense of maintaining the public schools to the State and authorizing the Legislature to provide therefor, by proposing to the people of the State of California an amendment to the constitution of said State by adding a new section to article IX of said constitution, which new section shall be known as section 6a;

Also: Senate Constitutional Amendment No. 15—A resolution proposing to the people of the State of California a limitation of taxes on real estate by amending sections 1 and 14 of article XIII of the constitution of California;

Also: Senate Constitutional Amendment No. 29—A resolution to propose to the people of the State of California, an amendment to the constitution of said State by adding to article XIII thereof, a new section to be numbered 11½, relating to the taxation of personal incomes;

Also: Assembly Bill No. 217—An act to amend section 3817 of the Political Code, relating to penalties on redemption of real estate from sale for delinquent taxes;

Also: Assembly Bill No. 1350—An act to add a new section to the Political Code, to be numbered 4390a, relating to notice of increase in assessed value of property;

Also: Assembly Bill No. 1351—An act to add a new section to the Political Code, to be numbered 3627b, relating to notice of increase in assessed value of property;

Also: Assembly Bill No. 1453—An act to amend section 3728 of the Political Code, relating to statistical statements of assessments;

Also: Assembly Bill No. 1454—An act to amend section 3756 of the Political Code, relating to delinquent dates for taxes;

Also: Assembly Bill No. 1455—An act to amend section 3651 of the Political Code, relating to the assessment roll;

Has had the same under consideration, and respectfully reports the same back without recommendation.

Committee membership—13; committee vote: Ayes—13.

NELSON, Chairman.

ON MUNICIPAL CORPORATIONS.

SENATE CHAMBER, SACRAMENTO, May 14, 1931.

MR. PRESIDENT: Your Committee on Municipal Corporations, to which was referred Senate Concurrent Resolution No. 30—Providing for the creation of a joint committee of the Senate and Assembly to study street improvement laws of the State of California; to continue the work of preparing and making recommendations concerning changes in existing laws and to make an appropriation to meet the expenses of said committee necessarily incurred in said work—has had the same under consideration, and respectfully reports the same back without recommendation.

Committee membership—10; committee vote: Ayes—9; absent—1.

HARPER, Chairman.

Also:

MR. PRESIDENT: Your Committee on Municipal Corporations, to which was referred Assembly Bill No. 227—An act to amend sections 2, 5, and 7 of, and to add sections 3a, 3b, and 5a to an act entitled "An act to provide for work in, under and upon highways, roads, streets, avenues, boulevards, lanes, alleys, courts, places and parks in unincorporated territory of counties and any of the same lying within municipalities, whenever necessary or proper to complete or connect with any work outside thereof, and any of the same forming the exterior boundaries of any municipality, where such municipality owns unincorporated territory of the county whether partly or wholly within or without the boundaries of such municipality, and in, under and upon all publicly owned property and rights of way, whether within or without municipalities, and in, under and upon any property and rights of way of which the county has possession and right of use under the provisions of section 14 of article I of the constitution of the State of California, and for establishing and changing the grade of such highways, roads, streets, avenues, boulevards, lanes, alleys, courts, places and parks; to provide for the issuance, payment and enforcement of improvement bonds to represent certain assessments for the costs thereof and a method for the payment of such bonds; to provide for the formation, management and dissolution of districts to be assessed to pay the expenses of the maintenance and operation of improvements such as are permitted to be or are constructed hereunder and the assessing, levying and collecting of special assessment taxes to pay such expenses; and to provide for county aid in all of such work," approved June 3, 1921, Statutes 1921, page 1628, relating to the improvement of roads and highways within unincorporated territory of counties;

Also: Senate Bill No. 55—An act to amend sections 3746, 3756, 3758, 3759, 3764 and 3797 of the Political Code, relating to the collection of taxes;

Also: Senate Bill No. 86—An act to amend section 862 of chapter 49, Statutes of 1883, entitled "An act to provide for the organization, incorporation and government of municipal corporations," approved March 13, 1883, as amended, relating to the power of boards of trustees in cities of the sixth class;

Also: Senate Bill No. 110—An act to authorize and control the deposit in banks of money belonging to or in the custody of any county, city and county, city, town, municipality, metropolitan water district, or other political subdivision within this State, and to repeal all acts or parts of acts in conflict with this act;

Also: Senate Bill No. 111—An act to amend sections 5, 5½, 6, 7, 8 and 9 of chapter 429, Statutes of 1927, entitled "The Metropolitan Water District Act," relating to the powers, government and management of metropolitan water districts, and the addition of area thereto;

Also: Senate Bill No. 165—An act to limit the amount of special assessments for public improvements and acquisitions of property for public purposes; to provide for a preliminary investigation, report and hearing upon proposed public improvements and acquisitions of property for public purposes where the cost of such improvements or acquisitions is to be paid in whole or part by special assessments; to provide a basis for valuation of property for the purpose of establishing a special assessment limitation, and to authorize the payment of a part of the cost of such public improvements and acquisitions of property from any available public fund where a part of such cost is paid by special assessment on benefited property;

Also: Senate Bill No. 331—An act to amend section 13a of chapter 335, Statutes of 1919, entitled "An act to provide for the maintenance by municipalities of lighting systems along public streets, alleys and other public places and for the lighting thereof by electric current, gas or other illuminating agent; and for the assessment of the cost and expense thereof upon the property benefited and the manner of collecting such assessments," approved May 16, 1919, relating to the collection of such assessments by the county;

Also: Senate Bill No. 418—An act to add a new section to an act entitled "An act to provide for the organization, incorporation, and government of municipal utility districts, authorizing such districts to incur bonded indebtedness for the acquisition and construction of works and property, and to levy and collect taxes to pay the principal and interest thereon," approved May 23, 1921, to be known as section 16a, providing an alternate method for procuring funds for the acquisition, construction, completion, operation, extension or repair by municipal utility

districts of works for developing or for acquiring a water supply for domestic, municipal or irrigation purposes;

Also: Senate Bill No. 525—An act to amend section 18 of chapter 592, Statutes of 1913, entitled "An act to provide for the incorporation and organization and management of county water districts, and to provide for the acquisition of water rights or construction thereby of waterworks and for the acquisition of all property necessary therefor, and also to provide for the distribution and sale of water by said districts," as amended, and relating to public work;

Also: Assembly Bill No. 828—An act to amend section 4 of an act entitled "An act to provide for the establishment and change of grade of public highways, streets, public ways and other public property and rights of way, in whole or in part, including property over which possession and right of use have been obtained under the provisions of section 11 of article I of the constitution of the State of California, whether the same are situated within the limits of a municipality or whether such public ways or property are in part within the limits of one or more municipalities, or extend from one municipality into another municipality, or from one or more municipalities into or through unincorporated territory, or in whole or in part form the boundary between adjoining municipalities or between a municipality and adjacent unincorporated territory; and providing for work in and upon the same together with any and all appurtenances and appurtenant work; and providing for assessing the whole or any portion of the costs and expenses thereof upon private property and for the issuance and payment of improvement bonds to represent certain assessments for the costs thereof, and providing for the effect of and the enforcement of such bonds," approved April 21, 1911, as amended, so as to provide for certain preliminary investigation and statement of results in connection with plans and specifications; providing that proceedings thereunder shall be exempted from the operation of any Special Assessment Investigation and Limitation Act if the same be passed at this session of the Legislature, where a demand for the employment of said act is not made by owners of 15 per cent of the area of the district to be assessed, and regulating the procedure in the event that such request is made;

Also: Assembly Bill No. 236—An act to amend section 5 of an act entitled "An act to provide for the issuance of improvement bonds to represent and be secured by certain assessments made for the cost of certain work and improvements made in and upon streets, avenues, lanes, alleys, courts, places and sidewalks within municipalities and upon property and rights of way owned by municipalities, to provide for the collection of such assessments, the sale of the property affected thereby and for the payment of the bonds so issued," approved June 11, 1915, Statutes 1915, page 1441, as amended, relating to the time for the issuance of bonds under the Improvement Bond Act of 1915;

Also: Assembly Bill No. 1414—An act to amend section 2 of an act entitled "An act to provide for laying out, opening, extending, widening, straightening, or closing up in whole or in part any street, square, lane, alley, court or place within municipalities, and to condemn and acquire any and all land and property necessary or convenient for that purpose," approved March 6, 1889, as amended, so as to provide for certain preliminary investigation and statement of results in connection with the resolution of intention, providing that proceedings thereunder shall be exempted from the operation of any Special Assessment Investigation and Limitation Act if any such act be passed at this session of the Legislature, where a demand for the employment of said act is not made by owners of 15 per cent of the area of the district to be assessed, and regulating the procedure in the event that such request is made;

Also: Assembly Bill No. 1478—An act to amend section 3 of an act entitled "An act to provide for work upon streets, lanes, alleys, courts, places, and sidewalks, and for the construction of sewers within municipalities," approved March 18, 1885, as amended, so as to provide for certain preliminary investigation and statement of results in connection with plans and specifications; providing that proceedings thereunder shall be exempted from the operation of any "Special Assessment Investigation and Limitation Act of 1931" where a demand for the employment of said act is not made by owners of 15 per cent of the area of the district to be assessed, and regulating the procedure in the event that such request is made;

Has had the same under consideration, and respectfully reports the same back without recommendation.

Committee membership—10; committee vote: Ayes—9; absent—1.

HARPER, Chairman.

Also:

MR. PRESIDENT: Your Committee on Municipal Corporations, to which was referred Assembly Concurrent Resolution No. 40—Providing for the creation of a joint committee of the Senate and Assembly to study acquisition and improvement laws of the State of California; to prepare and make recommendations concerning elimination, consolidation and changes in existing laws and to make an appropriation to meet expenses of said committee necessarily incurred in said work—has had the

same under consideration, and respectfully reports the same back without recommendation.

Committee membership—10; committee vote: Ayes 9; absent 1.

HARPER, Chairman.

ON JUDICIARY.

SENATE CHAMBER, SACRAMENTO, May 15, 1931.

MR. PRESIDENT: Your Committee on Judiciary, to which was referred Assembly Bill No. 12—An act to amend section 4300a of the Political Code, relating to county clerk's fees;

Also: Assembly Bill No. 23—An act to amend section 943 of the Code of Civil Procedure, relating to undertakings to stay execution on appeal;

Also: Assembly Bill No. 39—An act to amend section 170 of the Code of Civil Procedure, relating to disqualification of judges;

Also: Assembly Bill No. 155—An act to amend sections 354½ and 354½ of the Penal Code, relating to trade-marks;

Also: Assembly Bill No. 161—An act to amend section 6 of the Workmen's Compensation, Insurance and Safety Act of 1917, approved May 23, 1917, as amended, relating to the liability for compensation in certain cases;

Also: Assembly Bill No. 205—An act to amend sections 1425 and 1431 of the Penal Code, relating to the trial of criminal cases in justices' courts;

Also: Assembly Bill No. 316—An act to amend section 928 of the Penal Code, relating to grand juries;

Also: Assembly Bill No. 348—An act to amend section 274c of the Code of Civil Procedure, relating to phonographic reporters;

Has had the same under consideration, and respectfully reports the same back without recommendation.

Committee membership—17.

CHRISTIAN, Chairman.

Also:

MR. PRESIDENT: Your Committee on Judiciary, to which was referred Assembly Bill No. 401—An act to amend section 573 of the Probate Code, relating to actions by and against executors and administrators;

Also: Assembly Bill No. 416—An act to amend section 573 of the Probate Code, relating to actions by and against executors and administrators;

Also: Assembly Bill No. 465—An act to amend sections 281 of the Code of Civil Procedure and 1209 of the Code of Civil Procedure, relating to contempt of court and the unlawful practice of law and to repeal section 842 of the Code of Civil Procedure;

Also: Assembly Bill No. 494—An act to amend section 308 of the Penal Code, relating to the sale of tobacco to minors;

Also: Assembly Bill No. 558—An act to amend section 1172 of the Code of Civil Procedure, relating to the facts required to be proved in a proceeding for forcible entry or detainer;

Also: Assembly Bill No. 698—An act to add a new section to the Code of Civil Procedure to be numbered 831ba, relating to the force and effect of proceedings and judgments of justices' courts in cities, cities and counties, towns and judicial townships having a population of 30,000 or more;

Has had the same under consideration, and respectfully reports the same back without recommendation.

Committee membership—17.

CHRISTIAN, Chairman.

Also:

MR. PRESIDENT: Your Committee on Judiciary, to which was referred Assembly Bill No. 1017—An act to amend section 564 of the Code of Civil Procedure, relating to receivers;

Also: Assembly Bill No. 1046—An act to amend an act entitled "An act concerning the guardianship of incompetent veterans and of minor children of disabled or deceased veterans, and the commitment of veterans and to make uniform the law with reference thereto," approved June 3, 1929, by amending section 11, thereof;

Also: Assembly Bill No. 1122—An act to amend section 67 of the Public Utilities Act, relating to writs of review;

Also: Assembly Bill No. 1129—An act to amend section 4195 of the Political Code, relating to duties and powers of trustees of law libraries by adding a new subdivision eighth thereto;

Also: Assembly Bill No. 1141—An act to amend section 1229 of the Penal Code, relating to execution of judgments of death;

Also: Assembly Bill No. 1200—An act to repeal section 607a of the Code of Civil Procedure, relating to instructions in jury trials;

Also: Assembly Bill No. 1247—An act to define and regulate the practice of shorthand reporting; creating a State Board of Shorthand Reporting, and providing for its powers and duties; providing for the examination and certification of

shorthand reporters, with the designation of "certified shorthand reporter"; providing for the reporting, taking, and certifying of depositions by certified shorthand reporters; and prescribing penalties for violations of this act and to repeal section 270 of the Code of Civil Procedure;

Has had the same under consideration, and respectfully reports the same back without recommendation.

Committee membership—17.

CHRISTIAN, Chairman.

Also:

MR. PRESIDENT: Your Committee on Judiciary, to which was referred Assembly Bill No. 1306—An act to amend the Code of Civil Procedure, by amending sections 660, 661, 662 and 956 thereof, and to add a new section thereto, to be numbered 659a, relating to new trial and appeal;

Also: Assembly Bill No. 1308—An act to amend the Code of Civil Procedure by amending sections 447 and 448 thereof, relating to the pleading of written instruments;

Also: Assembly Bill No. 1571—An act to amend section 14 of the "Workmen's Compensation, Insurance and Safety Act of 1917," approved May 23, 1917, as amended, relating to proceedings before the Industrial Accident Commission in certain death benefit cases;

Also: Assembly Bill No. 1703—An act to amend section 731 of the Code of Civil Procedure, relating to nuisances;

Also: Assembly Bill No. 1853—An act to amend sections 1305 and 1306 of the Penal Code, relating to forfeiture and remission of forfeited bail or moneys deposited in lieu thereof;

Also: Assembly Bill No. 1882—An act to reserve the first and primary right to water from the Colorado River for use within the drainage area of said stream, and to limit the amount which may be taken therefrom;

Also: Assembly Bill No. 1895—An act to add a new section to the Code of Civil Procedure to be numbered 682a, relating to writs of execution;

Also: Assembly Bill No. 1951—An act to amend sections 37, 128, 190, 219, 246 and 1243 of the Penal Code, relating to the punishment of crime;

Has had the same under consideration, and respectfully reports the same back without recommendation.

Committee membership—17.

CHRISTIAN, Chairman.

Also:

MR. PRESIDENT: Your Committee on Judiciary, to which was referred Assembly Concurrent Resolution No. 16—Relative to General Pulaski's Memorial Day—has had the same under consideration, and respectfully reports the same back without recommendation.

Committee membership—17.

CHRISTIAN, Chairman.

Also:

MR. PRESIDENT: Your Committee on Judiciary, to which was referred Senate Concurrent Resolution No. 15—Providing for the appointment of a joint legislative committee on revision of the laws;

Also: Senate Concurrent Resolution No. 22—Relative to proclaiming October 11th of each year "General Pulaski's Memorial Day" for the observance and commemoration of the death of Brigadier General Casimir Pulaski;

Has had the same under consideration, and respectfully reports the same back without recommendation.

Committee membership—17.

CHRISTIAN, Chairman.

Also:

MR. PRESIDENT: Your Committee on Judiciary, to which was referred Senate Bill No. 11—An act to add a new section to be numbered 4023a to the Political Code, relating to eligibility of district attorneys to office;

Also: Senate Bill No. 14—An act to amend sections 131 and 132 of the Civil Code, relating to actions for divorce;

Also: Senate Bill No. 21—An act to add two new sections to be numbered 1536m and 1789m to the Code of Civil Procedure, relating to dedication of real property for street or highway purposes by executors, administrators and guardians;

Also: Senate Bill No. 29—An act to amend section 1383 of the Code of Civil Procedure, relating to revocation of letters of administration;

Also: Senate Bill No. 31—An act to amend section 396 of the Code of Civil Procedure, relating to change of place of trial;

Also: Senate Bill No. 59—An act to amend section 1918 of the Code of Civil Procedure, relating to the manner of proving official documents;

Also: Senate Bill No. 87—An act to amend section 1723 of the Code of Civil Procedure, relating to the termination of certain interests in property;

Also: Senate Bill No. 93—An act to amend section 831 of the Code of Civil Procedure, relating to civil practice and procedure in municipal courts;

Has had the same under consideration, and respectfully reports the same back without recommendation.

Committee membership—17.

CHRISTIAN, Chairman.

Also:

MR. PRESIDENT: Your Committee on Judiciary, to which was referred Senate Bill No. 114—An act to amend section 200 of the Code of Civil Procedure, relating to exemptions from jury service;

Also: Senate Bill No. 125—An act defining and prohibiting trusts, monopolies, and conspiracies against trade, and providing penalties for the violation of this act;

Also: Senate Bill No. 142—An act to amend section 1789 of the Code of Civil Procedure, relating to sales of property by guardians;

Also: Senate Bill No. 162—An act to amend section 1468 of the Penal Code, relating to a statement on appeal;

Also: Senate Bill No. 183—An act to amend the Civil Code by adding a new section to be numbered 356a, relating to the employment of attorneys by corporations and the practice of law by corporations;

Also: Senate Bill No. 188—An act to provide for the payment of attorney fees in civil actions brought under the provisions of the Usury Law;

Also: Senate Bill No. 190—An act to amend sections 657, 658, 659, 660 and 956a of the Code of Civil Procedure, relating to a motion for a new trial and the perfecting of an appeal;

Has had the same under consideration, and respectfully reports the same back without recommendation.

Committee membership—17.

CHRISTIAN, Chairman.

Also:

MR. PRESIDENT: Your Committee on Judiciary, to which was referred Senate Bill No. 212—An act to amend section 1525 of the Probate Code, relating to sale of property of wards;

Also: Senate Bill No. 213—An act to amend section 851 of the Probate Code, relating to execution of conveyances by executors or administrators;

Also: Senate Bill No. 255—An act to amend section 1855 of the Code of Civil Procedure, relating to evidence of the contents of a writing;

Also: Senate Bill No. 256—An act to amend section 1387 of the Civil Code, relating to an illegitimate child being an heir of the person who in writing acknowledges himself to be the father of such child;

Also: Senate Bill No. 258—An act to make an appropriation to carry out the provisions of the act creating the California Code Commission;

Also: Senate Bill No. 293—An act making an appropriation to pay the claim of Charles Houghton against the State of California;

Also: Senate Bill No. 294—An act to amend section 24 of chapter 34, Statutes of 1927, entitled the "State Bar Act," as amended, relating to admission to practice law, and to repeal sections 275, 276, 276a, 277, 279, 280 of the Code of Civil Procedure;

Has had the same under consideration, and respectfully reports the same back without recommendation.

Committee membership—17.

CHRISTIAN, Chairman.

Also:

MR. PRESIDENT: Your Committee on Judiciary, to which was referred Senate Bill No. 299—An act requiring privately owned radio broadcasting stations to keep a public record of all sums received as gifts;

Also: Senate Bill No. 344—An act to amend section 1723 of the Code of Civil Procedure, relating to the establishment of fact of death of a person, and relating to the filing in the superior court of a petition for that purpose;

Also: Senate Bill No. 374—An act to amend section 4041c of the Political Code by amending section 4041c thereof, approved May 19, 1921, Statutes of 1921, chapter 181, relating to the acquisition and operation of rock quarries, rock plants, sand pits, cement plants, and other works by the counties, cities, and irrigation districts;

Also: Senate Bill No. 376—An act defining building loans and providing for recording a statement of the condition of title and the arrangements for financing of the proposed construction or improvements on real property, providing for the clearing of said record, and providing for the punishment of the violation of the terms thereof;

Also: Senate Bill No. 394—An act to amend section 525 of the Code of Civil Procedure, relating to injunctions;

Also: Senate Bill No. 401—An act to make lawful certain agreements between employees or laborers, to define the cases in which injunctions may and may not issue, to prescribe the procedure in trials for contempt, to secure the right of jury trial in all such cases, to prescribe the time in which proceedings for contempt shall be instituted, to prescribe the penalty for the violation of such injunctions and excepting certain organizations;

Has had the same under consideration, and respectfully reports the same back without recommendation.

Committee membership—17.

CHRISTIAN, Chairman.

Also:

MR. PRESIDENT: Your Committee on Judiciary, to which was referred Senate Bill No. 413—An act to amend sections 4458, 4460, 4462, 4463 of the Political Code, relating to newspapers;

Also: Senate Bill No. 456—An act to amend section 1963 of the Code of Civil Procedure, relating to presumptions;

Also: Senate Bill No. 458—An act to amend section 25 of the Civil Code, relating to age of majority;

Also: Senate Bill No. 470—An act to add a new section to the Code of Civil Procedure, to be numbered 385a, relating to actions to recover damages for personal injuries;

Also: Senate Bill No. 502—An act to amend section 849 of the Penal Code, relating to arrest without a warrant;

Also: Senate Bill No. 509—An act to amend section 1248 of the Code of Civil Procedure, relating to what must be ascertained and assessed in condemnation suits;

Also: Senate Bill No. 537—An act to amend section 627 of the Penal Code, relating to trespass;

Also: Senate Bill No. 539—An act to amend section 2924 of the Civil Code, relating to sales of real property under deeds of trust;

Has had the same under consideration, and respectfully reports the same back without recommendation.

Committee membership—17.

CHRISTIAN, Chairman.

Also:

MR. PRESIDENT: Your Committee on Judiciary, to which was referred Senate Bill No. 556—An act to amend subdivision (b) of section 11 of the Workmen's Compensation, Insurance and Safety Act of 1917, as amended, by providing for the extension of limitations of time in cases of injury where the effects are latent and delayed;

Also: Senate Bill No. 562—An act to regulate investment trusts;

Also: Senate Bill No. 581—An act to amend section 1027 of the Code of Civil Procedure, relating to costs on appeal;

Also: Senate Bill No. 590—An act to add a new section to the Probate Code to be numbered 715, relating to the revocation of wills;

Also: Senate Bill No. 591—An act to amend section 226 of the Probate Code, relating to the persons who may succeed to the estates of persons dying intestate;

Also: Senate Bill No. 592—An act to repeal chapter 18 of the Probate Code, relating to partition, consisting of sections 1100 to 1111, inclusive, and to enact a new chapter 18 of the Probate Code, consisting of sections 1100 to 1106, inclusive, relating to partition of estates of decedents;

Also: Senate Bill No. 593—An act to amend section 421 of the Probate Code, relating to the right of administration upon estates of decedents;

Has had the same under consideration, and respectfully reports the same back without recommendation.

Committee membership—17.

CHRISTIAN, Chairman.

Also:

MR. PRESIDENT: Your Committee on Judiciary, to which was referred Senate Bill No. 594—An act to amend section 75 of the Probate Code, relating to the revocation of wills;

Also: Senate Bill No. 595—An act to amend section 780 of the Probate Code, relating to the sale of real property of decedents;

Also: Senate Bill No. 596—An act to amend section 585 of the Probate Code, relating to the deposit of money by executors and administrators;

Also: Senate Bill No. 620—An act to be known as the Alien Residence, Employment and Vocational Law, defining a legal resident of the State of California as distinguished from a citizen of the State; declaring that any person of foreign birth who obtained admission to the United States illegally or one who comes within the

classification "Undesirable alien" as defined by the laws of the United States is disqualified from becoming a legal resident of this State; prohibiting employment of persons illegally resident in the State; prohibiting domiciling within the State of persons disqualified from becoming legal residents; prohibiting such persons from engaging in business in this State and legal residents from employing or engaging in business with such person; providing for the administration and enforcement of this act by the Director of the Department of Industrial Relations, peace officers and the courts; providing penalties for violations hereof and repealing all acts and parts of acts in conflict herewith;

Also: Senate Bill No. 623—An act to amend section 199 of the Code of Civil Procedure, relating to jurors;

Also: Senate Bill No. 647—An act to amend sections 1699, 1701 and 1703 of the Code of Civil Procedure, relating to the jurisdiction of testamentary trusts; Has had the same under consideration, and respectfully reports the same back without recommendation.

Committee membership—17.

CHRISTIAN, Chairman.

Also:

MR. PRESIDENT: Your Committee on Judiciary, to which was referred Senate Bill No. 648—An act to amend sections 1517, 1523 and 1526 of the Code of Civil Procedure, relating to the sale of personal property in probate;

Also: Senate Bill No. 649—An act to add a new section to be numbered section 2284 to the Civil Code, relating to beneficiaries of trusts;

Also: Senate Bill No. 650—An act to amend section 1333 of the Code of Civil Procedure, relating to the contest of wills after probate;

Also: Senate Bill No. 652—An act to add a new section to the Code of Civil Procedure to be numbered 1614a, relating to the administration of estates;

Also: Senate Bill No. 653—An act to repeal section 1443 of the Code of Civil Procedure and to amend section 1444 of the same code, relating to the inventory and appraisement of estates of deceased persons, the appointment of appraisers of such estates, their duties and compensation;

Also: Senate Bill No. 655—An act to amend section 1203 of the Penal Code, relating to probation of persons arrested for crime, after plea or verdict of guilty and the suspending of the imposition or execution of sentence during the term of probation or the imposition of jail sentence or fine or both or other conditions to fit the crime in connection with probation, and the disposition of such accusation after full compliance with the terms of probation and providing for the creation of offices of adult probation officer, assistant adult probation officer and deputy adult probation officer and fixing their compensations and duties and providing for adult probation boards in said counties and cities and counties; Has had the same under consideration, and respectfully reports the same back without recommendation.

Committee membership—17.

CHRISTIAN, Chairman.

Also:

MR. PRESIDENT: Your Committee on Judiciary, to which was referred Senate Bill No. 661—An act to amend section 1 of chapter 339, Statutes of 1923, entitled "An act to control and regulate the possession, sale and use of pistols, revolvers and other firearms capable of being concealed upon the person; to prohibit the manufacture, sale, possession or carrying of certain other dangerous weapons within this State; to provide for registering all sales of pistols, revolvers or other firearms capable of being concealed upon the person; to prohibit the carrying of concealed firearms except by lawfully authorized persons; to provide for the confiscation and destruction of such weapons in certain cases; to prohibit the ownership, use, or possession of any of such weapons by certain classes of persons; to prescribe penalties for violation of this act and increased penalties for repeated violations hereof; to authorize, in proper cases, the granting of licenses or permits to carry firearms concealed upon the person; to provide for licensing retail dealers in such firearms and regulating sales thereunder; and to repeal chapter 145 of California Statutes of 1917, relating to the same subject," relating to penalties for violations of this act;

Also: Senate Bill No. 662—An act to amend section 2 of chapter 339, Statutes of 1923, entitled "An act to control and regulate the possession, sale and use of pistols, revolvers and other firearms capable of being concealed upon the person; to prohibit the manufacture, sale, possession or carrying of certain other dangerous weapons within this State; to provide for registering all sales of pistols, revolvers or other firearms, capable of being concealed upon the person; to prohibit the carrying of concealed firearms except by lawfully authorized persons; to provide for the confiscation and destruction of such weapons in certain cases; to prohibit the ownership, use, or possession of any of such weapons by certain classes of persons; to prescribe penalties for violations of this act and increased penalties for repeated violations hereof; to authorize, in proper cases, the granting of licenses or permits to carry firearms concealed upon the person; to provide for licensing retail dealers

in such firearms and regulating sales thereunder; and to repeal chapter 145 of California Statutes of 1917, relating to the same subject," relating to the possession by aliens, felons and narcotic addicts;

Also: Senate Bill No. 672—An act providing suspension of the certificates of authority of insurance companies whose officers refuse to answer questions propounded at the taking of depositions;

Has had the same under consideration, and respectfully reports the same back without recommendation.

Committee membership—17.

CHRISTIAN, Chairman.

Also:

MR. PRESIDENT: Your Committee on Judiciary, to which was referred Senate Bill No. 673—An act to enable the Electro Metals Company, a trust organization, or its trustees or officers to sue the State of California;

Also: Senate Bill No. 680—An act to amend sections 204, 204b, 204d and 210 of the Code of Civil Procedure, relating to county grand jurors;

Also: Senate Bill No. 704—An act to amend section 1208 of the Code of Civil Procedure, relating to liens upon animals;

Also: Senate Bill No. 743—An act to amend section 24 of chapter 34, Statutes of 1927, entitled "An act to create a public corporation to be known as 'The State Bar of California' to provide for its organization, government, membership and powers to regulate the practice of law and to provide penalties for violations of such act," relating to admission to the practice of law;

Also: Senate Bill No. 750—An act to repeal an act entitled "An act to provide indemnity to persons erroneously convicted of felonies in the State of California," approved May 24, 1913;

Also: Senate Bill No. 762—An act to amend section 1269 of the Code of Civil Procedure, relating to escheated estates;

Also: Senate Bill No. 763—An act to amend section 1272 of the Code of Civil Procedure, relating to escheated estates;

Has had the same under consideration, and respectfully reports the same back without recommendation.

Committee membership—17.

CHRISTIAN, Chairman.

Also:

MR. PRESIDENT: Your Committee on Judiciary, to which was referred Senate Bill No. 766—An act to amend section 351 of the Civil Code, relating to the powers of corporations;

Also: Senate Bill No. 811—An act to amend section 690 of the Code of Civil Procedure, relating to property exempt from execution and/or attachment;

Also: Senate Bill No. 826—An act to regulate holding companies;

Also: Senate Bill No. 897—An act to amend section 1161a of the Code of Civil Procedure.

Also: Senate Bill No. 898—An act to add a new section to the Code of Civil Procedure, relating to the venue of actions for libel and slander;

Also: Senate Bill No. 908—An act to impose a special tax and regulate sales and distribution in this State of moving picture films sold or distributed by any person, firm, corporation or association in this State, and to provide methods and penalties for the enforcement of such tax;

Also: Senate Bill No. 929—An act to amend section 340 of the Penal Code, relating to pawnbrokers;

Also: Senate Bill No. 957—An act adding section 987a to the Penal Code, relating to the compensation of counsel assigned by a superior court to defend persons charged with crime who desire but who are unable to employ counsel;

Has had the same under consideration, and respectfully reports the same back without recommendation.

Committee membership—17.

CHRISTIAN, Chairman.

ON PUBLIC HEALTH AND QUARANTINE.

SENATE CHAMBER, SACRAMENTO, May 13, 1931.

MR. PRESIDENT: Your Committee on Public Health and Quarantine, to which was referred Senate Bill No. 121—An act regulating the wrapping and marking of bread or pastry and fixing penalties for violation of the provisions thereof;

Also: Senate Bill No. 358—An act to amend section 2 of chapter 260, Statutes of 1929, entitled "An act to regulate the sale, possession, distribution and use of habit forming, narcotic and other dangerous drugs and substances and providing penalties for the violation thereof," relating to the prescription of narcotics;

Also: Senate Bill No. 463—An act to amend section 9 of chapter 354, Statutes of 1913, entitled the "State Medical Practice Act," as amended, relating to applications for certification under said act;

Also, Senate Bill No. 486—An act to protect the public from misrepresentation, imposition and fraud of advertising "doctors" by regulating the use of printing, publishing or any form of advertising of the words, and letters and abbreviations and titles of "doctor," "Dr.," "physician," "physician and surgeon," "surgeon," "M.D.," "D.C.," "D.O.," "N.D.," "Op.D.," "D.S.C.," "Ph.C.," "Ph.D.," or any like title, abbreviation or appellation indicating that the user holds himself out as possessing knowledge, skill or power to treat any physical or mental ailment of human beings, imposing penalties for the violation thereof, and repealing all acts and parts of acts in conflict herewith:

Also, Senate Bill No. 634—An act to amend sections 1, 2, 3 and 4 of chapter 354, Statutes of 1913, entitled "An act to regulate the examination of applicants for licenses, and the practice of those licensed, to treat diseases, injuries, deformities, or other physical or mental conditions of human beings; to establish a Board of Medical Examiners, to provide for their appointment and prescribe their powers and duties, and to repeal an act entitled 'An act for the regulation of the practice of medicine and surgery, osteopathy, and other systems or modes of treatment of sick or afflicted, in the State of California, and for the appointment of a Board of Medical Examiners in the matter of said regulations,' approved May 14, 1907, and acts amendatory thereof, and also to repeal all other acts and parts of acts in conflict with this act," relating to creation of a State Medical Examiner:

Also, Senate Bill No. 635—An act to provide for the appointment of a Tuberculosis Commission, prescribing the duties of such commission, providing for the establishment and equipment of tuberculosis clinics, and making an appropriation therefor:

Also, Senate Bill No. 730—An act to regulate the examination of applicants for license and the practice of those licensed to treat diseases or other physical or mental conditions of human beings by Christian healing and imposition of hands and or anointing with oil and prayer; to establish a Board of Examiners, to provide for their expenditures and prescribe their powers and duties:

Also, Senate Bill No. 943—An act to amend section 2959a of the Political Code, relating to health officers:

Has had the same under consideration, and respectfully reports the same back without recommendation.

Committee membership—7.

WILLIAMS, Chairman.

Also:

MR. PRESIDENT: Your Committee on Public Health and Quarantine, to which was referred Assembly Concurrent Resolution No. 32—Relating to air conditions in public buildings and creating a committee for the study thereof, to report to the Legislature, has had the same under consideration, and respectfully reports the same back without recommendation.

Committee membership—7.

WILLIAMS, Chairman.

Also:

MR. PRESIDENT: Your Committee on Public Health and Quarantine, to which was referred Assembly Bill No. 130—An act to amend section 15 of chapter 216, Statutes of 1929, entitled "An act to regulate the sale, possession, distribution and use of habit forming, narcotic and other dangerous drugs and substances, and providing penalties for the violation thereof," approved May 4, 1929, relating to the confiscation of vehicles used in the transportation of narcotic drugs:

Also, Assembly Bill No. 709—An act to add a new section to the Penal Code, to be numbered 381c, relating to the sale or storage of certain articles in places where food is kept:

Has had the same under consideration, and respectfully reports the same back without recommendation.

Committee membership—7.

WILLIAMS, Chairman.

ON IRRIGATION.

SENATE CHAMBER, SACRAMENTO, May 15, 1931.

MR. PRESIDENT: Your Committee on Irrigation, to which was referred Assembly Bill No. 745—An act to amend the California Irrigation District Act by adding subsections of both sections to be numbered 521a, relating to agreements with groundwater:

Also, Assembly Bill No. 1505—An act to amend sections 30, 30a, 30b, 30c, 30d, 30e, 31, 32, 32a, 32b, and 33 of an act entitled "The California Irrigation District," approved March 31, 1897, as amended, relating to the issue of bonds:

Also, Assembly Bill No. 291—An act to amend the California Irrigation District Act by adding a new section thereto, to be numbered section 55a, relating to rates and charges for water:

Has had the same under consideration, and respectfully reports the same back without recommendation.

Committee membership—7; committee roster, April 5; absent—2.

MINTER, Chairman.

ON LABOR AND CAPITAL.

SENATE CHAMBER, SACRAMENTO, May 15, 1931.

MR. PRESIDENT: Your Committee on Labor and Capital, to which was referred Senate Bill No. 335—An act to amend section 3 of and to repeal section 9, chapter 324, Statutes of 1913, entitled "An act regulating the employment of women and minors and establishing an Industrial Welfare Commission to investigate and deal with such employment, including a minimum wage; providing for an appropriation therefor and fixing a penalty for violations of this act," approved May 26, 1913, as amended and to repeal section 9 thereof, relating to the keeping of payroll records and abolishing the provision as to gathering of statistics;

Also: Senate Bill No. 855—An act to be known as the Child Labor Law regulating the employment and hours, times and conditions of labor of children, providing for the administration and enforcement of the provisions of this act by the Commissioner of the Bureau of Labor Statistics, prescribing penalties for the violation hereof and repealing all acts and parts of acts inconsistent herewith;

Has had the same under consideration, and respectfully reports the same back without recommendation.

Committee membership—9.

MALONEY, Chairman.

ON IRRIGATION.

SENATE CHAMBER, SACRAMENTO, May 15, 1931.

MR. PRESIDENT: Your Committee on Irrigation, to which was referred Senate Bill No. 920—An act to add a new section to chapter 189, Statutes of 1897, entitled the California Irrigation District Act, more specifically described as "An act to provide for the organization and government of irrigation districts, and to provide for the acquisition or construction thereby of works for the irrigation of the lands embraced within such districts, and, also, to provide for the distribution of water for irrigation purposes," approved March 31, 1897 (Stats. 1897, p. 254, as amended), relating to the powers of boards of directors or irrigation districts—has had the same under consideration, and respectfully reports the same back without recommendation.

Committee membership—7; committee vote: Ayes—5; absent—2.

MIXTER, Chairman.

Also:

MR. PRESIDENT: Your Committee on Irrigation, to which was referred Senate Bill No. 158—An act confirming and validating the formation or organization and existence of irrigation districts;

Also: Senate Bill No. 291—An act recognizing and declaring valid the Richvale Irrigation District and approving and declaring valid all proceedings on formation and organization of said district;

Also: Senate Bill No. 385—An act to amend sections 1 and 2 of chapter 189, Statutes of 1897, entitled the "California Irrigation District Act," relating to petitions;

Also: Senate Bill No. 632—An act to amend section 78 of the California Irrigation District Act, approved March 31, 1897, as amended, relating to the exclusion of lands from irrigation districts;

Also: Senate Bill No. 633—An act to amend sections 74, 75, 76, 77, 78, 79, 80, 81, 82, 83, and 84 of chapter 187, Statutes of 1897, entitled "An act to provide for the organization and government of irrigation districts, and to provide for the acquisition or construction thereby of works for the irrigation of the lands embraced within such districts, and, also, to provide for the distribution of water for irrigation purposes," approved March 21, 1897, as amended, relating to the exclusion of land from irrigation districts;

Also: Senate Bill No. 687—An act to amend sections 39a, 40, 41, and 42 of chapter 189, Statutes of 1897, entitled "The California Irrigation District Act," approved March 31, 1897;

Has had the same under consideration, and respectfully reports the same back without recommendation.

Committee membership—7; committee vote: Ayes—5; absent—2.

MIXTER, Chairman.

ON COMMERCE AND NAVIGATION.

SENATE CHAMBER, SACRAMENTO, May 15, 1931.

MR. PRESIDENT: Your Committee on Commerce and Navigation, to which was referred Assembly Bill No. 707—An act to add a new section to the Penal Code to be numbered 374½, relating to the discharge of oily waste water from certain classes of vessels;

Also: Assembly Bill No. 467—An act granting in trust to the City and County of San Francisco the interest of the State in and to, and the control and management of the harbor of San Francisco, as described in the act; providing for the disposition of revenues derived from the operation of said harbor; providing for the sale of bonds authorized but not sold; providing for the payment of interest on bonds, and for the redemption of bonds; fixing the terms and conditions of the grant; providing for the issuance of a proclamation by the Governor;

Has had the same under consideration, and respectfully reports the same back without recommendation.

Committee membership—9.

CLEVELAND, Chairman.

Also:

MR. PRESIDENT: Your Committee on Commerce and Navigation, to which was referred Senate Bill No. 279—An act to amend section 718 of the Civil Code, relating to leasing property by municipalities;

Also: Senate Bill No. 748—An act granting certain tidelands and submerged lands of the State of California to the city of San Diego upon certain trusts and conditions;

Also: Senate Bill No. 749—An act to repeal the act entitled "An act providing for authority to use the tidewaters of the entrance to 'False Bay' in San Diego County and certain lands adjacent thereto, to propel machinery; and to permit the erection and maintenance of structures for the installation, maintenance and operation of such machinery; and fixing the charge therefor," approved March 20, 1905;

Also: Senate Bill No. 873—An act to amend section 246S of the Political Code, relating to pilotage at the port of San Francisco;

Has had the same under consideration, and respectfully reports the same back without recommendation.

Committee membership—9.

CLEVELAND, Chairman.

Also:

MR. PRESIDENT: Your Committee on Commerce and Navigation, to which was referred Senate Bill No. 580—An act providing for the creation and organization of a port district, as an agency of the State of California, for the improvement, development, maintenance, control, government and operation of the harbor of San Francisco, and its authorized facilities, and for the development of the commerce, navigation, and fisheries of that harbor, to be known as the Port of San Francisco, and to become the successor of the Board of State Harbor Commissioners; defining the powers, duties, and jurisdiction of said port district; providing for the qualifications, the selection, and certain powers and duties of the officers and employees of said port district; abolishing the Board of State Harbor Commissioners and offices and positions thereunder; transferring certain State property to said port district, in trust for the State, for the uses and purposes of the act; providing for the acquisition, construction, maintenance, management and operation of property by said port district; authorizing said port district to levy taxes and incur indebtedness for certain purposes, and to fix, regulate, and collect for its own purposes all charges for the use or enjoyment of public property under the jurisdiction, possession and control of said port district or managed or operated by it; authorizing the City and County of San Francisco to make contributions to said port district for certain purposes; defining the obligations and privileges of the port district with regard to certain public moneys and certain State bonds, and certain harbor improvement funds and sinking funds connected therewith; providing a procedure for determining the validity of the bonds of said port district; and providing for the extension of said port district and the acquisition of certain State property in the event of any consolidation of the City and County of San Francisco with the county of San Mateo or any part thereof—has had the same under consideration, and respectfully reports the same back without recommendation.

Committee membership—9.

CLEVELAND Chairman.

MESSAGES FROM THE ASSEMBLY.

The following messages from the Assembly were received and read:

ASSEMBLY CHAMBER, SACRAMENTO, May 15, 1931.

MR. PRESIDENT: I am directed to inform your honorable body that the Assembly on this day concurred in Senate amendments to Assembly Bill No. 739—An act to amend sections 1 and 5, of an act entitled "An act to provide indemnity to persons erroneously convicted of felonies in the State of California," approved May 24, 1913, relating to the indemnification of persons erroneously convicted;

Also: Assembly Bill No. 672—An act to amend section 628a of the Penal Code, relating to the protection of fish;

Also: Assembly Bill No. 1318—An act to amend sections 1103, 1105 and 1106 of the Political Code, relating to registration of electors and conduct of elections;

Also: Assembly Bill No. 771—An act to amend section 38 of the State Bar Act, relating to the admission of applicants.

ARTHUR A. OHNIMUS, Chief Clerk.
By A. W. ENGELKE, Assistant Clerk.

Also:

ASSEMBLY CHAMBER, SACRAMENTO, May 15, 1931.

MR. PRESIDENT: I am directed to inform your honorable body that the Assembly on this day adopted the report of the Committee on Free Conference concerning Assembly Bill No. 476—An act to add section 6a to chapter 176, Statutes of 1919, entitled "An act providing for the prevention and suppression of forest fires," approved May 2, 1919, relating to arrests and appearances on charges of violating forest or fire laws.

ARTHUR A. OHNIMUS, Chief Clerk.
By C. W. BOOTH, Assistant Clerk.

REPORTS OF STANDING COMMITTEES —(RESUMED).

The following reports of standing committees were received and read:

ON ENGROSSMENT, ENROLLMENT AND PRINTING.

SENATE CHAMBER, SACRAMENTO, May 15, 1931.

MR. PRESIDENT: Your Committee on Engrossment, Enrollment and Printing has examined Senate Bill No. 85—An act to amend section 2 of chapter 620, Statutes of 1915, entitled "An act authorizing any city, city and county, county, town, municipality or other political subdivision to acquire certain liens or property offered for sale for the nonpayment of certain assessments," approved June 4, 1915, relating to the disposal of such lien or property;

Also: Senate Bill No. 107—An act providing for the erection and maintenance of a monument to the memory of Chief Solano, to be erected in Solano County, and making an appropriation therefor;

Also: Senate Bill No. 145—An act to amend section 3627a of the Political Code, relating to the taxation of securities and solvent credits;

Also: Senate Bill No. 163—An act to amend section 737ji and section 737hh of the Political Code, fixing the salaries of judges of the superior courts of San Bernardino and Sacramento counties;

Also: Senate Bill No. 171—An act to add a new section to the Penal Code to be numbered 636c, relating to the protection of fish;

Also: Senate Bill No. 177—An act to add a new section, to be numbered section 11b, to an act entitled "An act regulating private employment agencies, providing for a license for the operation thereof and a fee therefor, providing forms of receipts and registers to be used and kept, prohibiting any charge for registering or filing application for help or employment, prohibiting the dividing of fees, providing for the refunding of fees and expenses in the event of failure to procure employment, and granting the Commissioner of the Bureau of Labor Statistics the power to prescribe rules and regulations to carry out the purpose and intent of this act," approved June 3, 1913, as amended, requiring licensed employment agencies to print or publish the maximum fees which they charge for positions on all their advertising matter, including introduction cards, bulletins, blotters, throw-aways, newspapers and other advertising;

And reports that the same have been correctly enrolled, and presented to the Governor on the fifteenth day of May, at three o'clock and fifteen minutes p.m.

RILEY, Chairman.

Also:

MR. PRESIDENT: Your Committee on Engrossment, Enrollment and Printing has examined Senate Bill No. 913—An act to amend section 737bb of the Political Code, relating to the salary of the judge of the superior court in and for the county of Napa;

Also: Senate Bill No. 917—An act to amend section 3 of chapter 197, Statutes of 1909, entitled "An act to amend 'An act to regulate the vocation of fishing and to provide therefrom revenue for the propagation, restoration and conservation of fish in the waters of the State of California,'" relating to regulations of the Fish and Game Commission;

Also: Senate Concurrent Resolution No. 39—Relating to the dedication of the Lassen Volcanic National Park;

Also: Senate Concurrent Resolution No. 40—Providing for the appointment of a Commission on Legislation Pertaining to Water Resources;

And reports that the same have been correctly enrolled, and presented to the Governor on the fifteenth day of May, at three o'clock and fifteen minutes p.m.

RILEY, Chairman.

Also:

MR. PRESIDENT: Your Committee on Engrossment, Enrollment and Printing has examined Senate Bill No. 838—An act to amend sections 5.611 and 5.616 of the School Code, relating to the payment of expenses of holding teachers' institutes;

Also: Senate Bill No. 843—An act to amend sections 3.301, 3.302, 3.306 and 3.309 of the School Code and to repeal section 3.397 thereof, relating to the attendance of pupils in a high school district in which such pupils do not reside;

Also: Senate Bill No. 845—An act to amend section 3.350 of the School Code, relating to junior college courses of study maintained by high school districts;

Also: Senate Bill No. 848—An act to repeal sections 6.61, 6.260, 6.440, 6.441, 6.452, 6.732 and 6.751 of the School Code; to add thereto new sections to be numbered 6.61, 6.440, 6.441, 6.452, 6.732, 6.751, 6.101, 6.204, 6.470 1, 6.470 2 and 6.733; to add a new article to chapter II of part I of division VI thereof, to be known as article VIIa, embracing section 6.90a; a new article to chapter IV of part I of division VI thereof, to be known as article IIIa, embracing sections 6.190a to 6.194a, both inclusive; to repeal article I, embracing sections 6.370 to 6.376, both inclusive, article III, embracing sections 6.390 to 6.391, both inclusive, article IV, embracing sections 6.400 to 6.409, both inclusive, article V, embracing sections 6.420 to 6.429, both inclusive; all of chapter V of part II of division VI thereof; to add to chapter V of part II of division VI thereof, a new article to be known as article I, to embrace sections 6.370 to 6.375, both inclusive; a new article to be known as article III, to embrace sections 6.390 to 6.391, both inclusive; a new article to be known as article IV, embracing sections 6.400 to 6.409, both inclusive; a new article to be known as article V, to embrace sections 6.420 to 6.424, both inclusive; to repeal section 6.62 thereof, and to repeal all those acts and parts of acts in this act enumerated and described, all relating to the environment and equipment of the public school system;

And reports that the same have been correctly enrolled and presented to the Governor on the fifteenth day of May, at three o'clock and fifteen minutes p.m.

RILEY, Chairman.

Also:

MR. PRESIDENT: Your Committee on Engrossment, Enrollment and Printing has examined Senate Bill No. 600—An act to add a new section to the Penal Code, to be numbered 969b, relating to the admissibility in evidence in criminal cases of the records, or certified copies thereof, of prisons, penitentiaries and reformatories;

Also: Senate Bill No. 674—An act making appropriation to pay the claim of the Electro Metals Company against the State of California;

Also: Senate Bill No. 683—An act to establish a retirement system to provide for the retirement of employees of the State of California, and make an appropriation therefor;

Also: Senate Bill No. 833—An act to amend the title of chapter II of part II of division IV of the School Code; to amend sections 4.161, 4.170, 4.172 and 4.173 thereof; to repeal chapters III, IV and V, embracing sections 4.180 to 4.242, both inclusive, of part II of division IV of the School Code; to repeal chapter VI, embracing sections 4.250 to 4.271, both inclusive, of part II of division II of the School Code; to repeal article V, embracing sections 4.630 to 4.639, both inclusive, of chapter VII of part III of division IV of the School Code; to repeal section 4.174 thereof and to add to chapter II of part II of division IV of the School Code four new articles to be known as article III, article IV, article V and article VI, respectively, embracing sections 4.180 to 4.210, both inclusive; to add a new chapter to part II of division IV of the School Code to be known as chapter III, embracing sections 4.220 to 4.261, both inclusive, and to add a new chapter to part II of division IV of the School Code to be known as chapter IV, embracing sections 4.270 to 4.278, both inclusive; to add two new sections to the School Code to be numbered 5.550 and 5.635; and to repeal chapter 583 of the Statutes of 1929, entitled "An act providing for the certifying to boards of supervisors and county auditors the total cost of educating junior college pupils residing in counties and not in any junior college district, approved May 31, 1929, all relating to county school funds and the use thereof; And reports that the same have been correctly enrolled and presented to the Governor on the fifteenth day of May, at three o'clock and fifteen minutes p.m.

RILEY, Chairman.

Also:

MR. PRESIDENT: Your Committee on Engrossment, Enrollment and Printing has examined Senate Bill No. 420—An act to add a new section to the School Code to be numbered 2.1504, providing for the payment of expenses incurred in holding conventions of county, city and district superintendents;

Also: Senate Bill No. 439—An act to repeal article I, embracing sections 4.530 to 4.533, both inclusive, article II, embracing sections 4.540 to 4.548, both inclusive, all of chapter VI of part III of division IV of the School Code, and sections 4.560, 4.561, 4.562, 4.564, 4.565, 4.566 and 4.570 thereof, all relating to the financial support of high school districts;

Also: Senate Bill No. 442—An act to amend section 3.470 of the School Code and to repeal sections 3.471 and 3.473 thereof, relating to cooperative part-time vocational courses in high schools;

Also: Senate Bill No. 454—An act to amend section 602 of the Penal Code, relating to trespass;

Also: Senate Bill No. 504—An act to amend section 394 of the Code of Civil Procedure, relating to the place of trial of actions or proceedings to which a county, city and county, city, or public or municipal corporation, is a party, and providing for the attendance of witnesses, payment of costs, and the assignment of judges in certain cases;

Also: Senate Bill No. 506—An act to amend section 632 of the Penal Code, relating to the protection of fish;

And reports that the same have been correctly enrolled, and presented to the Governor on the fifteenth day of May, at three o'clock and fifteen minutes p.m.

RILEY, Chairman.

Also:

MR. PRESIDENT: Your Committee on Engrossment, Enrollment and Printing has examined Senate Bill No. 138—An act to add a new article to chapter 3 of title I of part III of the Political Code, to be numbered article 11a, embracing sections 360 to 360n, both inclusive, and to repeal sections 363k, 363l and 363m of the Political Code and section 30 of the California Vehicle Act, relating to a Department of Motor Vehicles;

Also: Senate Bill No. 306—An act granting to the city of Pacific Grove the title to the water front of said city, together with certain submerged lands in the bay of Monterey contiguous thereto;

Also: Senate Bill No. 339—An act making an appropriation for the construction and completion of an exposition building for the use of No. 1-A Agricultural District Association;

Also: Senate Bill No. 389—An act to amend section 2.878 of the School Code, relating to electors at school district elections;

Also: Senate Bill No. 396—An act to repeal chapter 17, Statutes of 1929, entitled "An act making an appropriation to meet the deficiency in the appropriation for contingent expenses of the Senate for the seventy-ninth and eightieth fiscal years," approved March 5, 1929;

And reports that the same have been correctly enrolled, and presented to the Governor on the fifteenth day of May, at three o'clock and fifteen minutes p.m.

RILEY, Chairman.

Also:

MR. PRESIDENT: Your Committee on Engrossment, Enrollment and Printing has examined Senate Bill No. 220—An act to amend section 2 of chapter 767, Statutes of 1927, entitled "An act to regulate the hunting of deer and to provide for the tagging of the carcass of any deer killed, and to provide for the transportation of lawfully killed deer from an open district into a closed district, and to provide revenue therefrom for fish and game preservation, propagation and protection, and providing a penalty for violation," approved May 26, 1927, relating to deer tag licenses;

Also: Senate Bill No. 270—An act to amend chapter 808, Statutes of 1927, entitled "American River Flood Control District Act," as amended, by amending section 2 thereof, relating to the objects and purposes of the act and to the powers of the district, and section 17, relating to the levy and collection of assessments, and by adding a new section thereto to be numbered 18b making an appropriation in the sum of \$20,000 to defray the expenses of the district and providing that said appropriation shall be returned to the State, and relating to the manner of repayment and containing a provision declaring this act to be an emergency measure stating the facts constituting such emergency, and providing this act shall take effect immediately upon its passage;

Also: Senate Bill No. 276—An act to add a new article to chapter 3 of title I of part III of the Political Code, to be numbered article 11n, embracing sections 377 to 377n, inclusive, relating to a Department of Professional and Vocational Standards;

Also: Senate Bill No. 285—An act making an appropriation to pay the claim of John H. Hellard against the State of California;

Also: Senate Bill No. 323—An act to amend section 607 of the Penal Code, relating to the destroying or injuring of reclamation or drainage ditches;

And reports that the same have been correctly enrolled, and presented to the Governor on the fifteenth day of May, at three o'clock and fifteen minutes p.m.

RILEY, Chairman.

Also:

MR. PRESIDENT: Your Committee on Engrossment, Enrollment and Printing has examined Senate Bill No. 349—An act to repeal section 4.52 of the School Code and to repeal section 1 of chapter 433, Statutes of 1929, entitled "An act relating to the formation, suspension and support of junior college districts and the powers of governing boards thereof," approved May 23, 1929, and to add a new section to the School Code to be numbered 4.52, all relating to the State Junior College Fund and making an appropriation therefor;

Also: Senate Bill No. 351—An act making an appropriation to pay the claim of Robert W. Blanton against the State of California;

Also: Senate Bill No. 362—An act to prohibit and prevent the waste of crude petroleum oil in the State of California and deterring such waste, and in that behalf creating an Oil Conservation Commission; providing for the election of the members of said commission; fixing the terms of office of the members of said commission; providing for the filling of vacancies in the membership of said commission; providing for the powers, duties and authority of said commission and the members thereof; requiring producers of crude petroleum oil and operators of wells and owners and operators of any storage facilities of crude petroleum oil to make and file certain reports; providing for the filing and hearing of complaints concerning the waste of crude petroleum oil and for oaths, subpoenas and depositions; providing for the fixing of allowable production of crude petroleum oil for the State and for the several oil fields thereof, respectively, and for the several zones, properties and wells in each such oil field, respectively, so as to stop such waste; providing for the enforcement of said act; providing penalties for refusing to permit the commission or its representatives to inspect any drilling or producing well or storage facilities and for failing, neglecting or refusing to furnish any report or record or statement required by the commission and for wilfully rendering or furnishing a false or fraudulent report, statement or record, creating a fund for the purposes of said act and providing for the assessment and collection thereof;

Also: Senate Bill No. 427—An act making an appropriation for the support of the Forty-second District Agricultural Association;
And reports that the same have been correctly enrolled, and presented to the Governor on the fifteenth day of May, at three o'clock and fifteen minutes p.m.

RILEY, Chairman.

Also:

MR. PRESIDENT: Your Committee on Engrossment, Enrollment and Printing has examined Senate Bill No. 428—An act to amend section 22077 of the Political Code, relating to the Industrial Home for the Adult Blind;

Also: Senate Bill No. 433—An act to make an appropriation to pay the claim of W. E. Martin against the State of California;

Also: Senate Bill No. 434—An act to make an appropriation to pay the claim of the Comptroller of the State Compensation Insurance Fund against the State of California;

Also: Senate Bill No. 440—An act to repeal article III, embracing sections 3,380 and 3,381, of chapter VI of part III of division III of the School Code, relating to agreements of affiliation by junior colleges and junior college departments of high school districts and teachers colleges with the University of California;

Also: Senate Bill No. 465—An act to amend section 2,801 of the School Code, relating to the liability of boards of school trustees, and to add a new section to the School Code, to be numbered section 2,990, providing for insurance by school districts;

Also: Senate Bill No. 531—An act appropriating money to pay the claim of W. P. Britton against the State of California;

Also: Senate Bill No. 634—An act making an appropriation to pay the claim of Fanny Lem against the State of California;

And reports that the same have been correctly enrolled, and presented to the Governor on the fifteenth day of May, at three o'clock and fifteen minutes p.m.

RILEY, Chairman.

Also:

MR. PRESIDENT: Your Committee on Engrossment, Enrollment and Printing has examined Senate Bill No. 695—An act making an appropriation to pay the claim of Grace Takata against the State of California;

Also: Senate Bill No. 696—An act making an appropriation to pay the claim of Shizue Morey against the State of California;

Also: Senate Bill No. 738—An act creating a Tax Research Bureau in the office of the State Board of Equalization, under the joint supervision of the Governor, Director of Finance and members of said board, for investigation of matters relating to revenue, taxation and public finance; prescribing the powers and duties of said officials in relation to such bureau, providing for reports and recommendations relating to revenue, taxation and public finance and making an appropriation therefor;

Also: Senate Bill No. 822—An act to make an appropriation to pay the claim of Simon J. Lubin, against the State of California;

Also: Senate Bill No. 834—An act to amend section 4,290 of the School Code, relating to temporary transfers of moneys from the funds of a county or city to the funds of a school district within such county or city;

Also: Senate Bill No. 836—An act to amend section 2,1220 of the School Code, relating to reports by school superintendents to the Superintendent of Public Instruction and to county boards of supervisors;

Also: Senate Bill No. 839—An act to amend section 2,1427 of the School Code, relating to the duties of the Superintendent of Public Instruction;

And reports that the same have been correctly enrolled, and presented to the Governor on the fifteenth day of May, at three o'clock and fifteen minutes p.m.

RILEY, Chairman.

Also:

MR. PRESIDENT: Your Committee on Engrossment, Enrollment and Printing has examined Senate Bill No. 842—An act to add a new article to chapter VI of part III of division III of the School Code to be known as article VII, embracing sections 3-415 and 3-416, relating to the attendance of students upon junior colleges;

Also: Senate Bill No. 901—An act to amend section 45½ of the California Vehicle Act, relating to chattel mortgages on motor vehicles or any other vehicle defined by said act, providing for the filing of a certified copy thereof with the Division of Motor Vehicles, registration of the holder as legal owner and the same being constructive notice of said mortgage and contents, excepting chattel mortgages from the provisions of sections 2957, 2959 and 2965 of the Civil Code;

Also: Senate Bill No. 903—An act to add a new section to the Civil Code to be known as section 453g, relative to the registration of life insurance policies issued by assessment companies;

Also: Senate Bill No. 922—An act to amend section 1 of an act entitled "An act to provide for the payment by the State or counties, or school districts, or other special districts, or cities, or cities and counties, of the premium or charge on official bonds when given by surety companies," approved March 25, 1903, as amended;

Also: Senate Bill No. 934—An act to amend sections 4, 7, 8, 9, 11, 12, 13, 14, 15, 17, 18, 25, 26, 27 and 29 of "An act to provide for the formation, government, operation, reorganization, dissolution and alteration of boundaries of sanitary districts in any part of the State, for the construction of sewers, septic tanks, and other sanitary disposal of sewerage matter; the acquisition of property thereby, the calling and conducting of elections in such districts; the assessment, levying, collection, custody, and disbursement of taxes therein; the issuance, disposal and retirement of the bonds thereof, and the determination of their validity and making provision for the payment of such bonds, and the disposal of their proceeds," approved May 25, 1919, relating to sanitary districts;

And reports that the same have been correctly enrolled, and presented to the Governor on the fifteenth day of May, at three o'clock and fifteen minutes p.m.

RILEY, Chairman.

Also:

MR. PRESIDENT: Your Committee on Engrossment, Enrollment and Printing has examined Senate Bill No. 938—An act making an appropriation from the Contingent Fund of the State Board of Pharmacy to be used by the Regents of the University of California for the use and benefit of the College of Pharmacy of the University of California;

Also: Senate Bill No. 948—An act amending section 1 of an act entitled "An act to authorize and empower boards of supervisors to levy a tax for advertising, exploiting, promoting and aiding measures designed to preserve, aid or develop the agricultural, horticultural, viticultural and water resources and advantages of their several counties," approved April 17, 1929, relating to investigation of matters affecting the economic welfare of counties and their inhabitants;

Also: Senate Bill No. 949—An act to amend section 37 of an act entitled "An act providing for the incorporation of public utility districts in unincorporated territory, authorizing such districts to incur bonded indebtedness for the purpose of the construction of works and the acquisition of property, and to levy and collect taxes to pay the principal and interest on bonds and for carrying on their operations, and providing for the powers, management and government of such districts, and imposing certain duties and functions in connection with such districts upon certain county officers," approved May 31, 1921, relating to books of account of public utility districts;

Also: Senate Bill No. 951—An act to provide for reimbursement of persons suffering loss by reason of the acts of tule elk during the closed season;

Also: Senate Bill No. 156—An act to validate the organization and existence of school districts, high school districts and junior college districts of every kind and class;

And reports that the same have been correctly enrolled, and presented to the Governor on the fifteenth day of May, at three o'clock and fifteen minutes p.m.

RILEY, Chairman.

Also:

MR. PRESIDENT: Your Committee on Engrossment, Enrollment and Printing has examined Senate Bill No. 301—An act to amend sections 737ee, 737yy and 737fff of the Political Code, relating to salary of superior court judges;

Also: Senate Bill No. 441—An act to repeal chapter II, embracing sections 4.410 to 4.434, both inclusive, of part III of division IV of the School Code relating to taxes for school districts;

Also: Senate Bill No. 461—An act to provide for certain investigations relating to conservation of water and to make an appropriation therefor;

Also: Senate Bill No. 484—An act relating to the support and maintenance of instruction in nursing education at the University of California, defining the powers and duties of the State Director of Finance in relation thereto, and making an appropriation therefor;

Also: Senate Bill No. 571—An act providing for investigation of and report upon certain matters relating to crime, criminals and penal laws, including particularly the cost of crime to the State, defining the powers and duties of the State Director of Finance and other public officers in relation thereto, and making an appropriation therefor;

Also: Senate Bill No. 614—An act to amend section 689 of the Penal Code, providing that no person can be convicted of a public offense but upon verdict or judgment;

Also: Senate Bill No. 616—An act to amend section 270 of the Penal Code, relative to omitting to provide child with necessities;
And reports that the same have been correctly enrolled, and presented to the Governor on the fifteenth day of May, at three o'clock and fifteen minutes p.m.

RILEY, Chairman.

Also:

MR. PRESIDENT: Your Committee on Engrossment, Enrollment and Printing has examined Senate Bill No. 639—An act to amend section 461 of the Penal Code, relating to burglary with acetylene torch, electric arc or explosives;

Also: Senate Bill No. 677—An act making an appropriation to pay the claim of B. F. Schlessinger against the State of California;

Also: Senate Bill No. 693—An act to add a new section to the Code of Civil Procedure, to be numbered 66b, relating to the number of judges of the superior court in the county of Merced;

Also: Senate Constitutional Amendment No. 17—A resolution to propose to the people of the State of California an amendment to section 23a of article IV of the constitution of said State, relating to officers, employees and attaches;

And reports that the same have been correctly enrolled, and presented to the Governor on the fifteenth day of May, at three o'clock and fifteen minutes p.m.

RILEY, Chairman.

Also:

MR. PRESIDENT: Your Committee on Engrossment, Enrollment and Printing has examined Senate Bill No. 13—An act to add a new section to the Penal Code, to be numbered 64a, relating to the filing of initiative or referendum petitions;

Also: Senate Bill No. 178—An act to amend sections 600 and 608 of the Probate Code, relating to the inventory and appraisal of the estate of a decedent;

Also: Senate Bill No. 205—An act providing for the building of a causeway across the Tisdale By-pass in Sutter County, State of California, and making an appropriation therefor;

Also: Senate Bill No. 215—An act to amend section 963 of the Code of Civil Procedure, relating to appeals from the superior court;

Also: Senate Bill No. 91—An act to amend section 763 of the Code of Civil Procedure, relating to partition;

Also: Senate Bill No. 191—An act creating the California Districts Securities Commission, providing for its appointment, and defining its duties and powers, relating to bonds of irrigation districts, providing under what circumstances such bonds shall be legal investments for funds of banks, insurance companies and trust companies, trust funds, State school funds and any money or funds which may now or hereafter be invested in bonds of cities, cities and counties, counties, school districts or municipalities, and providing under what circumstances the use of bonds of irrigation districts as security for the performance of any act may be authorized providing that certain districts may be declared insolvent, and providing for the administration of insolvent districts, making an appropriation, to carry out the purposes of the act, and repealing an act entitled "An act relating to bonds of irrigation districts, providing under what circumstances such bonds shall be legal investments for funds of banks, insurance companies and trust companies, trust funds, State school funds and any money or funds which may now or hereafter be invested in bonds of cities, cities and counties, counties, school districts or municipalities, and providing under what circumstances the use of bonds of irrigation districts as security for the performance of any act may be authorized," approved June 13, 1913, and as amended;

And reports that the same have been correctly enrolled, and presented to the Governor on the fifteenth day of May, at three o'clock and fifteen minutes p.m.

RILEY, Chairman.

Also:

MR. PRESIDENT: Your Committee on Engrossment, Enrollment and Printing has examined Senate Bill No. 230—An act to amend sections 4130 and 4300c of the Political Code, relating to recorders and fees;

Also: Senate Bill No. 287—An act to regulate motor boats of less than 15 gross tons capacity, operating in California waters and carrying passengers for hire and providing a penalty for violation thereof;

Also: Senate Bill No. 319—An act to amend section 873 of the Code of Civil Procedure, relating to the time of trial in justices' courts;

Also: Senate Bill No. 575—An act to amend sections 2, 4, 5 and 6 of an act entitled "An act to create the office of Public Defender, to provide for the election of such officers, and prescribing their duties and compensation," approved May 24, 1921, relating to the office of Public Defender;

Also: Senate Bill No. 610—An act to amend section 1426 of the Penal Code, relating to proceedings in justice's court and municipal courts;

Also: Senate Bill No. 697—An act making an appropriation to pay the claim of Clara Char against the State of California;

Also: Senate Bill No. 824—An act providing for the exhibit of the products and resources of the State of California at the Chicago World's Fair Centennial Celebration to be held at Chicago, Illinois, in 1933, creating the California World's Fair Centennial Celebration Commission and defining its powers and duties, and making an appropriation therefor;

And reports that the same have been correctly enrolled, and presented to the Governor on the fifteenth day of May, at three o'clock and fifteen minutes p.m.

RILEY, Chairman.

Also:

MR. PRESIDENT: Your Committee on Engrossment, Enrollment and Printing has examined Senate Bill No. 852—An act to repeal sections 2,310, 2,500, 2,600, 2,670 to 2,674, inclusive, 2,690, 2,691, 2,750, 2,830, 2,877, 2,913, 2,1021, 2,1058, 2,1061, 2,1130, 2,1131, 2,1391, 2,1435, 2,1440 to 2,1443, inclusive, 2,1463, 2,1466 and 2,1468 of the School Code; to add thereto new sections to be numbered 2,310, 2,500, 2,600, 2,670 to 2,674, inclusive, 2,690, 2,691, 2,750, 2,830, 2,877, 2,913, 2,1021, 2,1058, 2,1061, 2,1130, 2,1131, 2,1391, 2,1435, 2,1440 to 2,1443, inclusive, 2,1463, 2,1466, 2,1468, 2,21, 2,1095, 2,1111, 2,1321, 2,1399 to 2,1401, inclusive, 2,1444 to 2,1446, inclusive, and 2,1469; to add a new article to chapter VI of part I of division II thereof to be numbered article VIIa, embracing sections 2,440a to 2,454a, inclusive; to add a new article to chapter XI of part I of division II thereof, to be numbered article VIa, embracing sections 2,730a to 2,738a, inclusive; to add a new article to chapter I of part V of division II thereof to be numbered article V, embracing section 2,1520; to repeal sections 2,1392 to 2,1398, inclusive, and sections 2,1132 and 2,1133 thereof, and to repeal those acts in this act enumerated and described, all relating to the administrative organization of the public school system;

Also: Senate Bill No. 954—An act to amend section 737f of the Political Code, relating to salary of judges of the superior court in and for the county of Humboldt;

Also: Senate Bill No. 961—An act to amend section 737h of the Political Code, relating to the salaries of the judges of the superior court;

Also: Senate Constitutional Amendment No. 22—A resolution to propose to the people of the State of California an amendment of the constitution of said State by amending section 15 of article XIII thereof, relating to revenue and taxation; And reports that the same have been correctly enrolled, and presented to the Governor on the fifteenth day of May, at three o'clock and fifteen minutes p.m.

RILEY, Chairman.

Also:

MR. PRESIDENT: Your Committee on Engrossment, Enrollment and Printing has examined Senate Bill No. 311—An act to provide for the impounding and utilization of the waters of the American River for flood control, river flow control and equation, domestic use, irrigation, reclamation, power development, or any one or more of such or other public uses; authorizing the State Department of Finance to acquire for the State property useful in connection therewith; defining the powers and duties of State officers and departments and of public and private agencies in relation thereto; authorizing the leasing of property of the State for any one or more of such uses and specifying certain terms and conditions to which said lease shall be subject;

Also: Senate Bill No. 492—An act to amend the title and sections 3, 6, 8, 15, 16 and 18 of, and to add a new section to be numbered 20a to, an act entitled "An act to protect the natural resources of petroleum and gas from waste and destruction; relating to the creating of a division in the Department of Natural Resources for the prevention of such waste and destruction; providing for the appointment of a State Oil and Gas Supervisor; prescribing his duties and powers; fixing his compensation; providing for the appointment of deputies and employees; providing for their duties and compensation; providing for the inspection of petroleum and

gas wells; requiring all persons operating petroleum and gas wells to make certain reports; permitting and authorizing agreements in the interests of conservation; providing for suits by the Director of the Department of Natural Resources in the name of the people of the State of California; providing procedure for arbitration of departmental rulings; creating a fund for the purposes of the act; providing for assessment of charges to be paid by operators and providing for the collection thereof; and making an appropriation for the purposes of this act," approved June 10, 1915, as amended, relating to protection of the natural resources of water, petroleum and gas from damage, waste and destruction, and providing for bonds required of drillers of oil and gas wells;

Also: Senate Bill No. 781—An act to amend section 16x14 of the Weights and Measures Act, relating to sealers of weights and measures in counties of the fourteenth class;

And reports that the same have been correctly enrolled, and presented to the Governor on the fifteenth day of May, at three o'clock and fifteen minutes p.m.

RILEY, Chairman.

Also:

MR. PRESIDENT: Your Committee on Engrossment, Enrollment and Printing has examined Senate Bill No. 825—An act to provide for the creation, organization and government of water conservation districts, defining their powers and prescribing the method of exercising the same, reenacting and continuing in force the provisions of chapter 166 of the Statutes of 1929, known as the "Water Conservation Act of 1929," and validating and confirming all proceedings had and taken under the provisions of said act resulting in the organization of water conservation districts, and continuing such districts under the provisions of this act with the powers herein conferred—and reports that the same has been correctly enrolled, and presented to the Governor on the fifteenth day of May, at three o'clock and fifteen minutes p.m.

RILEY, Chairman.

Also:

MR. PRESIDENT: Your Committee on Engrossment, Enrollment and Printing has examined Senate Bill No. 2—An act to amend section 737aa of the Political Code, relating to the salary of the superior judge in and for the county of Monterey;

Also: Senate Bill No. 76—An act to add a new section to the Code of Civil Procedure, to be known as section 170b, relating to justices of the peace;

Also: Senate Bill No. 80—An act to amend section 1382 of the Penal Code, relating to dismissal of an action for want of prosecution;

Also: Senate Bill No. 124—An act to amend sections 737q and 737r of the Political Code, relating to the salaries of judges of the superior courts;

Also: Senate Bill No. 209—An act to amend section 204e of the Code of Civil Procedure, relating to jury commissioner in counties, or cities and counties, where there is a secretary of the judges of the superior court;

Also: Senate Bill No. 235—An act to amend section 626o of the Penal Code, relating to the protection of fish and game;

Also: Senate Bill No. 475—An act providing for the organization, operation, maintenance, government and dissolution of resort districts and the inclusion of lands therein and exclusion of lands therefrom, and for the acquisition of lands or rights therein and the acquisition, construction, operation and maintenance of public improvements and works to carry into effect the provisions of this act; for the issuance, sale and payment of bonds of such districts to meet the cost of such improvements and works and for the acquisition or construction of such lands or rights therein or improvements and works; and conferring upon the State Engineer certain additional duties and powers in connection with carrying out the purposes of this act;

And reports that the same have been correctly enrolled, and presented to the Governor on the fifteenth day of May, at three o'clock and thirty minutes p.m.

RILEY, Chairman.

Also:

MR. PRESIDENT: Your Committee on Engrossment, Enrollment and Printing has examined Senate Bill No. 548—An act to amend chapter 266, Statutes of 1923, entitled the "California Vehicle Act," approved May 30, 1923, as amended, by amending the title thereof, by repealing section 20, and by amending sections 7, 7½, 8½, 21, 29, 35, 36, 41, 43, 47, 61, 72, 83½, 85, 87, 89, 90, 91, 94, 95, 96, 100, 110, 111, 113, 115, 116, 118, 119, 122, 123, 124, 125, 126, 131, 135, 136, 138, 139, 142, 145½, 146, 151, 159½, and by adding thereto new sections numbered 7½, 45½, 47½, 57½, 62½, 73½, 64½, 93½, 111½, 113½, 114½, 131½, 135½, 136½, 139½, 139½, 145½, 145½, relating to the regulation of traffic on streets and highways and to the use and operation of vehicles and the registration and identification of vehicles and the licensing of operators and chauffeurs, the service of civil process on nonresidents, the reporting of accidents and damage to vehicles, and to the powers and duties of the California Highway

Patrol and to the erection of signs, signals or lights upon or adjacent to highways and to the enforcement of this act;

Also: Senate Bill No. 701—An act to amend sections 2, 3, 4, 5, 6, 7, 8, 9, 10, 11, 12, 13, 14, 15, 16, 17, 18, 19, 20, 21, 22, 23, 24, 25, 26, 27, 28, 29 and to repeal sections 20a and 24a of and to add sections 30, 31, 32, 33, 34, 35, 36 and 37 to an act entitled "An act providing for the regulation and supervision of companies, brokers, agents, and sales of securities as the same are therein defined, and to prevent fraud in the sale of securities; providing for the enforcement of said act and penalties for the violation thereof; and creating a State Corporation Department and the office of 'Commissioner of Corporations,'" approved May 18, 1917, as amended, relating to the Division of Corporations, the regulation and supervision of companies, brokers, agents, investment counsel and sales of securities, and the prevention of fraud in the sale of securities;

Also: Senate Bill No. 768—An act to amend section 636 of the Penal Code, relating to the protection of fish;

Also: Senate Bill No. 835—An act to amend sections 4.340, 4.343, 4.344, 4.346, 4.347, 4.350 and 4.351 of the School Code, and to repeal section 4.348 thereof, all relating to orders and requisitions upon school district funds;

And reports that the same have been correctly enrolled, and presented to the Governor on the fifteenth day of May, at three o'clock and thirty minutes p.m.

RILEY, Chairman.

Also:

MR. PRESIDENT: Your Committee on Engrassment, Enrollment and Printing has examined Senate Bill No. 847—An act to repeal chapter II, embracing sections 4.760 to 4.864, both inclusive, of part IV of division IV of the School Code and to add thereto a new chapter to be known as chapter II, embracing sections 4.760 to 4.833, both inclusive, relating to the apportionment of State and county elementary school funds;

Also: Senate Bill No. 849—An act to repeal sections 5.401, 5.460, 5.461, 5.802, 5.810 and 5.1071 of the School Code; to repeal chapter VI, embracing sections 5.630 to 5.634, both inclusive, of part III of division V thereof; to add a new chapter to part III of division V thereof, to be known as chapter VI, embracing sections 5.630 to 5.634, both inclusive; to add thereto new sections to be numbered 5.401, 5.460, 5.461, 5.802, 5.810, 5.1071, 5.112, 5.383, 5.532, 5.804, 5.815; to add thereto a new part to be known as part V of division V thereof, embracing sections 5.1100 to 5.1138, both inclusive; to repeal section 5.814 thereof; and to amend section 5.350 thereof, and to repeal those acts in this act enumerated and described, all relating to the teaching and supervisory force of the public school system;

Also: Senate Bill No. 851—An act to add a new section to the School Code to be numbered 2.1043, relating to the governing boards of high school districts;

Also: Senate Bill No. 853—An act to repeal chapter II of part II of division I of the School Code, and to repeal sections 1.70, 1.80, 1.144 and 1.180 thereof, and to add thereto a new chapter II of part II of division I, embracing sections 1.350 to 1.430 inclusive, and new sections to be numbered 1.70, 1.80, 1.144, 1.180, 1.35, 1.36, 1.71 and 1.81, and to repeal those certain acts in this act enumerated and described, all relating to pupils in the public schools;

Also: Senate Bill No. 894—An act to amend section 653c of the Penal Code, relating to the hours of labor on public works;

And reports that the same have been correctly enrolled, and presented to the Governor on the fifteenth day of May, at three o'clock and thirty minutes p.m.

RILEY, Chairman.

Also:

MR. PRESIDENT: Your Committee on Engrassment, Enrollment and Printing has examined Senate Bill No. 895—An act authorizing the Governor of the State of California to select and engage the services of an educational research foundation or other organization engaged or organized to engage in the work of making critical surveys in the field of education to make a survey of the present system, plan of organization, and conduct of public education of higher than high school grade in the State of California and to report in writing the results of its survey with its recommendations, providing for the compensation of such foundation or other organization, making an appropriation therefor and for the payment of expenses incidental to carrying out the provisions of this act, and authorizing the Governor to accept gifts of money, property or services in furtherance of the work to be carried out as in this act provided;

Also: Senate Bill No. 900—An act to amend the California Vehicle Act approved May 30, 1923, and as amended, by amending sections 99, 100½, 101, 102, 103, 104, 106, 108, 111½, 130, adding thereto new sections to be numbered 100½, 111½, 111½, relating to the use, operation and equipment of motor vehicles operated upon the public highways, requiring lights, red reflectors, light indicators, prohibiting certain lights, the sale thereof, regarding the method and requirements for the testing of

lights and signals, the approval thereof, authorizing the establishment of official headlamp and brake adjusting stations, and the enforcement of said act;

Also: Senate Joint Resolution No. 14—Relative to memorializing and petitioning Congress to enact legislation to eliminate the restrictions which now attach to the taxation of national banking associations, and creating a committee to further such purpose;

Also: Senate Bill No. 706—An act authorizing the establishment, maintenance and operation of memorial districts for the acquisition of sites for, and the acquisition, construction, operation, maintenance, and management of, halls, buildings and meeting places for veterans and organizations of veterans; and authorizing the leasing, conveying, or making available, of public lands in certain instances to memorial districts for such purposes;

And reports that the same have been correctly enrolled, and presented to the Governor on the fifteenth day of May, at three o'clock and thirty minutes p.m.

RILEY, Chairman.

ON COUNTY GOVERNMENT.

SENATE CHAMBER, SACRAMENTO, May 15, 1931.

MR. PRESIDENT: Your Committee on County Government, to which was referred Assembly Bill No. 1533—An act to add section 4041.30 to the Political Code, relating to additional assistants to county officers;

Also: Assembly Bill No. 230—An act to amend section 1 of an act entitled "An act authorizing counties to declare noxious or dangerous weeds growing upon the streets or sidewalks or upon private property in counties, to be a public nuisance, creating a lien upon the property fronting upon such streets or sidewalks or upon which such nuisance exists for the cost of abating the same, and providing that such cost shall constitute special assessments, and providing for the enforcement and collection of such special assessments," approved May 24, 1929, relating to the powers of supervisors to declare existence of public nuisance;

Also: Assembly Bill No. 1604—An act to amend section 9a23 of an act entitled "An act to provide for the establishment and maintenance of county free libraries in the State of California, and repealing 'An act entitled 'An act to provide county library systems,' approved April 12, 1909, and all acts and parts of acts in conflict with this act,'" approved February 25, 1911, as amended, relating to libraries in counties of the thirty-third class;

Has had the same under consideration, and respectfully reports the same back without recommendation.

Committee membership—9.

WAGY, Chairman.

Also:

MR. PRESIDENT: Your Committee on County Government, to which was referred Senate Bill No. 361—An act to repeal chapter 629, Statutes of 1929, entitled "An act authorizing and empowering the boards of supervisors of the several counties to transfer lands to the United States of America and providing for a method to obtain said lands";

Also: Senate Bill No. 779—An act to amend section 19a11 of the Juvenile Court Law, relating to probation officers in counties of the eleventh class;

Also: Senate Bill No. 782—An act to amend section 4240 of the Political Code, relating to compensation of county and township officers in counties of the eleventh class;

Also: Senate Bill No. 783—An act to add a new section to be numbered 9a11 to the act entitled "An act to provide for the establishment and maintenance of county free libraries in the State of California, and repealing 'An act entitled 'An act to provide county library systems,' approved April 12, 1909, and all acts and parts of acts in conflict with this act,'" approved February 25, 1911, as amended, relating to libraries in counties of the eleventh class;

Also: Senate Bill No. 911—An act to amend section 9a31 of the act entitled "An act to provide for the establishment and maintenance of county free libraries in the State of California, and repealing 'An act entitled 'An act to provide county library systems,' approved April 12, 1909, and all acts and parts of acts in conflict with this act,'" approved February 25, 1911, as amended, relating to librarians in counties of the thirty-first class;

Also: Senate Bill No. 914—An act to amend section 19a31 of the "Juvenile Court Law," relating to probation officers in counties of the thirty-first class; Has had the same under consideration, and respectfully reports the same back without recommendation.

Committee membership—9.

WAGY, Chairman.

Also:

MR. PRESIDENT: Your Committee on County Government, to which was referred Senate Bill No. 915—An act to amend section 16a31 of the Weights and Measures Act, relating to sealers of weights and measures in counties of the thirty-first class;

Also: Senate Bill No. 916—An act to amend section 1260 of the Political Code, relating to compensation of county and township officers in counties of the thirty-first class;

Also: Senate Bill No. 804—An act to amend section 1282 of the Political Code, relating to compensation of county and township officers in counties of the fifty-third class;

Also: Senate Bill No. 813—An act to add a new section to be numbered 9a26 to the act entitled "An act to provide for the establishment and maintenance of county free libraries in the State of California, and repealing 'An act entitled "An act to provide county library systems," approved April 12, 1909, and all acts and parts of acts in conflict with this act," approved February 25, 1911, as amended, relating to libraries in counties of the twenty-sixth class;

Also: Senate Bill No. 814—An act to amend section 4255 of the Political Code, relating to compensation of county and township officers in counties of the twenty-sixth class;

Also: Senate Bill No. 815—An act to amend section 16r26 of the Weights and Measures Act, relating to sealers of weights and measures in counties of the twenty-sixth class;

Has had the same under consideration, and respectfully reports the same back without recommendation.

Committee membership—9.

WAGY, Chairman.

Also:

MR. PRESIDENT: Your Committee on County Government, to which was referred Senate Bill No. 816—An act to amend section 2322r26 of the Political Code, relating to the office of agricultural commissioner in counties of the twenty-sixth class;

Also: Senate Bill No. 817—An act to amend section 19r26 of the Juvenile Court Law, relating to probation officers in counties of the twenty-sixth class;

Also: Senate Bill No. 858—An act to amend section 19r40 of the Juvenile Court Law, relating to probation officers in counties of the fortieth class;

Also: Senate Bill No. 859—An act to amend section 2322r40 of the Political Code, relating to the office of agricultural commissioner in counties of the fortieth class;

Also: Senate Bill No. 860—An act to amend section 16r40 of the "Weights and Measures Act," relating to sealers of weights and measures in counties of the fortieth class;

Also: Senate Bill No. 862—An act to add a new section to be numbered 9a40 to the act entitled "An act to provide for the establishment and maintenance of county free libraries in the State of California, and repealing 'An act entitled "An act to provide county library systems," approved April 12, 1909, and all acts and parts of acts in conflict with this act," approved February 25, 1911, as amended, relating to libraries in counties of the fortieth class;

Has had the same under consideration, and respectfully reports the same back without recommendation.

Committee membership—9.

WAGY, Chairman.

Also:

MR. PRESIDENT: Your Committee on County Government, to which was referred Senate Bill No. 864—An act to add a new section to be numbered 9a41 to the act entitled "An act to provide for the establishment and maintenance of county free libraries in the State of California, and repealing 'An act entitled "An act to provide county library systems," approved April 12, 1909, and all acts and parts of acts in conflict with this act," approved February 25, 1911, as amended, relating to libraries in counties of the forty-first class;

Also: Senate Bill No. 868—An act to amend section 4251 of the Political Code, relating to compensation of county and township officers in counties of the twenty-second class;

Also: Senate Bill No. 870—An act to add section 19r22 to the Juvenile Court Law, relating to probation officers in counties of the twenty-second class;

Also: Senate Bill No. 871—An act to amend section 16r22 of the "Weights and Measures Act," relating to sealers of weights and measures in counties of the twenty-second class;

Also: Senate Bill No. 872—An act to add a new section to be numbered 9a22 to the act entitled "An act to provide for the establishment and maintenance of county free libraries in the State of California, and repealing 'An act entitled "An act to provide county library systems," approved April 12, 1909, and all acts and parts of acts in conflict with this act," approved February 25, 1911, as amended, relating to libraries in counties of the twenty-second class;

Also: Senate Bill No. 875—An act to add section 19r36 to the Juvenile Court Law, relating to probation officers in counties of the thirty-sixth class;

Has had the same under consideration, and respectfully reports the same back without recommendation.

Committee membership—9

WAGY, Chairman.

Also:

MR. PRESIDENT: Your Committee on County Government, to which was referred Senate Bill No. 879—An act to add a new section to be numbered 9a42 to the act entitled "An act to provide for the establishment and maintenance of county free libraries in the State of California, and repealing 'An act to provide county library systems,' approved April 12, 1909, and all acts and parts of acts in conflict with this act," approved February 25, 1911, as amended, relating to libraries in counties of the forty-second class;

Also: Senate Bill No. 888—An act to add a new section to be numbered 9a28 to the act entitled "An act to provide for the establishment and maintenance of county free libraries in the State of California, and repealing 'An act to provide county library systems,' approved April 12, 1909, and all acts and parts of acts in conflict with this act," approved February 25, 1911, as amended, relating to libraries in counties of the thirty-eighth class;

Also: Senate Bill No. 739—An act to amend section 19a19 of the Juvenile Court Law, relating to probation officers in counties of the nineteenth class;

Also: Senate Bill No. 741—An act to amend section 364b of the act entitled "An act to provide the establishment and maintenance of county free libraries in the State of California, and repealing 'An act to provide county library systems,' approved April 12, 1909, and all acts and parts of acts in conflict with this act," approved February 25, 1911, as amended, relating to librarians in counties of the nineteenth class;

Also: Senate Bill No. 764—An act to amend section 739c of the Political Code, relating to the payment of salaries of judges of the superior courts;

Has had the same under consideration, and respectfully reports the same back without recommendation.

Committee membership—9

WAGY, Chairman.

Also:

MR. PRESIDENT: Your Committee on County Government, to which was referred Senate Bill No. 774—An act to amend section 4234 of the Political Code, relating to compensation of county and township officers in counties of the fifth class;

Also: Senate Bill No. 775—An act to amend section 19a5 of the Juvenile Court Law, relating to probation officers in counties of the fifth class;

Also: Senate Bill No. 776—An act to amend section 16a5 of the Weights and Measures Act, relating to scales of weights and measures in counties of the fifth class;

Also: Senate Bill No. 777—An act to add a new section to be numbered 9a5 to the act entitled "An act to provide for the establishment and maintenance of county free libraries in the State of California, and repealing 'An act to provide county library systems,' approved April 12, 1909, and all acts and parts of acts in conflict with this act," approved February 25, 1911, as amended, relating to libraries in counties of the fifth class;

Also: Senate Bill No. 778—An act to amend section 2322a5 of the Political Code, relating to the office of agricultural commissioner in counties of the fifth class;

Also: Senate Bill No. 780—An act to amend section 19a42 of the Juvenile Court Law, relating to probation officers in counties of the forty-second class;

Has had the same under consideration, and respectfully reports the same back without recommendation.

Committee membership—9.

WAGY, Chairman.

Also:

MR. PRESIDENT: Your Committee on County Government, to which was referred Senate Bill No. 787—An act to amend section 2322a42 of the Political Code, relating to the office of agricultural commissioner in counties of the forty-second class;

Also: Senate Bill No. 788—An act to amend section 16a42 of the Weights and Measures Act, relating to scales of weights and measures in counties of the forty-second class;

Also: Senate Bill No. 789—An act to amend section 4271 of the Political Code, relating to compensation of county and township officers in counties of the forty-second class;

Also: Senate Bill No. 790—An act to add a new section to be numbered 9a42 to the act entitled "An act to provide for the establishment and maintenance of county free libraries in the State of California, and repealing 'An act to provide county library systems,' approved April 12, 1909, and all acts and parts of acts in conflict with this act," approved February 25, 1911, as amended, relating to libraries in counties of the forty-second class;

Also: Senate Bill No. 791—An act to amend section 2322~~r~~46 of the Political Code, relating to the office of agricultural commissioner in counties of the forty-sixth class;

Also: Senate Bill No. 792—An act to amend section 16~~r~~46 of the Weights and Measures Act, relating to sealers of weights and measures in counties of the forty-sixth class;

Has had the same under consideration, and respectfully reports the same back without recommendation.

Committee membership—9.

WAGY, Chairman.

Also:

MR. PRESIDENT: Your Committee on County Government, to which was referred Senate Bill No. 793—An act to amend section 4275 of the Political Code, relating to compensation of county and township officers in counties of the forty-sixth class;

Also: Senate Bill No. 794—An act to add a new section to be numbered 9a46 to the act entitled "An act to provide for the establishment and maintenance of county free libraries in the State of California, and repealing 'An act entitled "An act to provide county library systems," approved April 12, 1909, and all acts and parts of acts in conflict with this act," approved February 25, 1911, as amended, relating to libraries in counties of the forty-sixth class;

Also: Senate Bill No. 795—An act to amend section 19~~r~~46 of the Juvenile Court Law, relating to probation officers in counties of the forty-sixth class;

Also: Senate Bill No. 796—An act to amend section 19~~r~~49 of the Juvenile Court Law, relating to probation officers in counties of the forty-ninth class;

Also: Senate Bill No. 797—An act to amend section 2322~~r~~49 of the Political Code, relating to the office of agricultural commissioner in counties of the forty-ninth class;

Also: Senate Bill No. 798—An act to amend section 16~~r~~49 of the Weights and Measures Act, relating to sealers of weights and measures in counties of the forty-ninth class;

Has had the same under consideration, and respectfully reports the same back without recommendation.

Committee membership—9.

WAGY, Chairman.

Also:

MR. PRESIDENT: Your Committee on County Government, to which was referred Senate Bill No. 799—An act to amend section 4278 of the Political Code, relating to compensation of county and township officers in counties of the forty-ninth class;

Also: Senate Bill No. 800—An act to add a new section to be numbered 9a49 to the act entitled "An act to provide for the establishment and maintenance of county free libraries in the State of California, and repealing 'An act entitled "An act to provide county library systems," approved April 12, 1909, and all acts and parts of acts in conflict with this act," approved February 25, 1911, as amended, relating to libraries in counties of the forty-ninth class;

Also: Senate Bill No. 19—An act to amend sections 2187, 2240 and 2255 of the Political Code, relating to county settlements with the State for maintenance of inmates in institutions and of pupils at the California School for the Deaf and the California School for the Blind;

Also: Senate Bill No. 61—An act to add a new section to the Political Code, to be numbered 4177, relating to the sheriff's duty in caring for money and property of prisoners;

Also: Senate Bill No. 223—An act to amend section 4234 of the Political Code, relating to the salaries, fees and expenses of officers in counties of the fourth class;

Also: Senate Bill No. 193—An act to amend section 4270 of the Political Code of the State of California, relating to salaries of officers in counties of the forty-first class;

Has had the same under consideration, and respectfully reports the same back without recommendation.

Committee membership—9.

WAGY, Chairman.

Also:

MR. PRESIDENT: Your Committee on County Government, to which was referred Senate Bill No. 322—An act to amend section 2322~~a~~ of the Political Code, relating to county horticultural commissioners;

Also: Senate Bill No. 333—An act to create a restitution department and the office of restitution officer in each county of the State of California, or in the adult probation department of smaller counties, to provide without civil suit for the return to rightful owners of all money and property lost through fraud, embezzlement, theft or other unlawful means termed under the law varying degrees of theft, upon the conviction of persons guilty of said thefts; providing for the enforcement of said act, and penalties for the violation thereof, and providing for the payment of the expenses of and administration of said department;

Also: Senate Bill No. 414—An act to amend section 5 of chapter 191, Statutes of 1923, entitled "An act to provide for the formation, management and dissolution of county fire protection districts, and annexation thereto, setting forth the powers of such districts and providing for levying and collecting taxes on property in such districts to defray the expenses thereof," relating to the powers of county protection fire districts and the compensation of fire commissioners;

Also: Senate Bill No. 464—An act to amend sections 3466 and 3480 of the Political Code, relating to reclamation districts;

Also: Senate Bill No. 482—An act to amend section 4263 of the Political Code, relating to the compensation of county and township officers in counties of the thirty-fourth class;

Has had the same under consideration, and respectfully reports the same back without recommendation.

Committee membership—9.

WAGY, Chairman.

Also:

MR. PRESIDENT: Your Committee on County Government, to which was referred Senate Bill No. 483—An act to amend section 4253 of the Political Code, relating to the compensation of county and township officers in counties of the twenty-fourth class:

Also: Senate Bill No. 621—An act to create a conservation and sanitation district to be called "The Conservation and Sanitation District"; to provide for the control, disposition and rectification of sewerage and metropolitan waste, and for the protection of harbors, waterways, public highways and property in said district; to increase the water available for agricultural purposes, for the construction of works and the acquisition of property therefor; to authorize the incurring of indebtedness and the voting, issuing and selling of bonds and the levying and collecting of taxes by said district; to provide for the government and control of said district, and to define the powers and duties of the officers thereof;

Also: Senate Bill No. 668—An act to amend section 19r16 of an act entitled "An act to be known as the Juvenile Court Law, and concerning persons under the age of 21 years; and in certain cases providing for their care, custody and maintenance; providing for the probationary treatment of such persons, and for the commitment of such persons to the Whittier State School and the Preston School of Industry, the California School for Girls, and other institutions; establishing probation officers and a probation committee to deal with such persons and fixing the salary thereof; providing for the establishment of detention homes for such persons; fixing the method of procedure and treatment or commitment where crimes have been committed by such persons; providing for the punishment of those guilty of offenses with reference to such persons, and defining such crimes; and repealing the Juvenile Court Law approved March 8, 1909, as amended by an act approved April 5, 1911, and as amended by an act approved June 16, 1913, and all amendments thereof and all acts or parts of acts inconsistent herewith," approved June 5, 1915; Statutes 1915, page 1225;

Has had the same under consideration, and respectfully reports the same back without recommendation.

Committee membership—9.

WAGY, Chairman.

Also:

MR. PRESIDENT: Your Committee on County Government, to which was referred Senate Bill No. 669—An act to amend section 16r16 of an act entitled "An act to establish a standard of weights and measures in the State of California; to regulate weights and measures, and weighing and measuring instruments and devices and providing for the inspection and sealing thereof; to prevent the use and sale of false weights and measures and weighing and measuring instruments and devices; providing for the inspection, measurement and weighing of goods, commodities, wares, packages and amounts of commodities kept for sale or in process of delivery; to prevent the sale of goods, wares and merchandise by false weights and measures; to provide penalties for the violation of the provisions of this act; for the admission in evidence of copies of the State's standard of weights and measures; providing for the appointment of officers to enforce and carry into effect the provisions of this act including a State Superintendent of Weights and Measures and his deputy, sealers of weights and measures and their deputies; defining the powers and duties of such officers; and making an appropriation to carry this act into effect," approved June 16, 1913; Statutes 1913, page 1086;

Also: Senate Bill No. 717—An act to add section 19r54 to the Juvenile Court Law, relating to probation officers in counties of the fifty-fourth class;

Also: Senate Bill No. 718—An act to amend section 2322r54 of the Political Code, relating to the office of agricultural commissioner in counties of the fifty-fourth class;

Also: Senate Bill No. 719—An act to amend section 16r54 of the "Weights and Measures Act," relating to sealers of weights and measures in counties of the fifty-fourth class;

Also: Senate Bill No. 720—An act to amend section 4283 of the Political Code, relating to compensation of county and township officers in counties of the fifty-fourth class;
Has had the same under consideration, and respectfully reports the same back without recommendation.

Committee membership—9.

WAGY, Chairman.

Also:

MR. PRESIDENT: Your Committee on County Government, to which was referred Senate Bill No. 721—An act to add a new section to be numbered 9a54 to the act entitled "An act to provide for the establishment and maintenance of county free libraries in the State of California, and repealing 'An act entitled "An act to provide county library systems," approved April 12, 1909, and all acts and parts of acts in conflict with this act," approved February 25, 1911, as amended, relating to libraries in counties of the fifty-fourth class;

Also: Senate Bill No. 722—An act to amend section 4262 of the Political Code, relating to compensation of county and township officers in counties of the thirty-third class;

Also: Senate Bill No. 723—An act to amend section 16r33 of the "Weights and Measures Act," relating to sealers of weights and measures in counties of the thirty-third class;

Also: Senate Bill No. 724—An act to amend section 2322r33 of the Political Code, relating to the office of agricultural commissioner in counties of the thirty-third class;

Also: Senate Bill No. 725—An act to amend section 9a33 of the act entitled "An act to provide for the establishment and maintenance of county free libraries in the State of California, and repealing 'An act entitled "An act to provide county library systems," approved April 12, 1909, and all acts and parts of acts in conflict with this act," approved February 25, 1911, as amended, relating to librarians in counties of the thirty-third class;

Also: Senate Bill No. 726—An act to amend section 19r33 of the Juvenile Court Law, relating to probation officers in counties of the thirty-third class;
Has had the same under consideration, and respectfully reports the same back without recommendation.

Committee membership—9.

WAGY, Chairman.

COMMUNICATION.

The following communication was received, and ordered printed in the Journal:

By Senator Clock:

AUSTIN, TEXAS, May 7, 1931.

*Hon. Frank F. Merriam, Lieutenant Governor,
Room 209, Second Floor, State Capitol,
Sacramento, California.*

GENTLEMEN: I have the honor to present to you at this time the inclosed draft of a general conservancy, proration control, and State Compact Act as drawn by the legal subcommittee of the "Oil States Advisory Committee" and presented to the multilegislative and executive groups from the states of Texas and Arkansas at their meeting held at Austin, Texas, on the 4th, 5th and 6th of the current month.

I might state that this proposed measure is the product of tedious work and deep thought on the part of eminent and learned legal authorities, assisted by technical and practical men long identified with the oil industry. All divisions within the industry labored on the construction of this measure. The composition of the body engaged in this work comprised two members from the ranks of the major oil companies, three members from the ranks of the independent oil producing group, one from the United States government, and seven members from the ranks of the industry comprising practical and technical divisions thereof. This bill represents the product of their combined thought and experience, and I therefore would feel very grateful if you might find the time and interest to examine the document personally and offer it to the respective legislative bodies over which you preside.

This draft couples two objectives. The first thirteen sections compose an oil conservation law which would become effective in any state enacting it, regardless of whether other states adopted it. The last eight sections comprise an offer for an interstate compact, to become effective whenever two other states pass the act. This compact would place on a permanent basis an "Oil States Advisory Committee" to make recommendations as to the quantity of oil which should be produced without waste in each state, and to cooperate with the federal government in equalizing domestic and foreign production. This compact would provide a liaison body between states having substantially similar conservation laws. Among the proposed thirteen sections which would make up the uniform law, are included prohibition against waste, requirement for ratable takings, common purchaser pro-

vision, prohibitions against price discriminations by purchasers, provisions for equitable provisions in times of overproduction, authorization for unit development and a total phase which would regulate necessary zoning.

Every state is welcome to accept the proposed plan and is privileged to select its member of the proposed advisory committee. In any manner it sees fit, appointed by the Governor, selected by the Legislature or otherwise. A conservative organization, to limit overproduction to protect the oil and gas resources of the industry and the price taken, is the objective of the state and industry. The proposed statute is a symposium of the oil and gas laws of the states of California, Texas and Oklahoma, which would protect waste, control production and do other things necessary to conservation, the object being to make some rational use of the oil producing states, and thus save the oil industry from continuing in its present deplorable condition and rescue it from self-destruction.

Indeed, if this is not accomplished the oil industry appears in imminent danger of being declared of public interest by the Federal Congress and operated under Public Utility Act. The Texas meeting by unanimous vote accepted in principle the "Oil States Advisory Committee's" draft of conservancy and state compact and pledged themselves to its adoption as the basis for future legislation upon their study as being developing necessity for other changes as would best meet and suit local conditions in the state of Texas.

In closing, I desire to add that I have been advised that principally due to efforts of the Governor's committees, constructive work with the various divisions of the oil industry and the Federal authorities, we might look for passage of laws of crude petroleum before May 15th probably inaugurated in the mid continent and followed on the Pacific Coast.

I have confidence in this information and if the proration structure as now established does not bring relief in the first few days, I trust the purchasing companies will find a way to make the grade and I am very hopeful also that this oil and gas saving bill, extended to our California field. I am also hopeful that the legislation passed by the state government will give this entire matter the earnest thought and consideration it rightfully deserves.

I have the honor to remain,

Your obedient servant,

W. A. DOOLEY,

Member Oil States Advisory Committee.

A Tentative Draft Submitted for Discussion

An act prohibiting the waste of petroleum and of the petroleum resources of this state, protecting the petroleum resources of this state, preventing drainage of oil pools in the same oil pool; preventing unreasonable discrimination in the production of oil between and among oil pools when necessary to stop waste; creating a commission to effect these purposes; authorizing agreements for unit or other cooperative plans for the development and operation of single oil pools; appropriating money for the purposes of this act; providing penalties for the violation of this act; authorizing a compact with other states for the furtherance of said objectives, and prescribing the terms of said compact; and declaring an emergency.

Be it enacted, etc.

SECTION 1. Definitions. For the purposes of this act:

(a) The term "oil pool" shall include and include that zone which is underlaid, or which may be underlaid, by a common scientific data or from drilling operations or other evidence, appears to be underlaid, by a common accumulation of oil.

(b) The term "oil operator" shall include any person, firm, corporation, or association of whatever character who has the right to produce oil from lands in this state and to appropriate as his property all or part of the production resulting from his operations.

(c) The term "waste" as used herein, in addition to its ordinary meaning, shall refer to and include: (1) leakage and loss of (2) surface water, (3) waste incident to or resulting from the production of any oil or petroleum, by excess of transportation or marketing facilities or reasonable market demand, and this definition shall include whether said loss or excess of surface water, waste in a single pool or several pools, in this state or throughout the state at large, and its prohibiting waste incident to excess production, production shall be made to conserve the oil pools of settled production in this state; (4) waste incident to the inefficient use for oil producing purposes of the gas energy found in any oil pool in this state, and (5) all forms of waste incident to methods of drilling, spacing of wells, producing or operating, which are detrimental to the maximum ultimate recovery of oil from the ground, whether commercial or otherwise. And, it is further declared to be in the public interest and necessary to the conservation of the petroleum and natural resources of this state, that all petroleum not required by the demands of commerce, be kept, so far as possible, in storage. Storage underground, and that the requirements of commerce be first met by production from the wells of settled production in this state, which process is to preserve and keep these resources intact.

(d) The term "commission" as used herein shall refer to and mean the agency of this state, now empowered, or herein empowered, or hereafter empowered, to administer and carry into effect the terms and provisions hereof, and to enforce the petroleum conservancy laws of this state.

SEC. 2. Prohibitions: The production of crude petroleum in this state and the production of the petroleum resources thereof, in such manner and under such conditions as to constitute waste or wastes, as defined by this act, is hereby prohibited.

SEC. 3. Determinations by the commission: The commission shall from time to time determine the quantity of oil that may be produced without waste from each pool in the state, having regard to the equitable apportionment of outlets between said pools, and to the preservation of pools of settled production, and to the prevention of monopolies. It shall establish its findings by orders.

SEC. 4. To determine potential production: The commission may require a gauge of all wells, or establish such other reasonable standard for the determination of potential as it shall fix in its orders, rules, or regulations.

SEC. 5. Ratable taking and common purchase: That whenever the full production from any common source of supply of crude petroleum in this state can only be obtained under conditions constituting waste as herein defined, then any operator, having the right to drill into and produce oil from any such common source of supply, may take therefrom only such proportion of all crude oil that may be produced therefrom without waste, as the potential production of the well or wells of any such operator bears to the total potential production of such common source of supply, having due regard to the acreage drained by each well. Any purchaser of crude petroleum from any such common source of supply covered by this section shall be bound by the provisions hereof; and, where ratable taking shall be imposed under the conditions of this section, the production of crude petroleum owned or controlled either directly or indirectly by any such purchaser, shall be subject to the order for ratable taking, in the same manner and to the same extent as the production of any operator owning producing properties in said common source of supply. The commission is hereby authorized to so regulate the taking of crude petroleum from any or all of the common sources of supply in this state as to prevent the inequitable or unfair taking from a common source of supply by any person, firm, or corporation, and to prevent unreasonable discrimination in favor of any one such common source of supply as against another. Where it shall be necessary to determine the potential production of a common source of supply and of the several properties therein to enforce this section, the commission may require a gauge of all wells to determine the potential in such manner as it shall determine upon, or establish such other standard or standards for determining potential as shall be set forth in its orders, rules, or regulations. The commission, however, in its proration order, or limitation on production, may exempt from the operation thereof such wells of small production as it may think proper, to preserve wells of settled production in this state.

SEC. 6. Prevention of waste caused by unnecessary drilling: If and when the commission shall make an order, rule, or regulation to prevent waste incident to excess production, it shall have the further power to prohibit the drilling of any unnecessary wells in this state, such prohibition, however, to be limited to the period of four months from the making of said order. The term "necessary well," as applied to a developed or partially developed pool shall include the following types of wells and no other: (a) Wells that must be drilled to prevent the expiration of the fixed term of leases; (b) offsets to paying wells on adjacent lands; (c) wells that should be drilled to protect the owner against the loss of gas energy of the pool where the lease or leases are situate, provided, that in allowing the drilling of wells of this character, it shall clearly appear from the evidence that the owner of the particular lease or leases will suffer an unreasonable loss of gas energy during the period prohibiting the drilling set forth in the order of the commission. No order of the commission shall prohibit the drilling of wildcat wells where the following conditions obtain: (1) Where the operator proposing to drill shall own the lease on the tract to be drilled and also shall own leases upon a reasonable amount of acreage surrounding the location of the proposed well; (2) where the lease to be drilled and a reasonable amount of acreage surrounding the same shall have been unified for the purpose of development and operation. The commission in exempting wells of this character, shall have the power to determine the acreage surrounding the proposed location which shall be sufficient to justify the test. Provided further, however, that while an order to prevent waste incident to excess production shall be in force, no wildcat well brought in under the exemption of this section shall be permitted to produce in excess of an amount determined by the commission.

SEC. 7. Certificates of compliance with conservation laws: No oil well shall be permanently connected with a pipe line until the owner or operator of such well shall have secured from the commission a certificate of compliance with the conservation laws of the state.

SEC. 8. Certificate required for the extension of pipe lines: No common carrier of oil shall extend a pipe line more than two miles except after obtaining a certificate from the commission, that such extension would not cause, or contribute, to waste.

SEC. 9. Unit and other cooperative plans authorized on certain conditions: The owners or operators of lands on interests in a single oil pool may agree upon any plan of unit or cooperative development or operation, or other plan for the conservation of oil, provided that said plan is approved by the commission, on such conditions as it may prescribe.

SEC. 10. Property of the United States: Nothing herein shall be construed to interfere with the power of Congress to dispose of and make all needful rules and regulations respecting the territory or other property belonging to the United States.

SEC. 11. Rules, regulations, orders and enforcement: The commission shall have power to promulgate and enforce such rules, regulations and orders as may be necessary to make this act effective. Any determination by the commission, affecting property rights, shall be after reasonable notice, and opportunity to be heard. In connection with the spacing of wells, and the unit or cooperative development or operation or other plan for the conservation of oil, as herein provided, the commission shall have power to determine the pro rata or ratable basis upon which owners of royalties, or mineral or operating or leasehold rights, affected thereby, shall participate in wells or production of oil resulting therefrom, and to adjust between such owners all conflicting claims, and to make any equitable order in relation thereto, which may be proper in order that substantial justice may be done to all parties. The commission shall also have power to prohibit the employment of any drilling or operating method or methods, or any drilling or operating appliance or appliances, the effect of which would be detrimental to the maximum ultimate recovery of oil from the ground. The commission shall also have power to prescribe rules and regulations preventing agreements or practices whereby there shall be any discrimination between pools in this state, as to the price paid for the oil from different pools in this state, giving due effect to all compensating differences; to deny to any operator rights that may be accorded him by such commission in case such operator disposes of his oil contrary to the orders of the commission or to the purposes of this act.

SEC. 12. Injunction: Where the commission shall have made an order, rule, or regulation for the prevention of the wastes prohibited by this act, and the same shall have been violated by any person, firm, or corporation, subject thereto, a transcript of all proceedings had before said commission resulting in said order, rule, or regulation, together with the fact of violation, shall be certified to the attorney general of this state, who thereupon shall bring action in the district court of the county where the oil properties operated in violation of the orders of the commission, shall be situate, for a mandatory injunction, compelling the offender to obey said order, rule, or regulation, and the said court is hereby given jurisdiction to grant said injunction. An application for a temporary injunction under this section may be based upon the certified transcript of said proceedings and proof of a violation of the order, rule or regulation of said commission, and like jurisdiction is hereby given to grant the same. Neither a temporary or permanent injunction granted under the provisions of this section shall be stayed or superseded, excepting upon application to the appellate court of this state having jurisdiction, and then only after due hearing thereupon. All proceedings provided for in this section shall take precedence over other causes pending in said courts.

SEC. 13. Penalties: Any oil operator violating any order, rule, or regulation of the commission shall be guilty of a misdemeanor and upon conviction thereof in the district court of the county wherein any of the properties of said operator shall be located, shall be punished by a fine in any sum not to exceed five thousand dollars, or by imprisonment in the county jail not to exceed thirty days, or by both such fine and imprisonment; and any officer or employee of any corporation which is an operator, so offending, shall be punished as a principal, by such fine or imprisonment, or by both, upon conviction of any such violation by him.

SEC. 14. Provisions of this act to constitute an interstate compact on certain conditions: This act shall be and constitute an offer on the part of this state to the states of Louisiana, Oklahoma, California, Kansas, New Mexico, Colorado, Wyoming, Ohio, and Arkansas, and any of other oil producing states of the Union, to enter into an interstate compact, for the purposes of preventing the waste of the petroleum resources of the compact states, and to conserve such resources for the use of the people of the United States, in adequate quantities, and for the longest possible period of time, the object being in all respects to promote the public interest of such states and of the United States. Such offer may be accepted by any or all of the other states above mentioned, by the passage of an act by the legislature thereof, as declaring, and enacting a statute or statutes; (a) providing for a conservancy law alike in principle with the conservancy provisions hereof, being sections 1 to 13, both inclusive, hereof, except such changes as may relate to matters of local administration; (b) providing for the erection of the commission herein referred to, empowered to administer and carry into effect, the provisions of such petroleum conservation law, provided if there be in office, such a commission with such power, no further act shall be required; and (c) providing for the creation of the oil states advisory committee with the powers hereinafter defined and containing the provisions relating to a compact, as hereinafter provided, being sections 15 to 17, inclusive, hereof. But no such compact shall be created unless the

states of Oklahoma and Texas join therein; and the state so joining in such compact shall request the approval thereof by the congress of the United States. The governor of this state is empowered to determine if and when any other of such states has duly accepted the offer herein contained, and to so certify by his public proclamation, which certificate shall be conclusive. If prior to the passage of this act, any other of said states has enacted a petroleum conservancy law of the kind above provided for, and has proposed a compact of the kind herein provided for, this act shall be and constitute the acceptance thereof by this state, and the agreement of this state to enter into such compact. Pending motion by the congress, the provisions infra of this act relating to the appointment of the oil states advisory committee and its powers, shall be in force. If the congress refuse to approve such compact, this statute shall, nevertheless, remain the law of this state. Any state joining in said compact, may withdraw therefrom on one year's written notice to the governors of the other states joining in the compact.

Sec. 15. Agreements of this state concerning such compact: As a part of such compact, if and when made, this state agrees to keep in force statutes of this state providing for the commission herein provided for and to keep vested in said commission the power and jurisdiction to carry out the terms of such compact and the provisions of this act; to enact such further legislation as in the judgment of the legislature of this state, shall be proper, to more fully prevent waste in the petroleum resources of this state; to appoint and continue in office, a member of the oil states advisory committee; and to pay a proper share of the expenses of such committee.

Sec. 16. Major purposes of the interstate oil conservation compact: The major purposes of said compact shall be, first, to coordinate the exercise of the police power of the adhering states through their respective conservation agencies, to the end that the wasting and irreplaceable oil resources within their respective jurisdictions, may be of the greatest possible service to the people of the United States; second, to establish uniformity in the principles of the oil conservation laws of said states, leaving to each state the enactment of such supplementary provisions as may be locally necessary; third, the prevention of monopolies; and fourth, to secure to the people of the United States and this state, the enjoyment and benefit of the petroleum resources of this state, when and as needed, and at reasonable prices to the consumer.

Sec. 17. Oil states advisory committee created: As a part of the said compact, the oil states advisory committee is hereby created, which shall be an interstate fact-finding and advisory committee of the compact states. The committee shall consist of one member, chosen by each of the compact states, in such manner as the state may prescribe. In default of other provisions for the selection of such member of the committee, the chairman or head of the conservation commission of each state shall be its member, of the committee. The committee may act by its officers, to be shown by it in such manner as it may prescribe, but a majority of the committee must approve all acts of the committee. The committee shall have the following powers:

(a) To designate one or more offices; to prescribe the times and places of its meetings, at least quarterly; to provide its by-laws and procedure; to employ a secretary and such other assistants as may be requisite, and to pay their compensation, provided, however, that the expenses of the committee shall be apportioned among the compact states in such proportion as the committee may decide, and the commission of this state shall have power to use any of its funds for the purpose of defraying this state's proportion of the expenses of said committee; provided, however, that no part of the expenses of said committee shall be charged against any state without its consent. This state hereby appropriates as a continuing appropriation, the sum of ----- dollars per annum, as its share of the expenses of said committee, not exceeding, however, its said apportionment.

(b) To investigate and publish facts regarding supply and demand, drilling, production and operating methods and costs and such other information relating to the oil industry as may promote the elimination of waste or may be requested by any compact state or the United States.

(c) To promulgate forecasts of the quantities of oil that may be produced without waste in each compact state.

(d) To cooperate with the congress, and other agencies of the United States, in equating domestic production of petroleum with foreign production and imports, for the purposes of promoting the export trade of the United States and minimizing waste of petroleum resources within the United States, and to assist the United States to the extent to which requested, in all purposes proper in carrying out the purposes of the compact.

(e) To advise all importers of foreign oil and its refined products of the necessary percentage of the limitation on imports of said products, which in its judgment and determination is in accordance with the limitation of production of crude oil within the United States, and at such time shall make public such recommendations made by it to such importers.

(f) To advise from time to time the legislatures of the compact states of such further legislation as in the judgment of said committee may be necessary to make effectual the provisions and purposes hereof.

(g) To cooperate with each state conservancy commission so far as such agency may request, in furtherance of such compact.

(h) To allocate at the time of the making public of its forecast for the demand from each of the compact states for petroleum, to each of the compact states the allowable production from that state, which, however, shall be submitted to each of the commissions of the compact states. Should it appear from any such forecast that there exists or will exist in any one or more of the compact states, or in any oil pool in any of such states, an excess of production over transportation and marketing facilities and reasonable market demands, the committee shall determine such excess of production in each of the compact states and in any such pool, and the extent to which the production of each of said states should be refused, consistent with such facilities or reasonable market demands. In arriving at this figure, the committee shall take into account the production of each of said states and its market outlet at the time. The commission of each of the compact states shall take into consideration all such recommendations of the committee, to the end that such condition of waste common to the compact states, shall be adjusted and equalized by them.

SEC. 18. Concerning the commission: The ----- commission of this state is hereby authorized and empowered, as the commission of this state named and referred to herein, to administer this act and to carry out and perform its terms. All the powers of said commission or as they may be amended, shall apply to and govern the commission provided for in this act.

NOTE: If there should be no such commission, or, if it is considered desirable that another commission should be created under the terms of this act, provision for the same may be inserted under this section.

SEC. 19. Separability: If any provision of this act or any order, rule, or regulation, of the commission made hereunder shall be declared unconstitutional, or invalid, the validity of the remainder of this act, and the validity of the other orders, rules, and regulations of the commission hereunder, shall not be affected thereby.

SEC. 20. Repeal of inconsistent laws: All laws and parts of laws inconsistent with this act are hereby repealed.

SEC. 21. Emergency: If being immediately necessary for the preservation of the public peace, health, and safety, an emergency is hereby declared to exist, by reason whereof this act shall take effect and be in full force from and after its passage and approval.

RESOLUTION.

The following resolution was offered:

By Senator Inman:

Resolved, That a committee of three be appointed to notify the Assembly that the Senate is ready to adjourn sine die, and to ask if the Assembly has any further communications to transmit to the Senate.

Resolution read, and on motion of Senator Inman adopted.

APPOINTMENT OF COMMITTEE.

In accordance with the previous resolution offered by Senator Inman, relative to the appointment of a committee to notify the Assembly that the Senate is ready to adjourn sine die, the President announced the appointment of Senators Rich, Hays and Ingels.

RESOLUTION.

The following resolution was offered:

By Senator Slater:

Resolved, That a committee of three be appointed to notify the Governor that the Senate is ready to adjourn sine die, and to ask if His Excellency has any further communications to transmit to the Senate.

Resolution read, and on motion of Senator Slater adopted.

APPOINTMENT OF COMMITTEE.

In accordance with the previous resolution offered by Senator Slater, relative to the appointment of a committee to notify the Governor that the Senate is ready to adjourn sine die, the President announced the appointment of Senators Slater, Maloney and Carter.

REPORTS OF SPECIAL COMMITTEES.

By consent of the Senate, the following reports of special committees were received:

Senators Rich, Hays and Ingels, the special committee appointed to notify the Assembly that the Senate was ready to adjourn, reported that they had notified the Assembly, in accordance with their instructions, and that the Assembly would shortly convey a message to the Senate through their committee.

Also:

Senators Slater, Maloney and Carter, the special committee appointed to wait upon the Governor and inform him of the Senate's readiness to adjourn sine die, reported that His Excellency had returned with the committee and would appear before the Senate and deliver his message in person.

RECESS.

On motion of Senator Breed, at three o'clock and thirty-five minutes p.m., the President of the Senate declared recess until three o'clock and forty-five minutes p.m. to hear an address by James Rolph, Jr., Governor of California.

RECONVENED.

At three o'clock and forty-five minutes p.m., the Senate reconvened. Lieutenant Governor Frank F. Merriam, President of the Senate, in the chair.

Secretary Joseph A. Beek at the desk.

MESSAGE FROM THE ASSEMBLY.

At three o'clock and fifty minutes p.m., a committee from the Assembly, consisting of Messrs. Stockwell, Jones and Bowers, appeared at the bar of the Senate and announced that the Assembly had no further communications to submit to the Senate, and was now prepared to adjourn sine die.

MESSAGE TO THE ASSEMBLY.

Upon receipt of the foregoing message from the Assembly, the President announced that the Senate had no further communication to transmit to the Assembly, and requested the committee from the Assembly to convey to the Assembly the information that the Senate was now prepared to adjourn sine die.

APPOINTMENT OF SPECIAL COMMITTEES BY THE PRESIDENT.

The President announced the appointment of the following special committees:

Committee on Taxation, pursuant to Senate Joint Resolution No. 14—Senators McKinley and Nelson.

Committee on Water Resources Legislation, pursuant to Senate Concurrent Resolution No. 38—Senators Baker, Clock, Crittenden, Mixer, Rich, Schottky and Swing.

Committee on Civil Service Commission Investigation, pursuant to Assembly Concurrent Resolution No. 4—Senators Duval, Ingels and Maloney.

Committee on Motor Vehicle Legislation, pursuant to Assembly Concurrent Resolution No. 37—Senators Harper and Hays.

Committee on Narcotic Law Enforcement, pursuant to Senate Concurrent Resolution No. 25—Senator Young.

Committee on the George Washington Centennial Celebration, pursuant to Senate Joint Resolution No. 12 of 1927—Senators Christian, Bush and Edwards.

On the Committee for the Selection of a Prison Site in Southern California, pursuant to Senate Concurrent Resolution No. 7—The President announced that the Senate members of the committee were Senators Pedrotti, Rochester and Sharkey.

APPOINTMENT OF SENATORS TO PREPARE ARGUMENTS.

The President announced that, pursuant to section 1195 of the Political Code, he had appointed the following Senators to draft arguments giving the reasons for the adoption of the following proposed amendments to the constitution, and with respect to amendments against the submission of which there was a minority vote, the following Senators to write arguments against such amendments:

Senate Constitutional Amendment No. 3—For its adoption, Senator Young (author) and Senator Moran. Against its adoption, Senator Christian.

Senate Constitutional Amendment No. 6—For its adoption, Senator McCormack (author) and Senator Pedrotti. Against its adoption, Senator Cleveland.

Senate Constitutional Amendment No. 8—For its adoption, Senator Rochester (author) and Senator Inman.

Senate Constitutional Amendment No. 9—For its adoption, Senator Rochester (author) and Senator Jones.

Senate Constitutional Amendment No. 17—For its adoption, Senator Nelson and Senator Slater (joint authors).

Senate Constitutional Amendment No. 22—For its adoption, Senator Deuel (author) and Senator Evans. Against its adoption, Senator Wagv.

APPROVAL OF JOURNALS.

The Senate Journals of Friday, March 13; Monday, March 16; Tuesday, March 17; Wednesday, March 18; Thursday, March 19; Friday, March 20; Monday, March 23; Tuesday, March 24; Wednesday, March 25; Thursday, March 26; Friday, March 27; Monday, March 30; Tuesday, March 31; Wednesday, April 1; Thursday, April 2; Friday, April 3; Monday, April 6; Tuesday, April 7; Wednesday, April 8; Thursday, April 9; Friday, April 10; Monday, April 13; Tuesday, April 14; Wednesday, April 15; Thursday, April 16; Friday, April 17; Monday, April 20; Tuesday, April 21; Wednesday, April 22; Thursday, April 23; Friday, April 24; Monday, April 27; Tuesday, April 28; Wednesday, April 29; Thursday, April 30; Friday, May 1; Monday, May 4; Tuesday, May 5; Wednesday, May 6; Thursday, May 7; Friday, May 8; Monday, May 11; Tuesday, May 12; Wednesday, May 13; Thursday, May 14; were, on motion of Senator Breed, approved as corrected by the Minute Clerk.

APPROVAL OF MINUTES.

Upon motion of Senator Breed, the minutes of this day, Friday, May 15, were read and approved as read.

FINAL ADJOURNMENT.

Whereupon, at four o'clock p.m., in accordance with the provision of Assembly Concurrent Resolution No. 28, the President declared the forty-ninth session of the Senate of the State of California adjourned sine die.

JOSEPH A. BEEK,
Secretary of the Senate.

FRANK F. MERRIAM,
President of the Senate.

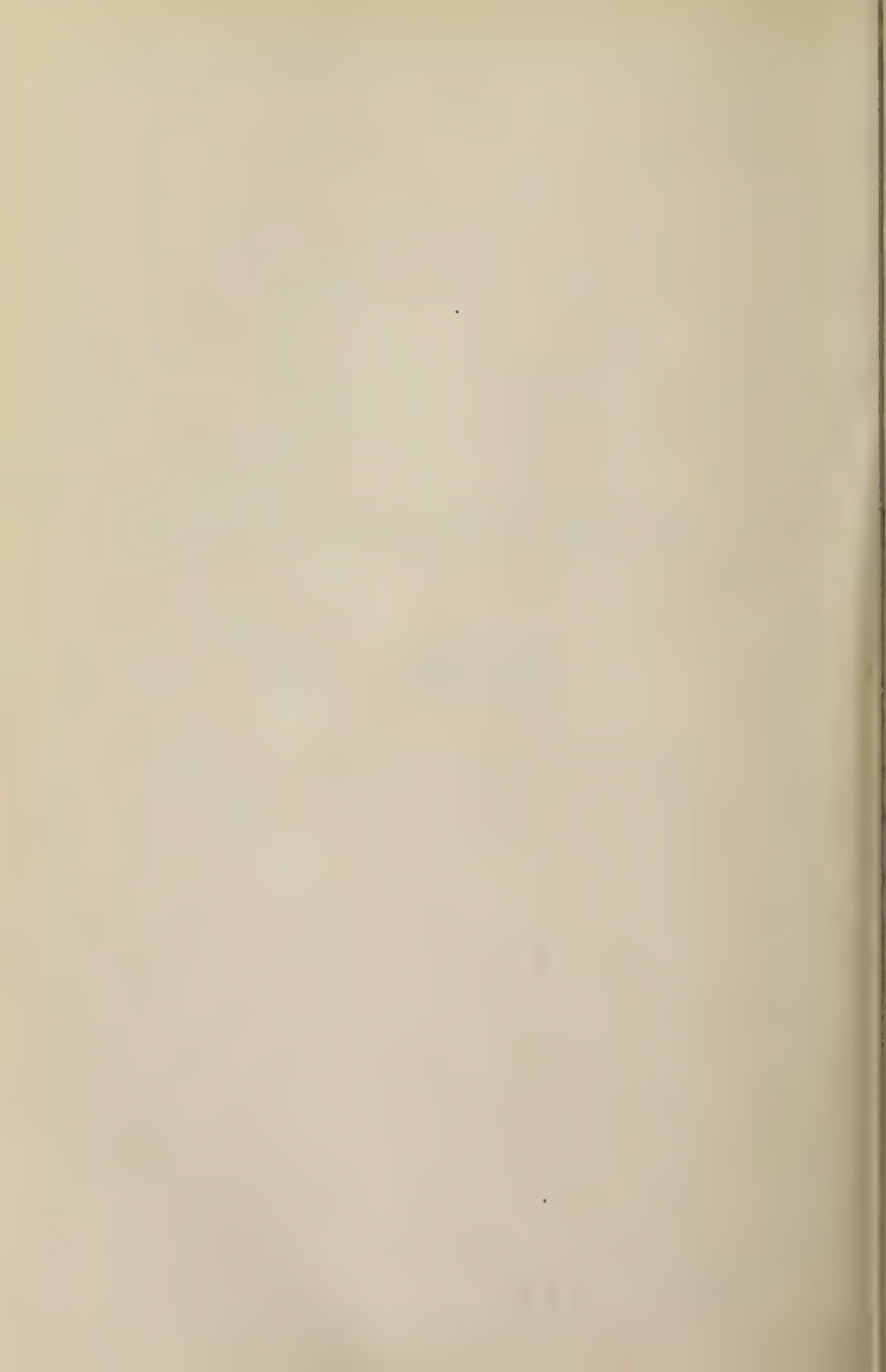
PAUL MASON,
Chief Assistant Secretary of the
Senate.

A. H. BREED,
President pro tempore of the Senate.

HAROLD J. POWERS,
Minute Clerk of the Senate.



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28	Introduced, 1474; from committee, 1837; read, amended, 1883; read, adopted, to Assembly, 1953; from Assembly, to enrollment 2580; to Governor	2855
29	Introduced, 1518; from committee, 1818; read, adopted, to Assembly, 1883; from Assembly, to enrollment, 1939; to Governor	2105
30	Introduced, 1535; from committee, 2025; read, amended, 2402; re-referred, 2540; from committee without recommendation	3134
31	Introduced, 1623; from committee, 2085; read, adopted, to Assembly, 2122; from Assembly, 2747; to enrollment, 2747; to Governor	3065
32	Introduced, 1660; from committee, 1697; read, amended, 1809; read, adopted, to Assembly, 1838; from Assembly, to enrollment 2747; to Governor	3065
33	Introduced, without reference to committee, 1714; read, adopted, to Assembly	1715

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35	Introduced, without reference to committee, read, adopted, to Assembly--	1869
36	Introduced, 2016; from committee, 2204; read, amended, 2223; read, adopted, to Assembly, 2394; from Assembly, Assembly amendments concurred in, 2687; to enrollment, 2688; to Governor-----	3065
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